

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
DECEMBER 6, 2011**

A Regular Meeting was held by the Board of Trustees on Tuesday, December 6, 2011 at 8:02 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski (8:10 p.m.), Acting Mayor Meg Walker, Trustee Bruce Jennings, Trustee Jeremiah Quinlan, Trustee Nicola Armacost, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

CITIZENS: Fifteen (15).

Acting Mayor Walker: I am Trustee Meg Walker. I am sitting in for Mayor Swiderski, who will be here later. I am pleased to welcome Boy Scout Troop 2. We are very glad to have you here to observe. If you have any questions, we would be happy to answer them if we can. I would like to ask our Scouts to lead us in the Pledge of Allegiance.

APPROVAL OF MINUTES

On MOTION of Trustee Armacost, SECONDED by Trustee Jennings with a voice vote of all in favor, the following Minutes were approved as presented:

Regular Meeting of November 7, 2011
Executive Session of November 7, 2011
Regular Meeting of November 15, 2011

APPROVAL OF WARRANTS

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

Multi-Fund No. 38-2011-12 \$ 42,433.43
Multi-Fund No. 39-2011-12 \$1,113,182.79

PUBLIC COMMENTS

John Gonder, 153 James Street: I have driven around the Village again, almost every street except a few dead ends. I still do not see a bus in any driveway. Only on James Street, on the dead end side of James Street. I hear from our Building Inspector there is nothing he can do. I cannot tell the plate because I will not go on the property, but I it is a Florida license plate. Florida law says you are supposed to have that vehicle in Florida at least six

months out of the year. He is beating insurance, he is beating registration. We have an attorney. I think if we cannot do anything you can make an ordinance: no buses parked in private individual apartments or anyplace else. It is only on James Street. I fought this for a year-and-a-half last time and we got rid of two buses for three years. It is here now three months. I hope you get an ordinance or something. I am not the only one. We have 11 families on my street, the dead end, and I think everyone agrees with me.

Acting Mayor Walker: Do we not have an ordinance about commercial vehicles?

Village Attorney Stecich: We went through this. It is not commercial. I did a draft law.

Village Manager Frobel: There are others in the community. In fact, there is one on Clarence Street. They are campers. The Chief spoke to the gentleman. He is in Florida. We have been by there a couple of times. I stopped by Mr. Gonder's home to report to him last week; he was not available. But it is registered. As far as we know it is insured. We are not aware of any way that we can compel him to move it.

Acting Mayor Walker: They are like RVs, then.

Village Manager Frobel: Yes. And there are several throughout the community.

Trustee Armacost: Are they parking on relatives' property?

Village Manager Frobel: He owns the home, as far as we know.

Mr. Gonder: He does not live there, though. He lives in Ardsley.

Acting Mayor Walker: Other public comments? This is your opportunity to tell us if you have any issues you would like us to address, questions, comments, anything bothering you about what is going on in the Village, or if you have anything positive to say.

Scout A.: I would like to address the deer issue. Did you guys decide what you would do about it?

Acting Mayor Walker: Mayor Swiderski, who is here, may have comments on that. Anybody else?

Scout F.: I would like to suggest that you take under consideration an objection to the new addition of security cameras at Farragut Middle School. I do not think that they are necessary.

Acting Mayor Walker: Excessive security cameras, or they are not necessary?

Scout F.: The newly-added ones are now in the hallways, and I do not think that they should be there.

Acting Mayor Walker: I am glad you are voicing your opinion. Unfortunately, the Village does not have jurisdiction over what happens in the middle school. But thank you for your comment.

Trustee Armacost: You can go and talk to the school board about that topic.

Scout L.: I also want to address the security camera thing. I do not think that they need the cameras in Farragut. They need them more in Hillside. A month ago when I picked up my sister there was some inappropriate language on the school. I think they need more cameras there than in Farragut.

Scout M.: I live right over there. Me and my dad have a property upstate to go hunting. I think we should have a bigger place in Hastings to go hunting because it is very fun for some people.

Scout Z.: I am for the security camera. Just today, some high schooler pulled the fire alarm, and we would not have caught that person without the security camera.

[Male Voice]: Actually there was a small fire.

Mayor Swiderski: Thank you. I heard two questions about the deer issue, which I was going to save for the Trustees discussion but I can speak to it now.

This morning, I spent three hours in New Paltz with the Department of Environmental Conservation, which is a unit of New York State that worries about deer issues. It is a specific unit, called Fish & Wildlife. We discussed what might be involved were we to apply for a permit to inject the deer with immunocontraception. I was concerned with the direction that meeting might go. I had with me Dr. Allen Rutberg, who is from Tufts, and specializes in this, as well as a Hastings resident, Lisa Litvan, who would be running the volunteer effort in the Village to do things like count the number of deer and the number of plant species in the woods to see if they are regenerating. We had a very productive and long discussion with the DEC, at no points difficult or rancorous. Dr. Rutberg and I came away thinking that when we apply for that permit we are likely to get it, which was not what I expected walking in. They made a number of constructive comments on how we might want to design the

study and, in turn, heard our needs. They came prepared with a map of Hastings so they understood our geography and they understood and made a point about hunting. In New York State, you cannot hunt unless you have a 1,000-foot diameter circle with no houses. In Hastings, that is a very difficult proposition to find such a space. Furthermore, in Westchester you cannot use firearms. Between all of that, it is very difficult to do a hunting cull within Hastings. However, this technique would, hopefully, yield the same result within a few years and bring the population down. The DEC is interested in our willingness to run this experiment and would be happy to work with us. So we may have something that will address that issue.

