

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**JUNE 7, 2011**

A Regular Meeting was held by the Board of Trustees on Tuesday, June 7, 2011 at 7:35 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.

**ABSENT:** Trustee Nicola Armacost

**CITIZENS:** Four (4).

**Mayor Swiderski:** Trustee Armacost is traveling on business.

**APPOINTMENTS**

**Mayor Swiderski:** We have appointments to the Senior Council, Vivian Pronin and Marjorie Hollingsworth Mitchell. Both are three-year terms, expiring 2014. For the Affordable Housing Committee we have Cassella. There is no term for that committee, which is probably something we need to address over time.

**APPROVAL OF MINUTES**

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting and Executive Session of May 17, 2011, and the Public Hearing of May 24, 2011, were approved as presented.

**APPROVAL OF WARRANTS**

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

Multi-Fund No. 66-2010-11	\$ 32,198.85
Multi-Fund No. 68-2010-11	\$ 2,074.25
Multi-Fund No. 70-2010-11	\$ 89,962.27
Multi-Fund No. 1-2011-12	\$ 602.41
Multi-Fund No. 2-2011-12	\$ 38,210.43
Multi-Fund No. 4-2011-12	\$212,943.56

## **PUBLIC COMMENTS**

**Peter Wahlberg, 20 Circle Drive:** My fellow neighbors and I wanted to bring again to your attention the continual runoff issue that probably all of Hastings faces. But our particular street seems to revisit this over and over again, partly because of a spring that was dealt with some years ago, where the pipe was buried. That helps considerably, although the way it is configured in large rainfalls, the water passes over this grid and probably 50 percent of it is still on the road surface. So these worst-case scenarios, which is what the Village faced in these damaging storms this spring, contributes to that. In addition, there were these pipes, short sections called "bubblers," where the water is brought underground for short distances through these culverts. The one in front of our house last fall collapsed and was repaired. It collapsed probably because it was not maintained, where the leaf and dirt debris collected in the culvert, blocked the drain, and then backed up. The water pressure just blew out the pipe, creating a hole in our yard, asphalt sinking down.

It was repaired. It is sinking again, now even further up. You can look up the street and see additional holes. That pipe is probably shot, probably 30 feet of it. In addition to that, the berm at our adjacent neighbor at 16 Circle, in order to maintain the integrity of their property the curb has had to get higher and higher, to the point where you cannot open a car door. Now there are sandbags to maintain the integrity of this asphalt curb. Asphalt is going to not be a lifetime solution. It will probably last a few years. So now you cannot open your car door if you needed to park, plus there is now the danger of parking along there. In the event of a storm, the tire is going to then entrap the water, push it over the curb, and then flood other people's homes below. That is why the Village has erected this barrier of temporary sawhorses to prevent people from parking along the street. We all need our parking because a lot of those houses do not have garages. And then Pam has her nursery school. Parents cannot get close to where they need to park.

All of these solutions: sandbags, sawhorses, temporary solutions that we hope would not last for more than a few weeks, already it has been closer to six. We already have looked at a sewage pipe for five years that took that long to get buried. We are hoping we are not going to go through the same kind of event. I think the solution is to do something underground. You have to create a sewer system here, or divert the water differently. I do not think you can cross someone's private property, but if you are getting this volume of water coming down from two or three streets, all joining, at that point you have a river. Then the washout hits Villard and it takes our sidewalks. It is then that you are faced with these huge public works things because you did not deal with the problem.

The solution is costly, but in the end it works. That is how sewers are. Unfortunately, this little bubble system does not work as well as drains are placed improperly in some cases.

You can see the water rushing a foot by it and it does not help. So there is a siting issue, and someone should be out there looking at this problem when it occurs to do a good assessment. I do not feel like creating a higher retainer wall along the side of the road as a solution. At some point it becomes unsightly. People say I am sorry, you have a beautiful house, but this is so primitive. They say, this is bogus, I do not want to live in Hastings. That is what it feels like, especially when you see sandbags.

**Sam Feldman, 10 Circle Drive:** The way I know this is still a problem is, this is only the third time I have ever come to these meetings, and all on the same issue. I bought my house in 1998, and I have no sidewalk at 10 Circle Drive. If I leave my property in one of these heavy rains, there is a river coming down Circle Drive and from Ferndale. I have this river deeper than my ankles. I wear a suit every day to work so I have to jump over it. New folks moved in next door, 14 Circle Drive. As soon as it rained, all the water goes over the curb and floods his area, and then it goes to the house below on Terrace. So he calls up Public Works, says what are you going to do about it. That is when the horses get put up with this police line. We are talking 40 feet. It is the whole block where everybody parks. Anybody comes to visit me cannot park in front of my house. It says No Parking – Tow Away. Called up Public Works, said what is the deal? He said that whole street has to be dug up, big job, pipes, drains, whatever. Ignore the tow-away sign. Nobody is going to tow you away, and I am not going to do anything until somebody tells me to. Which I assume are you people.

So that was my answer six weeks ago as soon as the horses were put up. It looks so ridiculous. One of the neighbors has literally 30 sandbags lined up. Pam Koner has sandbags by her side. A portion of where the street meets the curb right in front of her house collapsed last winter, creating this hole, and all of the water went down into the hole. Her whole yard was mud, and apparently flooded her whole basement.

The way it affects me, as I said, is that river I have to jump over. In the winter it starts all the way down by their homes. You hear the water trickle, and it just never stops. When it gets cold enough, it makes a nice sheet of ice all down Circle Drive. And being that that is where people will park, you have to walk there. I sometimes find myself holding on to the cars to get to my car. So it is ridiculous. It is a lawsuit waiting to happen. And it has to be fixed.

**Village Manager Frobel:** I can respond, Mayor, or I can prepare a written report. I can tell you with a great deal of certainty it is a problem on Circle Drive. I have been out there in the heaviest rains that I have seen in recent memory. Mike Gunther and I have both been out there, as has Chief Bloomer. It is a problem for the new neighbor. He has problems with the water going into his property. Also, someone cleared a lot in back. There were a lot of trees and shrubs that absorbed some of the water. Ms. White's property down below floods out.

It is a costly solution. Mike, being very sensitive to the budget, has tried to come up with some alternatives that worked temporarily. But again, admittedly, in a very heavy rain, when you get two or three inches within a short period of time it does create a problem. The drainage galleys do overflow. They are designed only to hold upwards of 30 gallons of water, then they come over the top. When it comes down that incline it does, at times, rush by the catchbasin because of the velocity of the water. So there are solutions that we have to work out. As part of our road resurfacing program we are going to work with the contractor to tap into his expertise and see if he can help with some solutions other than continuing to build the asphalt berm. The sandbags are there at the request of one of the neighbors to prevent a washout on his property. I met with you last week, and I mentioned we would remove the horses if that would help the situation. But we are trying to discourage people because they do park against the curb. When they turn their wheels in, as you should when you park on a hill, it creates a barrier and it channels water over it into the homes down below. So it is a major problem, but we are trying to come up with a way that would be more cost-effective. It could use an extensive neighborhood drainage project, which would cost a lot of money.