Scout Z.: I want to address the property taxes. As of now, Westchester has the highest property taxes in the nation, and also high business taxes. I think that is one of the reasons Hastings, or other riverside towns are not growing.

Mayor Swiderski: It is a complicated issue. A law passed by the governor caps our ability to raise taxes, and we intend to comply with that law. I am not sure you are going to see a drop, but you will not see the sort of increases you have seen year-to-year.

Trustee Armacost: Does everyone understand what "cap" means?

Mayor Swiderski: It means that the amount we are allowed to raise the taxes from year to year is limited. In the past, where we might have been able to increase taxes by five percent a year, now we are only able to raise it two percent. That ultimately will slow down the increase in taxes, and should help to address that issue.

Trustee Jennings: None of us should forget that sometimes the taxes we pay are not used as wisely or efficiently as they should be. But, in general, the taxes pay for a lot of services that we all benefit from, as well. Lower taxes eventually will mean fewer services.

75:11 APPROVAL OF PURCHASE – EXTENDED WARRANTY FOR LED STREET LIGHTS

Village Manager Frobel: At the last meeting the Board approved the purchase of 70 LED lights. We became aware that an extended warranty is available. It comes with a five-year warranty, but we are recommending it be extended to 10 years. This is new technology. I think it will work right out of the box, I do not think there is going to be failure. But in the overabundance of caution, I thought it was a wise investment. It is something that I would do personally, and I recommend approval.

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

RESOLVED: that the Mayor and Board of Trustees approve the purchase of warranty extensions from five years to ten years from Swift Electrical Supply Co. for the 70 Phillips Hadco RX 140 Cobra Head LED street lights for the unit price of \$28.75, for a total cost of \$2,012.50 to be paid from the General Fund.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

VILLAGE MANAGER'S REPORT

Village Manager Frobel: We have reached a point where we want to revert back to our normal schedule of picking up yard waste. We have made terrific inroads over the past six weeks since that winter storm in October. Now we want to ask homeowners to go back to bundling up the brush in the three-foot length piles no heavier than 50 pounds and leave it at the curb. We want to relieve our crews of having to pick up everything that has been dragged to the curb. It is just overwhelming. The men did a great job, they took care of it. But it is time to go back to our former way.

Trustee Armacost: What is going to happen to the stuff that is there that clearly came down in that storm?

Village Manager Frobel: There are still a few streets. South Clinton is one. I can mention a couple.

Trustee Armacost: Mt. Hope is one.

Village Manager Frobel: In fact, it was that route that gave us the greatest difficulty in keeping up with everything. Everything out there today we will pick up, but we are asking homeowners to bring it to the curb in a pile. Bundle it up, tie it the way it is supposed to be.

Mayor Swiderski: If it is already at the curb, are you asking for it to be cut up?

Village Manager Frobel: No. If it is at the curb now we will pick it up the way it is.

Trustee Armacost: So how are we going to know? It affects me personally. What is the plan? Some of it is very big.

Village Manager Frobel: As I mentioned, what is out today we will pick up in the condition it is. Unbundled, in a pile, we will pick it up. As the Mayor pointed out, anything new – anything that comes out tomorrow, the next day, the following day – we have asked the homeowner to have it bundled up properly according to our code.

Trustee Quinlan: Fran, how are we going to decide that?

Village Manager Frobel: It is more honesty than anything. When people begin to call in, or those that are listening to this broadcast, they will understand that we have reached the point where we are done. It has been six weeks. If you had storm debris, hopefully by now you have brought it to the curb and we have picked it up. If not, we will pick it up if it is there today.

Trustee Quinlan: Do you have any idea about how much stuff is still out there from the storm? Going up my street around the corner on the way to the pool, there are a tremendous amount of branches on the curb. Every day DPW guys go by there, and it is still there. Have you identified the streets where this stuff is?

Village Manager Frobel: Mike Gunther has a pretty good sense of what is still out there, and the areas that are particularly troublesome still with a lot of the storm debris.

Trustee Jennings: I suggest that we set a date, for example, December 10, and announce that in a few days from now we will be back to the normal bundling requirement. I have a large branch still in my backyard. Tonight I will get it and pull it down. But that seems silly to me. Could we not just set a date a few days from now, and then publicize it properly?

Village Manager Frobel: Sure. I just know winter is coming, we have lost three positions. We have three less men today than we did a year ago. It is a tremendous burden to try to keep up with it.

Trustee Jennings: I am not dissenting from the rationale of what you want to do, and I agree with it and I understand it. But to announce it tonight, and only the people who happen to be watching, it seems a little arbitrary.