**Trustee Walker:** Could we look at a more sustainable approach instead of just standard storm sewers, like detention tanks or large drywells in key locations so the water can be absorbed.

**Village Manager Frobel:** That is what a drainage galley is. It has holes in it and it fills and drains gradually into the ground. But with the heavy, heavy rain it fills up. This is a basin where a lot of the water collects in this one area, making its way down to the stream.

**Trustee Walker:** Right. So you have to expand the drainage chambers.

**Village Manager Frobel:** Or set up a series of pipes.

**Trustee Walker:** And put more of them in. But we do not want it all coming down to Villard because then it will eventually overflow our storm systems down below. So if we can deal with more of it on-site. We all have to be cognizant that we are supposed to deal with our own property's storm drainage on-site. Many of us have our gutters and our downspouts going into the street. That is no longer legal. So everybody should be putting in drywells on their own property to deal with their own runoff, and that would reduce some of the runoff that goes into the street.

**Village Manager Frobel:** We have people that pump out the basements, too, up there. During heavy rain, when the ground is very charged, you have got people having to discharge the water from to basement onto the roadway. Mike is very sensitive to the area. The catchbasins are kept clean. They are on our list of routine areas that we check during

any threatened storm. He is up there all the time in the winter months, knowing that the spring that is up there does at times jump the pip and cascade onto the street and freeze. So we do what we can, but it is a very costly fix.

**Trustee Walker:** There are other approaches. They are called "green streets," where in addition to the drywells and detention tanks or chambers you plant areas like a rain garden that will absorb more water. There was an article in the *Times* about Chicago's green street program; they realize that their stormwater runoff was going to be increasing with the increase in temperatures and change in weather patterns. That is something to look at. It is different when you have a steep street, of course.

**Village Manager Frobel:** It is very dramatic. You go down on Terrace and see the damage done to Ms. White's property.

**Trustee Walker:** But you have to look at the whole thing. It is expensive, but maybe we need a good study that will help us figure out a more cost-effective way to deal with it.

**Mr. Wahlberg:** We saw our road resurfaced. It probably happened five years ago. We lost the pitch on our road, so the water is cascading over to only one side. Had the engineer paid attention to maintaining proper pitch, or even introducing more to the other side, it is possible to get the spring water and this other water coming from Ferndale to stay on that side of the road and make it to a working drain. As it is, it just cascades to the other side. So engineering the road is one of your most cost-effective ways of doing this.

**Village Manager Frobel:** We are very sensitive to that. I will go out again with Mike and Deven, and maybe shoot some grades and see if that is accurate. I thought we had a pretty good pitch to it, a pretty good crown when it was resurfaced.

**Mr. Walberg:** It is all going off the one side, starting at the Fuller's property at Ferndale. It is going to the west, the river side.

**Trustee Quinlan:** I know you have been there for many years at 50 Circle. Has this always been a problem? You have been there 40 or 50 years, right?

**Ms. Balaban:** Fifty. That is a hard question to answer because it affects the lower part of the street, and less where my house is. But it has been a problem for the last many years, especially the ice on the street. I like to walk, and it is dangerous.

**Mr. Feldman:** Nancy, did they not have culverts prior on either side? That is what I had heard, that the road was smaller, but the culverts were bigger.

**Village Manager Frobel:** They had swales on the side of the road.

**Mr. Feldman:** The one person that I spoke to who also had been there forever was Mr. Soodak, who passed away. That is 14 Circle, Levin now has the house. When I bought my house in 1998, right in front of my house was like a well, but it was not connected to anything, so it would fill with water and stay filled, and it stunk. I could not even leave my window open. That was the first meeting I came to. I remember ringing Mr. Soodak's bell. I said, what is going on? He said that years ago the water ran perfectly. Whatever they did in putting those things in, maybe it has to do with the pitch, but he said it is worse than it ever was before. Within two weeks the whole part in front of my house was dug up. They came with these gigantic pipes, put them in, and connected them all the way to Villard. I do not have that well in front of my house anymore, so they certainly did something. But apparently, at least according to Mr. Soodak, it used to be better years ago.

**Trustee Quinlan:** No excuses, but even where I live in Hillside we have problems with drainage. One of the biggest problems is that the infrastructure, not only of Hastings but all of this area is so old and so expensive to replace, when we are faced with budgetary issues we have problems. That is not an excuse, but it is a fact of life. We have problems on Hillside Avenue with our drainage. Fran has been out there. It is costly to replace, and right now unfortunately most people in Hastings think their taxes are very high. I am sure you do on Circle Drive. It is a problem. It is a problem that the state is having, and it is a problem that America is having with a costly infrastructure and no one willing to pay for it. I do not know what the solution is, but it is an interesting problem. And you are not the only neighborhood that has it in Hastings.

**Mayor Swiderski:** Though the pitch is something we could use to address it.

**Trustee Quinlan:** That is a good point. We have a decent pitch on our street.

**Mayor Swiderski:** Yes, I would like to see that in rain conditions.

**Ms. Balaban:** Can you at least take the sawhorses away? It is so ugly. And it does not do any good because people are parking anyhow.

**Village Manager Frobel:** I brought that to the Chief's attention after you and I spoke last week. We will remove them if the danger of heavy rains is gone and cars are parking there anyway. That was not the intent. It was to keep cars away. You are saying the signs are being ignored anyway. We were looking to have signs that said No Parking from a certain

point, and the Safety Council discouraged that. There was a need for neighborhood parking there, and they decided against it. We brought it to the Safety Council for that very purpose.

**Mr. Feldman:** There was this horrible rain a couple of years ago. They added a nice few inches of that black tar all along the curb. But then there are sections where it is not there, and that is still on Mr. Levin's land. I do not care if there are cars there or not, when it really rains it is going down onto his property anyway. I do not know if a solution is to make a nicer-looking, higher curb that goes the whole block.

**Village Manager Frobel:** That is what we are going to do. I mentioned we were going to have the contractor, as part of our road resurfacing program, take a look at the neighborhood. The problems with the berms is, one, they are not that attractive. They are functional often times, but they are also vulnerable to plowing accidents where the plow will take them up. Then you will see sections where it is OK, and then there is a break. It becomes unsightly. But give us another opportunity to get up there and see what can be done.

**Trustee Quinlan:** Is there parking on both sides of the street?

**Mr. Feldman:** No, only on one side where all the water is.

**Trustee Quinlan:** Would it be helpful to switch the side of the street for parking? It is a one-way street.

**Mr. Feldman:** It is actually a two-way street.

**Trustee Quinlan:** At that point.

**Mr. Feldman:** When you come up Villard and you make the right turn, there is no parking in front of the first two homes, which is Pam's home, the nursery, and my home. When you come to the third home, the Levin's home, now you can park. That is pretty much where everybody parks who is visiting anybody on that block, on the side where all the water is running. I do not know if you parked on the other side if that would help.

**Mr. Wahlberg:** The parking thing is a possibility, but you would have to make it a one-way street. There are arguments for making it a one-way street from a safety point of view, because it would make everyone behave differently about traveling up and down that street.

**Village Manager Frobel:** That is my opinion. I am going to take that back up with the Chief of Police to remind him of that because I thought that was a good idea.

**Mr. Wahlberg:** As you approach Villard, and with cars parked on the left, it is very hard to see where the oncoming cars are. Then you are faced in these standoff situations with another car, where you cannot get by and everyone is crowded into an intersection. You would have to create the parking on the left-hand side of the street, which is a little counterintuitive. But if there was signage, that would solve the tires and the water issue, blocking the water. That is an inexpensive solution for some of this mayhem.

**Ms. Balaban:** Not the water and not the ice.

**Trustee Walker:** We have the stormwater management consortium of other villages. Is that something that could be looked at by several villages? Is that a village officials committee question, perhaps? Everyone is having this same problem, except, of course, unique with its own little quirks. I wondered if there would be some savings in using the same engineer.

**Mayor Swiderski:** In the future not unusual, but a new norm. Let us move on.

**John Gonder, 153 James Street:** I was reluctant to pay my taxes, but I did pay them Thursday, both halves. I think your tax rate was too high, and it looks like the economy is going downhill. I hope you do a better job next year. I am glad to see our Chief Bloomer is trying to get some revenues by Dobbs Ferry and Hastings getting together on Broadway, and the state and Hastings on Saw Mill River Parkway. Quite a few tickets given out. I thought that was very good. Chief Bloomer, when he was here last meeting he was talking about the restaurant on Main Street where you have chairs and tables and people come out and smoke. Maybe the Board should eliminate smoking. Bloomberg passed the ordinance to stop smoking in the parks. This may solve some of the solution.

I do not think the sidewalks were built for walking. On three occasions I almost got driven into those tables and chairs. There are flower boxes and tables. I hope the Village is insured, and I hope the Rainwater Grill is insured, because someone is going to get hurt, tripped there. Especially some old folks. But you could stop smoking on sidewalks or anyplace in the Village, and you may eliminate some of your noise problems at night.

#### **43:11 INTERMUNICIPAL AGREEMENT WITH WESTCHESTER COUNTY FOR PRISONER TRANSPORTATION**

**Village Manager Frobel:** This looks to continue that service that we provide, prisoner transportation. This reflects a 7.1 percent increase from what the county is reimbursing us now for bringing prisoners to the county facility. We get reimbursement a flat rate for the distance, and a per-mile for the use of our car. Looking to continue for the next two years.



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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Village Manager to sign the Intermunicipal Agreement with Westchester County to provide prisoner transportation between the Village of Hastings-on-Hudson and the Westchester County Jail for the term commencing January 1, 2011 and terminating December 31, 2012.

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

**44:11 RETIREMENT PLAN SECTION 384-f FOR POLICE OFFICERS**

**BE IT RESOLVED:** that the Mayor and Board of Trustees of the Village of Hastings-on-Hudson does hereby elect to provide the benefits of Section 384-f of the Retirement and Social Security Law, as presently or hereafter amended, for any member who duly elects to enroll in this plan; and be it further

**RESOLVED:** that the effective date of such shall be the 10th day of June, 2011.

**Village Manager Frobel:** This request originated with the police department, and it is one that I support. Our newest police officers are required under the pension plan to work 25 years. There is no longer a 20-year plan. This will allow those new officers to receive credit for years that they may choose to work beyond the 25 years. They get an increase in their pension of 1.66 percent. It is a rather modest amount, but it sends a signal that even though our collective bargaining contract still provides for a 20-year plan, and the state law has superseded that and amended it to 25, at least the officer knows that if he does choose to work beyond his 25 years, up to age 62, except for the Chief of Police who could work up to age 65 under this plan, they would have that opportunity. The Village's initial cost to join is about \$470. It is a modest cost, and it is one that I support.

**Trustee Walker:** That is the initial cost, and then what is the yearly cost?

**Village Manager Frobels:** That is something the actuaries will have to calculate. They will make their projections as to the likelihood of someone working beyond 25 years, which in that industry is remote. Most of the police officers retire after the amount of time required of them, be it 20 years or 25 now. They did not give us an actuarial impact, but we are told that it will be a very modest increase each year of the actuary's estimate. That report is based on salaries, longevity, the rate of return of the state pension plan. But again, it is something that I think is a good benefit to them.

**Trustee Quinlan:** Why are they recommending it?

**Village Manager Frobels:** For the two newest officers. The two officers you recently hired would have this opportunity to work beyond the 25 years. This does not impact the rest of the force. The rest of the force is already in well-established pension plans. This is the new plan that is opening up now for those officers that are required to work the 25 years in tier five. There are five tiers to the pension plan now.

**Trustee Quinlan:** Let us say these two officers decide to work the 25 and retire. What happens with the money that we put in the plan?

**Village Manager Frobels:** The \$430?

**Trustee Quinlan:** That is it? It is just a one-time obligation of \$430?

**Village Manager Frobels:** Yes. It is \$430 to join.

**Trustee Quinlan:** That is forever?

**Village Manager Frobels:** But as Trustee Walker indicated, there will be a factor in the actuary's analysis each year. I cannot tell you what it is, but we are told it would be a very small amount.

**Trustee Quinlan:** But we are going to end up paying more, correct?

**Village Manager Frobels:** Yes, there would be an inherent increase if you allow the employee to work beyond his 25 years.

**Trustee Quinlan:** And if they decide to retire at 25 we have lost that money then, right?

**Mayor Swiderski:** Does the increase kick in after 25, or is it from the initiation of the plan on June 10?

**Village Manager Frobel:** I assume when the actuaries do their calculations, it would be calculated from that moment forward. They make assumptions.

**Trustee Jennings:** I am understanding this initial charge of \$430 to be a cost that Hastings will have to pay to the state to participate in this aspect of the pension system, and that it is a one-time thing. After that, the state actuaries figure out the pension system costs, and then every village has to pay an assessment to the state pension plan. Is that the way it works?

**Village Manager Frobel:** Yes.

**Trustee Jennings:** So will our assessment be affected by the number of Hastings police officers who opt for this? I assume not. I assume it is just a new thing in the New York State pension system, and then we are going to have our fair share calculated down the road.

**Village Manager Frobel:** You pay your fair share, yes. That is a good way to put it.

**Trustee Jennings:** So it does not matter if one or two or none or five of our officers eventually ...

**Mayor Swiderski:** It does.

**Village Manager Frobel:** Well, it would because when the actuaries do their calculation they will see that you have got, in this case, two men that are eligible to work beyond 25 years. We assume they will work three years beyond that, or two years or five years or however they do the math, and they will tell you that your fair share of that is ...

**Trustee Jennings:** I see. So they are going to calculate our village assessment.

**Mayor Swiderski:** Our assessment is driven by ...

**Trustee Jennings:** A profile of our manpower.

**Village Manager Frobel:** That is right. Our profile is based on the salaries we pay our people, their age, the likelihood of them living to age 65 or 75 or 85, however they do the math.

**Trustee Jennings:** So the younger our force becomes, the higher our assessment is going to be?

**Village Manager Frobel:** Sure, yes. It is like an annuity that is going to be paid until they die.

**Mayor Swiderski:** Well, wait. The younger our force becomes, only because they are joining this plan.

**Village Manager Frobel:** No, it would be that way anyway, if you are hiring someone at age 24 versus 34.

**Trustee Jennings:** It is more likely they are going to work beyond 25 years.

**Village Manager Frobel:** You are going to pay his pension for a longer period of time upon retiring.

**Trustee Quinlan:** And the chances are, I assume, that most of the officers that the Village is going to hire in the future are going to be young men. Not all of them. We could hire a 34-year-old, but chances are most of them will be 25 or 28 or 23 or something like that. They will opt into this plan, so it appears to me that we are going to be increasing our pension costs if we pass this. We are going to be sweetening the police officers of Hastings' pension package. They are going to get more money if they work more than 25 years. And if they do not work more than 25 years, then we are going to have paid in and get nothing in return. We are going to pay and we are going to pay and we are going to pay. They guy's 25, he opts into the plan. They calculate it, they calculate it, they calculate it. After 25 years, this young police officer is no longer young. He says police work is hard, it is shift work, whatever, which it is. It is hard work, and it is shift work. He says I am going to become a security guard or a contractor. I am going to retire and not work any more, whatever. A million different scenarios. We are going to have paid in.

**Trustee Walker:** And then as we hire more young police officers we are going to continue to have to pay in more?

**Trustee Quinlan:** Yes, because the calculations are going to go up. If you have two officers, that is a good question. Do they take all the young officers in the whole state and start the calculations, or do they just look at Hastings and say you have two and here is your calculation?

**Trustee Walker:** And then in three years we have five, or something like that. Does that increase the amount we pay?

**Village Manager Frobel:** Let me dig into it a little deeper. And let us, if we could, hold off, if you choose.

**Mayor Swiderski:** I have some fair idea for how pension liabilities are incurred. It is not entirely right to think about it that if they retire after 25 years you have paid in and lost that money. It is like saying if you die at the age of 68 you wasted paying into Social Security. These things are ultimately hedges, and you cannot think about them quite in those terms. I am not entirely certain that the portion for the guy at the age of 30 who is being asked to work for 25 years, is going to be more expensive than the guy at the age of 40 who is working for 20 years. You are creating a pension over a 20-year term versus a 25-year term. There is a shorter term that the guy works, and they still come out at the end of it with the same 80 percent of their salary, right? Whether it is 25 years or 20 years, you are required to work 25 to land up at the same point the guy who is working 20 years lands up, right? So I am not sure that we are worse off by getting a younger staff because they have to work longer to get benefits that are the same for the guy who has worked 20 years. On a body-per-body calculation I do not think it is worse to have a younger staff.

**Trustee Quinlan:** No, I do not think so, either.

**Mayor Swiderski:** The question here is, how does the Village benefit by offering this to the police? And is it enough of a perk for the officers? Why is it attractive to the officers? Does it result in a behavior we may not want? We may not want to encourage officers to stay beyond 25 years because younger officers are cheaper.

**Trustee Quinlan:** Right. And younger officers might have more energy.

**Mayor Swiderski:** It is complicated. The question is, what is the benefit to the Village?

**Trustee Quinlan:** I agree. The other thing that is interesting is, philosophically, does a person on the Board think that the pensions the police officers get are quite adequate, and should we increase them, and increase the cost to the taxpayers?

**Mayor Swiderski:** Right. This provides an incentive to hold on to the experience that comes with a long time on the force. If you are going to say what is the advantage to the Village, that is the advantage. You are providing a mechanism so that at 25 years an officer does not say there is no financial reason why I should stay one more year. I will have the same pension either way. Here we are saying if we want to hold on to them at that point in life that

there is a financial incentive for them to stay on. The crux of the question is, do you want to have that incentive or not, and how much is that worth to you. If it could be quantified more solidly, if we could say that the cost was \$40 per officer per year, typically, my concern is that it will not be \$40 but would be \$4,000 or \$400, or some number that adds up. Is that worth what we get? It is an interesting question.

**Village Manager Frobel:** It is. Let me do more research. There has been a lot of back and forth between myself and the state pension administrators. I thought I had a good handle on this, but it does come down to the fact of whether that employee after 25 years is it desirable to keep him that much longer. At least offer him, at the beginning of his career, that opportunity to say as an employer we would like to see you stay 26 years, 27 years. Or tell him you have got a 25-year plan and that is sufficient.

**Mayor Swiderski:** For our officers as a pool to date, have they tended to retire at the 20-year mark?

**Village Manager Frobel:** Yes. And that is in the industry, as well. I think there is a value to that employee being beyond 25 because he does have that expertise. You are paying a premium, admittedly, for his salary because of his longevity. But I think it has value to the organization. Not a whole force of 55-year-old men.

**Trustee Quinlan:** So that is the other question. Let us say you hire somebody at 25. At what point, at 35, with 10 years experience, are they at their optimum? They are still young, they still have energy. They have 10 years experience. Are they a better police officer than someone who is 55? It depends on the individual.

**Mayor Swiderski:** The problem is also you are trying to think about the demographics of the force when these two particular guys are at the 25-year mark. Everybody before this is long retired by now. You are trying to project the Village needs at that point, and that is hard. So are we going to defer on this one?

**Village Manager Frobel:** If that is your choice. I am not sure what I am going to be able to get in terms of actuarial projections.

**Mayor Swiderski:** How long has this plan been in force? Is it a new plan?

**Village Manager Frobel:** It is relatively new, specifically for those departments whose collective bargaining contract specifies a 20-year plan, and our contract does.

**Trustee Quinlan:** Can I ask why does our contract specify a 20-year plan, when the state mandates 25?

**Village Manager Frobels:** Because that is new legislation.

**Trustee Walker:** And the question was, is it just a one-time cost of \$472? Because they say one-time cost to the Village.

**Village Manager Frobels:** Yes, it was very clear. That is why I am pressing them.

**Mayor Swiderski:** Right. And is this a question that if we do not sign on now do those two new officers immediately lose the ability?

**Village Manager Frobels:** There is a clock that is ticking, and I think I addressed that. Although we got conflicting opinions from the state. One said it was one year from his date of hire he had a choice to join. The final decision I got and, again, this has taken a lot of pressing to get straight answers out of these people, was that they have one year from joining the plan 384, which Justin has joined. Now he has got one year from that point to join 384-f if his employer offers it to him.

**Mayor Swiderski:** The 384, when was the clock started on that?

**Village Manager Frobels:** A few months ago, I believe it was.

**Trustee Quinlan:** Has anybody asked the officers?

**Village Manager Frobels:** It originated with them.

**Trustee Quinlan:** They want to work more than 25 years, they think.

**Village Manager Frobels:** He liked this option.

**Trustee Quinlan:** Justin? But how about the other?

**Village Manager Frobels:** I have not talked to Officer Pacheco. He is just out of a academy. I have not even seen him.

**Trustee Walker:** This does not apply to Officer Gagliardi?

**Village Manager Frobel:** No. He is already in a tier three plan. His time with DPW was carried forward.

**Trustee Jennings:** One last question. If we were to join now, is this forever? Or if we find that our state contribution to the pension fund is very high because we participate in this section F plan, can we drop it? That would be useful information. It may take a couple of years to be clear whether or not the municipalities that participate in this are paying substantially more in their contributions than the municipalities who do not.

#### **45:11 REQUEST FOR PROPOSALS – INDEPENDENT AUDIT SERVICES**

**Village Manager Frobel:** We prepared specifications to seek outside independent auditing services. I looked at requests for proposals that other communities have used and received help from the state controller's office. Marianne has had a chance to go through it and came back with comments. We are on a tight timeline. We closed our books a few days ago so we need to get someone here. The specs require that they be open to bids until July 5. We will turn those around quickly. I am hoping to have interviews in mid to late July, maybe make a selection award at your August meeting, and have this firm ready to start in September. I think it is achievable. I have a list that the controller's office has given me and a list that I developed through the Internet of CPAs in the area that do municipal work that I will immediately send these specifications to. We will have an ad in the newspaper. You will note that the specs call for a five-year contract. I think five years is fair to get a firm committed to do the work. Not unheard of to have a three-year relationship, but there is a provision in there for cancellation much like we have with our existing firm, so I think we are covered if, for some reason, we decide to part ways.

**Trustee Walker:** I thought it looked really thorough. The first year is the year that ended May 31. So that is the reason we have to move quickly.

**Mayor Swiderski:** We did get a request from Greenburgh to participate on this bid. While we have provided them with the bidding document, which they found quite thorough, we are not delaying our process by even 10 seconds because of the timing considerations here. If they can accelerate and mobilize somehow, I do not know how they will be able to pull it off, by all means a joint bid might be a little cheaper. However, we cannot.

**Village Manager Frobel:** I have had conversation, Mayor, as a follow-up to that, with someone else. In all likelihood, not. It is not one of those products that volume will help you in pricing. It is so unique to the organization. It is based on the size of the budget, the staff. The auditors will do their calculation that it takes 100 hours to do the audit, or 200.



**Mayor Swiderski:** Even if it was a savings, I suspect it will be small, only as the advantage of securing two contracts instead of a single one. But we cannot afford months of cooperatively working. If this had occurred months ago it might.

**Village Attorney Stecich:** You may not agree either.

**Mayor Swiderski:** I also want to say that the document is quite thorough.

**Village Manager Frobel:** I have, from the controller's office and some other documents, an evaluation sheet that I will give to the Board. It has some of the key points that you should be looking for during their interview, and questions you may want to ask.

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 issuance of a Request for Proposals for independent audit services for the conduct of an annual audit of the financial accounts and records 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	
Trustee Nicola Armacost	Absent	
Mayor Peter Swiderski	X	

#### **46:11 SCHEDULE PUBLIC HEARING – MOTOR VEHICLE FINES**

**Mayor Swiderski:** In almost all cases, the fines were last changed in 2001, with a number of exceptions, which were 1991. And the No Parking/Street Cleaning, which will remain unchanged, was last changed in 1987.

**Village Manager Frobel:** We had our last meeting and we made the presentation. We indicated that a lot of these have been long overdue. We also gave you a chart in the last weekly report, where we showed you how our ratios have been in terms of effectiveness in collecting some of these fines. On balance, we do not do too badly. We looked at five years' of analysis of what percent was collected and what that dollar amount realized. Also there was some desire to have the judge look at his collection ratio. I have since met with the

judge. He has two memos that are going to be presented to you in which he will talk about their success ratio. In this next meeting he will talk about the rules that are out there, or not out there, in terms of being able to write off some of the uncollectibles. So you will get a comprehensive report from him at, perhaps, the next meeting.

I took the first stab at this proposal. It came out of an effort to look at parking and parking policies Village-wide. The Chief helped me. Susan spent time in the last few days bringing some sense into all of this because I did have some omissions and some misstatements in some of the work I did. But what is before you now is pretty clear: the violation, the current fee which, in most cases, is relatively low, the proposed. What I thought was most revealing was when it was last modified. I hope the Board supports at least holding the public hearing and allowing us to go to that next level.

**Trustee Quinlan:** I have a comment about the meter violation. The current fine is \$10, and the proposed fine is \$20. It was my understanding that as of last week, and from some comments from the Board it is hard to figure out exactly where the Board stands on that, at one point, although I am not in favor of raising it at all 150 percent, I said I maybe could live with \$15, which was part, Fran, of a recommendation you gave last week. And then I understand this week you have increased that fine to \$20. And the logic, from my understanding, was for the ease of administration: making change for a \$15 fine is somewhat cumbersome? With all due respect, you are going to have to come up with a more persuasive reason for me other than the cumbersome \$15 fine.

**Village Manager Frobel:** That is a very fair comment. I did recommend it come back to the \$15. Making change can be difficult at times, but if the Board's desire is to have it at \$15, we will make it \$15. Susan, you want to offer a comment? Susan is the one who was somewhat persuasive on this.

**Village Clerk Maggiotto:** That was my suggestion, but it certainly was a great deal more than that. Part of it was that we looked at fines in other municipalities, and I do not believe any one of them had a fine lower than \$20 for an expired meter. The other thing is, when you speak to people who enforce the tickets, and I did have a conversation with one of the police officers, a \$10 ticket is, for a lot of people, the price of doing business. It is so negligible. Although you have a few people that are on principle very upset that they got a ticket at all, for a lot of people \$10 is just a nuisance. I do believe, and I do not think that it is such a minimal thing, that \$15 is a very odd amount for anything. Twenty dollars is really the new \$10. You cannot even find \$5 bills anymore. Jerry, I know you are raising your eyebrows, but people hand over twenties so regularly that I think you are just hurting yourself maybe for a reason that is a little misplaced. This has not been raised in so many years because nobody wanted to raise it. I did not think you would meet resistance with \$20.

**Trustee Quinlan:** I do not know what most people think, but when I get a parking ticket I think \$10 is a lot of money. Maybe it is a nuisance to some people, but it is not a nuisance to me. I deserve it if I go out and forget to put money in the meter. I go down and pay it. I am not happy paying it, but I pay it because I violated the meter violation. But ten dollars stings for me. That is enough of a reminder that maybe I should put in more money before I go spend my money in the downtown shopping. And again, we are talking about raising it 100 percent, 150 percent. It disturbs me a lot because this is being presented to me as a package. A lot of these fines should be increased, but if you increase the fine to \$20 for a meter violation I am not going to go for this. If the other members of the Board want to do that, that is fine. Maybe \$10 is not enough for them, but it is certainly enough for me. It is a penalty for me, and I am willing to increase it to \$15.

**Trustee Walker:** The other day I was speaking to a downtown employee who had to run out to feed the meter. She came back, and she said, well, I usually end up paying \$10 a day to park in the downtown because I almost always get a ticket and that is the cost of parking for me. I mentioned to her that there are employee parking meters where it would end up being a lot cheaper than paying the fine, and cheaper than feeding the meter. She did not know about that so she was pleased to know about it, and she was going to get the permit. But it did remind me that people just see it as the cost of parking. These days, parking is expensive. When you think about the cost to a municipality or to a government entity to provide space for cars, it is a lot more expensive than it used to be since 1991. So I understand what Jerry is saying, and I am doing this in a careful and reluctant way. But I do think that Susan's argument is persuasive and that we should increase it to \$20. Certainly not \$25, but \$20.

**Trustee Jennings:** Well, I guess the single fact that tips me one way or the other is the comparability of the surrounding villages. I see no reason for Hastings to charge \$10 or \$15 and be the lowest village in the area. In the best of all possible worlds I would love to have a system, and maybe some day we will, which would be able to differentiate the fine based on how long you were overtime. I hate to charge somebody who misses it by five minutes the same amount as somebody who decides to make this a \$10 parking garage all day. Those are different situations, and I hate to have to charge the same fine regardless of the circumstance. But that is where we are now. I do not feel strongly about it, but I do think this whole package moves us in the right direction and I am not going to derail the whole package simply because of one of the amounts involved.

**Trustee Walker:** Could we have a five-minute grace period? Is that possible? I suppose it is on the pay stations, but not on a regular meter.

**Village Manager Frobel:** On the street, she would not know.

**Trustee Jennings:** Does that technology give us flexibility?

**Village Manager Frobel:** The printout must say what time it expired, and then she could see that it expired at, say, 10:15 and it is now 10:20. So there would be five minutes there. I see what you are saying. But I would have to ask the Chief.

**Trustee Jennings:** That would mitigate the situation a little better in that lot. Maybe that would be a little bit more citizen-friendly, shopper-friendly.

**Mayor Swiderski:** We are not voting on these fines tonight. We are voting for a public hearing. And 1991 to now is 20 years. It is annualized the equal of a 3 percent, maybe 3.5 percent, annual increase over that period of time. While it is 100 percent, \$10 in 1991 is probably worth about \$20 now. So it is not an insane, relatively speaking, jump. From the public policy perspective, Meg hits it. Parking is expensive. It should be. It is a public good provided that is expensive to maintain and keep up, and you want to see it turn over appropriately and do not want people parking on it forever. So I do not have a particular problem with the amount. I have incurred many of these tickets. Ten dollars hurts when you have incurred as many as I have. If it is \$20, I will be watching my watch a little more. In terms of moving forward to a public hearing, I have got no problem with these numbers.

On MOTION of Trustee Walker, 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, June 21, 2011 at 7:30 p.m. to consider the advisability of increasing motor vehicle fines as follows:

<u>VIOLATION</u>	<u>CURRENT CURRENT</u>	<u>PROPOSED FINE</u>	<u>LAST CHANGED</u>
Handicapped	\$75	\$110	1991
Fire Zone or Hydrant	\$75	\$110	2001
Expired Inspection	\$10	\$25	1991
Expired Registration	\$10	\$25	1991
Blocking Driveway	\$10	\$25	1991
Meter Violation	\$10	\$20	1991
Overtime Parking	\$10	\$20	1991
Parked Over Lines	\$10	\$20	2001

Backed into Meter	\$10	\$20	2001
No Parking (other, corner, etc.)	\$10	\$20	2001
All-night Parking 3:00 a.m.			
To 6:00 a.m.	\$10	\$20	2001
Alternate Parking 2:00 a.m.			
To 6:00 a.m.	\$10	\$20	2001
Parked on Sidewalk	\$10	\$20	2001
Parked Left Side to Curb	\$10	\$20	2001
Parked More than 12"			
From curb	\$10	\$20	2001
Parked on Bridge	\$10	\$20	2001
Other Parking	\$10	\$20	2001
Back wheels to curb	\$10	\$20	2001

The following fines remain unchanged:

No Parking			
(bus, taxi, crosswalk)	\$20	--	1991
No Parking (street cleaning)	\$25	--	1987
Alternate Parking	\$25	--	1991
No Prepaid Parking Permit	\$25	--	1991
No Parking Sticker	\$25	--	1991

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

**47:11 SUMMER MEETING SCHEDULE**

**Mayor Swiderski:** Cranking it back to one meeting a month.

**Village Manager Frobel:** That was the thought, Mayor. I know everyone has got vacation plans. Chances are people will miss a meeting. But if we can minimize that by agreeing on some dates in July and August.

[Discussion of dates]

**Mayor Swiderski:** It is the pleasure of the Board to do August 9.

**Trustee Walker:** We may have additional meetings, and we will schedule those as needed, but these will be the only regular meetings.

**Village Manager Frobela:** I am hoping to have the interviews for the auditor.

**Trustee Quinlan:** Is every Boardmember going to be here? How are you going to work that?

**Village Manager Frobela:** I do agree every Boardmember should be there.

**Trustee Quinlan:** For every interview of every accountant?

**Village Manager Frobela:** If it is a manageable number. Say you have five, you may want to meet all five. If out of five you may want to meet three, you are going to have to weigh the full application and decide among yourselves how many you would like to meet.

**Trustee Quinlan:** So we do not need a quorum for the meeting. We are not going to vote that night.

**Village Manager Frobela:** No, you probably would not.

**Trustee Quinlan:** Is this in public or in private for personnel?

**Mayor Swiderski:** No, it is contracts.

**Trustee Quinlan:** So it would be executive session.

**Mayor Swiderski:** Yes. That is not something you do in public.

**Trustee Quinlan:** So then we will have to announce it somehow, make it official.

**Village Manager Frobela:** An off night would be best, I think.

**Trustee Jennings:** Let us assume we get a lot of proposals. Are you going to screen those, and then are we going to read them all?

**Village Manager Frobela:** I am going to give you all of them. I may have comments as to who I think the top three or four might be.

**Trustee Jennings:** Given that, we will probably have to have an executive session meeting to decide whom to interview. And then we will have to have meetings for the interviews.

**Village Manager Frobel:** Yes, you may very well.

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 hereby schedule the following Regular Meeting dates:

1. July 19, 2011
2. August 9, 2011

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

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

**Village Manager Frobel:** I hate to report, but already day seven into the new fiscal year we have had a major breakdown of one of our garbage trucks. One of our first-line vehicles had to be towed to the repair garage. It had a problem with its front end. They worked on it most of the day on the street to get it mobile, but it had to be towed. The cost is anyone's guess. It is extensive. The bushings went and the wheels locked up. We budget for that, but it is just when you are only seven days into the new year and your budget is \$15,000, it is worrisome.

We have closed out the books for last year. At the next Board meeting we will have a verbal report on where we think the year ended. Early indications are that we spent less than was budgeted, and have exceeded our revenues. By how much, I am not certain at this point.

**Mayor Swiderski:** Reasonably close to the estimates during the budgeting cycle?

**Village Manager Frobel:** Reasonably close on expenditures. We probably did better on the revenues that we estimated. Again, separating out the one-time building permit. I have always set that aside as not being part of the equation. So that is certainly good news.

**Mayor Swiderski:** So within striking distance of the \$80-some thousand we spoke about.

**Village Manager Frobel:** You will be pleased, I think. I will have a written report to you. But also we are going to verbally report as part of our continuing monitoring of our finances.

**Trustee Walker:** Fran, should we mention the parks grant?

**Village Manager Frobel:** The staff and Meg and our grant writer met this week, brainstorming on what should be our proposal for this upcoming round of grants through the Office of Parks, Recreation and Historic Places. An important part of that grant will be the quarry. The hope is that we will have some good estimates as to what construction will be. And perhaps a smaller project in the community. Everything is still very preliminary. I would just let you know that we are brainstorming.

**Trustee Walker:** Rather than springing the application on the Board, what I would like to see happen is that we get some preliminary concepts and share them with the Board so that you see how it is developing. It makes sense for everybody here to weigh in before the grant is written and ready to go, before we spend a lot of time on it. At the next meeting we can talk more about our ideas for these grants, and begin to talk about the numbers, as well.

## **BOARD DISCUSSION AND COMMENTS**

### **1. Banners Across Public Roadways**

**Village Manager Frobel:** I reported to the group last week as soon as I found out that the New York State DOT is absolutely death on having banners across the roadway and using their poles. There is no appeal. This is a not a new policy, but it is one that is being aggressively pursued by the DOT. I have had conversations with their staff; how Hastings was under the radar for awhile they are not prepared to explain. But the fact of the matter is that they do not want cables from their poles crossing their streets. I know two of the streets are not theirs, but we are using their poles. It is a liability issue for the state. They are concerned about if a cable broke, a banner fell and hit a car, the car is involved in a motor vehicle accident they are convinced, and I am not sure right or wrong, that they would be named in a suit as creating a hazard. The fact that it has been up there for 30 years plus is not in their equation. It could be up for 30 days; they do not want them there.

I polled area managers. This was not news to them. They have encountered this policy in the past. Some expressed surprise it took so long to catch Hastings. But the fact is, we were caught. Very aggressive in the fact the banners were to come down or they were going to



take them down for us. We felt the better part of valor was to take them down rather than run the risk of having those banners damaged. I have been on the site a couple times with both Mike Gunther and Jim Sugrue. Jim is an expert with power lines, poles and capabilities. We explored trying to use the wooden poles. They are just too far apart. Jim says it is too long a stretch to run a cable. You would need guide wires, and it is just not feasible. The only one so far that has voiced strong disappointment – everyone is disappointed, of course – but the Farmers' Market. I met with Sue Smith a couple times of times. She would like to explore f a stationary sign somewhere in the corner area to highlight the fact that the Farmers' Market is open. She did indicate that despite not having the banner up, this weekend was jumping at the Farmers' Market. There was no loss of any business, and she admitted that herself; the word is out that it is there, and customers are coming. But there is no appeal. There is just no way we can get around this. The state does not want those banners up.

**Mayor Swiderski:** Is it possible to put something up further down on Main?

**Village Manager Frobel:** Yes. Local roads are no problem for them. The problem there is Con Ed, and DOT said that Con Ed does not want them on their poles either. You can ask, they said, or you can do and get caught or not get caught. But the word is Con Ed frowns on this, as well. But that is a possibility.

**Trustee Walker:** What about the poles that were put up for that signal in front of the hook and ladder building?

**Village Manager Frobel:** That is ours. That was the other good point: your own poles are fine and you can put all the banners you like across your streets.

**Trustee Walker:** Do they have any objection to a banner that is at ground level? Let's say we got permission from the A&P to put them on the corner, for example.

**Village Manager Frobel:** I did not ask that question. But the Mayor and I at the VOC meeting heard from some of the managers that New York DOT is thinking of charging permits for the placement of signs visible from their right of way. They have found another way to enhance revenue. It is called an off-site advertising permit. If your business is adjacent to the interstate or any state highway they are looking to issue a permit. Anything visible within 500 feet yards or something.

**Mayor Swiderski:** The only issue with putting it at street level is you are going to have to put two poles in the ground and hang fairly heavy signs in wind conditions that are not predictable. The poles to support those signs would have to be pretty heavy-duty.

**Trustee Walker:** You carve holes in the sign so the wind can get through.

**Village Manager Frobel:** I did not think of that sign at the Hook and Ladder and the ambulance. Maybe that is a possibility. I am not sure who we need approval from, but let me start with the Fire Chief.

**Trustee Jennings:** Those poles do look stout enough to handle it.

**Mayor Swiderski:** Yes, and you could dress them up and make them a little less industrial than they currently are. All right, ask the Chief. Let us see if that works.

## 2. Deer Update

**Mayor Swiderski:** I wanted to finish fleshing out some of the color on the deer issue and what we are waiting for, and the steps over the next couple of months. The forum hosted at Dobbs Ferry was instructive in that it brought together the practitioners who have tried the two major methods in the New York State area into one room to share results and allow the audience to compare and contrast. What was clear to me was that neither immunocontraception nor bow hunting are nearly as effective as people will want in any time frame that people will find reasonable. Specifically, Mianus River Gorge does an annual bow hunt and they have been doing it for six years. After six years of annual bow hunting they have brought their numbers down by not quite 30 percent, which is not great. The example offered by Dr. Rutberg, who we are proposing to work with, involved also a roughly equivalent term in immuno. It was, he admitted, the best case that he had. That was, I think, a 60 percent reduction, a 50 percent reduction. But it was his best case.

**Trustee Walker:** That was the one on the island?

**Mayor Swiderski:** No, it was not. It was, I think, in Illinois. So neither case really rocks your socks. We will have a deer issue, if we started tomorrow, for years to come, and it remains an issue fraught with controversy on effectiveness and expense and everything else. Dobbs is currently examining the two options. They have not selected one versus the other. I have urged the mayor there to work with us if they do go on immuno on a joint grant proposal. If they do not we would have to coordinate anyway, so that if they were bow hunting and hitting deer that had been earlier tagged with immunocontraceptives that there is an exchange of information so we at least know what is working and what is not, and why.

The upshot is that immuno does not compare unfavorably with bow hunting. The examples given made it look perfectly decent. But neither one of them are going to yield results where

people see dramatic drop-offs. So as we wait for the state to come out with their formal deer management plan, which is a menu of options that will be available to communities, it is worth keeping in mind that most of what we can do to address the deer issue are things we have available to us now locally, such as deer-resistant plantings and scanning yourself for ticks and defensive driving in low-light conditions during rutting season, et cetera. That will continue to be what spares us collectively most of the grief, even after five or six years, even if the plans were relatively effective. We are going to wait for the state to come out with their deer management plan, and then see where Dobbs is and proceed in the application for a license and seeking grant money. In the end, we remain in a tight budget environment and there is no way we can engage in this without grant money because the impact would be too significant for a multi-year project. So there are a couple of hurdles here as we head forward. I have been told that the grant monies are there for an experiment of this sort. With that said, until the grant monies appear you do not know anything until it happens.

**Trustee Jennings:** I attended that same meeting, and much of the data that was presented from previous attempts at deer population control, regardless of the method used, were from places and conditions that covered much broader areas than we have to work with here in Hastings. Nothing said at that meeting was tailored to the, I would say, almost uniqueness of our local condition. Even Dobbs Ferry has a large area to work with for any of these methods than we do. The state, in its plan might give us permission to do things that are not as constraining. But as of now, we are very constrained in terms of bow hunting or perhaps firing any kind of projectile. Given that, it makes it even more difficult to see how any of these methods could make a substantial effect here in Hastings. We want to participate regionally, cooperate, but when people talk about the option of bow hunting in Hastings, for example, they often do not mention the constraint, which is pretty much the same as the constraint for firing rifles or shotguns. That means a small area of Hillside Woods and not much else. You have to add to the figures like 30 percent or 50 percent. I would cut these down considerably for us because we are only going to be able to get at the deer that we can attract to a very small part of the Village.

**Trustee Walker:** And that would be true with immunocontraception, too, because of firing a dart?

**Mayor Swiderski:** On the immuno, we would have to ask in our permit request for a smaller radius than that for bow hunting. First, the dart gun is not going anywhere nearly as far. And secondly, if we were just confined to Hillside Woods the impact is going to be small. So it has to be broader, and it will be part of our permit process. There is a reason why this problem is intractable. It is because it is intractable. Dense suburbs that have deer overpopulation are hard places to address these issues.

We are going to keep on pushing forward, and I think it is still worth trying, especially if it is heavily subsidized by granting organizations. But nobody should operate under any illusion that there will be a dramatic drop-off in deer population regardless of method chosen, including our preferred method, which is immuno.

### **3. Comprehensive Plan Update**

**Mayor Swiderski:** This Thursday we have got meeting at the Community Center which is a chance for the public to weigh in, in the process where we determine the environmental impacts of the plan: will it require a full environmental impact statement, or will the Board determine, and the public provide input indicating, that the impacts are not great and we could get by with less than that. We are going to ask the public to weigh in on exactly how great a negative impact they feel the plan will offer to the community.

**Village Attorney Stecich:** The public hearing was also just for general comments on the Comprehensive Plan. We are going to start the SEQRA process, and go through the Environmental Assessment Form, but also anything anybody has to say about it.

**Mayor Swiderski:** That was not my intent, but we are certainly happy to entertain further comments.

### **4. Waterfront Update**

**Trustee Quinlan:** A couple of things that are going on which are important. Tomorrow there will be a presentation by the New York State Department of Environmental Conservation at the Community Center. This is a presentation that they asked to give, and it will be a project update meeting for the Harbor at Hastings site, which is the BP/ARCO site, the northern site. They will be presenting new information to describe the remedial approaches which will be further evaluated for the cleanup of the site. They have recently received the revised feasibility plan for BP/ARCO, and they are going to talk about that. A project update fact sheet is available at Village Hall.

A few days ago we received the report from Silman, BP ARCO's engineers, on the possible saving of Building 52, which is something we have been waiting for for over a year. The buildings came down a year ago January, and at that time they announced that they were going to start the evaluation of Building 52. This is the report of their determinations above the slab. There is going to be another report about the structural integrity, which I hope will not take another year and a half. The engineers found that with appropriate maintenance the structure is capable of being stabilized for a period of at least ten years. They believe that

should provide adequate time to determine the appropriate future use. That report is available at Village hall and, I guess, in the library.

**Village Manager Frobel:** How many copies do we have?

**Trustee Quinlan:** Well, I have one copy that I gave to Meg. Peter, you got a copy. Deven got a copy.

**Mayor Swiderski:** I have been through my copy. I am happy to loan it to the library if we only have three copies.

**Trustee Quinlan:** After Meg is done you can have my copy, too. The basic major features, for people who may not get a chance to see the report that is quite comprehensive, of the stabilization will include a new roof with a minimum 20-year life; repairs to the roof slab; repairs to the end walls of the existing roof monitors; and repair and repointing of the brick masonry perimeter walls. What they are going to find below the slab I cannot tell you, but this is a positive report by BP/ARCO for those people in Hastings who believe that Building 52 would be a perfect building for reuse.

**Mayor Swiderski:** The core document is only 22 pages. The appendices go on for 100. The only raised eyebrow was that the concrete floor in the main building does have PCB contamination because it was used. Even if you were to shave an inch off the floor to get rid of that contamination, you still would not damage the integrity of the floor or the building. That was the main issue that I think could cause us to reconsider, and it was not severe. They said it is something you can address. Everything else, the building was in better shape, than they expected. It was a positive analysis.

**Trustee Quinlan:** Yes, and these people did a thorough evaluation. And it was done by BP/ARCO.

**Mayor Swiderski:** It was paid for by BP/ARCO.

**Trustee Quinlan:** But they hired Silman. They picked the engineers, they paid for the engineers, and in my humble opinion, it says a lot about the integrity of the people in the corporation that are involved in this project.

**Mayor Swiderski:** Silman is as respected an engineering firm as there is out there. It is the gold standard for this sort of work. It is certainly good news so far. So no indication of cost?

**Trustee Quinlan:** No indication of the cost, but that is a cost that they have said, up to \$2 million, that they would bear. The cautionary tale would be what is below the slab. The building is being held up by the pilings, and the pilings are old, and we have a tidal river, and we have PCBs that might be under the slab. We do not know what is under that slab, which is one reason why a lot of people thought we should keep it to trap whatever is under there. Finding out about the pilings and what is under there is their next charge.

**Trustee Walker:** Has Doug Alligood's committee received it?

**Trustee Quinlan:** Doug Alligood received a copy also.

**Trustee Jennings:** If the main report is only 22 pages long, that portion could be scanned and made available electronically.

**Mayor Swiderski:** Yes, and the core part of the data certainly should be on PDF for us as a part of regular work.

## 5. Other

**Mayor Swiderski:** Is there any other Board discussion?

**Trustee Walker:** Our Discover the River Towns Weekend was a huge success. This is the first big endeavor of the River Towns Tourism Board, formed last year with representatives from Irvington, Dobbs Ferry, and Hastings, to promote tourism in our towns. The first destination we wanted to promote was the Aqueduct that links our three villages. Getting people up here from Manhattan or from other parts of the metropolitan region or even from afar could help us promote not just the Aqueduct but our downtowns, restaurants, shops. We advertised the things that were going on this weekend already: our Friday Night Live, our Farmers' Market opening, and Irvington's big summer kickoff festival on Saturday. We also organized a tour from Hastings to Dobbs, and then from Irvington to Dobbs, of the Aqueduct. We asked Historical Society folks and people from the Friends of the Old Croton Aqueduct to lead these tours. Our marketeer extraordinaire, Bruce Bolger, suggested that we promote this on WFUV which is listened to by people all over the metropolitan region who have certain interests in common. So we got an amazing turnout in Hastings on Saturday. We got 85 people from as far away as Port Jervis and Norwalk, Connecticut and Queens and Brooklyn, all coming here for the tour. Two of the DJs from WFUV were on the tour. They were really interested in the history of the Aqueduct and the history of water supplies to New York City and historic landmarks in Hastings. It is great to think that people want to come here and have an experience in our little towns. A tour from Irvington to Dobbs in the afternoon attracted about 25 people. I wanted to thank Bruce Bolger particularly because he

did an extraordinary job with this promotion, and Fred Charles and Holly Daley, who led our tour who did a great job. So lo and behold, we can become a tourist attraction.

**Mayor Swiderski:** And any number of those people did ask for restaurants to eat in, in all of the communities.

**Trustee Walker:** Yes, exactly. Some of them wanted to eat on the waterfront; they asked where should they go, and what were other walks they could take. They said they would love to come back. So it was an eye-opener.

**Mayor Swiderski:** Yes, and at no cost to the Village.

### **EXECUTIVE SESSION**

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss personnel and other issues.

### **ADJOURNMENT**

On MOTION of Trustee Walker, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:30 p.m.