Trustee Armacost: The other reason to do it is, if we do get a very severe snowstorm and these branches are underneath, some of them are quite close to the edge of the road, and it is going to cause other problems if they are not removed. Bruce's suggestion is sensible. But there are places where nothing is being picked up. I know it has been there since the storm because I happen to travel those routes regularly. Is it that they are too big for the trucks? It is hard to understand what the problem is. Some of them are on properties of elderly people.

Village Manager Frobel: I have driven almost every street. There was a time when our head was almost above water. We have made tremendous inroads, but now we are seeing that this is continuing. More and more brush is being brought to the curb, and it is becoming more and more of a chore. All we were suggesting was let us go back to what the code says. Tie them up neatly at the curb, and we will get to it on the Wednesday that typically is dedicated to picking up yard waste. Let us do a notice and have a date of December 10.

Trustee Armacost: Give people the weekend to get themselves organized. Maybe stuff is being pulled out because people did not get it all out from the upper part of their garden.

Village Manager Frobel: It is just that it has been six weeks. I am trying to come up with some closure so we can go back to our normal expectation of what we can handle.

Trustee Quinlan: Some of these trees and brush I have noticed you would need a chainsaw to cut off the pieces. Some people do not have a chainsaw. Not everyone knows how to operate a chainsaw. And some people are too old or sick or maybe just do not feel safe operating a chainsaw. So what do you do? Do we require them to do it if they cannot do it?

Village Manager Frobel: That is the code, three feet. They have got to be tied in bundles.

Trustee Quinlan: In usual circumstances it makes sense, but after the kind of weather we have had it does not make any sense.

Trustee Armacost: To me, it is a fairness issue that it gets picked up in some places and not in others. It is very clear to me the ones in my area which came down because of the storm. So one has to ask, if those are not being picked up, they are the same as the ones that fell down in other places, why are these being picked up and are problematic compared to the others? It feels arbitrary if suddenly, just because it has been six weeks and so therefore we are deciding to stop, but you happen not to have been on the list.

Village Manager Frobel: We have covered every street. The men have worked on every street picking up as much as they possibly can. I will admit that there are still areas that I have seen that still require some attention.

Trustee Quinlan: Fran, I just do not agree with you. On the top of Hillside, in front of the Ettinger's, you cannot tell me that people picked up branches there. There are huge branches that could have only fallen down from a storm.

Village Manager Frobel: I will be the first to admit it. I am just saying I was trying to get a sense where we can go back to our regular way, once we have picked up everything that is out there now. If it at the curb today we are going to get it as storm-related debris. There is no dispute that we have areas that we have not gotten to.

Trustee Quinlan: All right.

Trustee Jennings: Another advantage of setting the transition date a few days from now is that it will give the crews an opportunity to finish off the remaining debris piles. We will all be starting with more or less clean curbs, and go back to the old rules.

Village Manager Frobel: There are other operational problems that we are entering into this month. That is part of the problem. We have a high level of vacations this month. As they reach the end of the year they are not allowed to carry forward time. We are going to have a hard time getting everything in the next few days. Trash is the number one priority.

Trustee Quinlan: There is no rush. I am not asking you to do it tomorrow or next week or next month, but it is important to be fair to the citizens who cannot bundle it. There were huge amounts of big branches and trees that came down that are not going to be cut into three foot bundles by a normal person. That is just the point I am trying to make. I am not saying you missed it or you should not pick it up or you cannot pick it up, or how much time it takes. But given the amount of time, and no one has put any time pressure on you, I think the DPW should pick this stuff up.

Village Manager Frobel: And they would if we had enough manpower to go out there and do it more aggressively. The rush is the weather as we get into the colder temps. There are snow flurries predicted for Thursday and Friday. When this stuff is on the street it is going to be a problem with parked cars, snow removal operations. Last time we had two small dump trucks down for a good part of the storm, or we had to rely on our pickup truck to push snow. The large trucks cannot navigate the narrow streets when they have got these piles of debris and parked cars. So we have got a few things going on at the same time. But let us do our level best this week and see if we can make a real impact on this.

Trustee Armacost: But I think the solution is not to say to people we will not take it away unless you bundle it in small bundles. That is not going to solve the problem that you have just addressed, which I raised earlier and which Jerry has now addressed. There are people who simply cannot bundle. They will leave the stuff, and then it is going to be a question of wills: the Village will not pick it up because it is not bundled, and they will not bundle it because they cannot bundle it. So it will be there, and it will cause problems for the Village. So I think the Village has an incentive to remove that stuff.

Village Manager Frobel: And I said we would. Anything at the curb we would pick up. We said that. I was just trying to get like a little ceasefire adding to it is all I was trying to do. Given these other operating tensions that are going on in the next few weeks, that is all I was asking. But let me do the notice and get some fair warning to everybody, and then do what I can in getting enough manpower out there to make a difference.

Second item. I attend the meetings for the Saw Mill River group. We have some progress being made. We have a draft IMA looking to join with neighboring communities and the county to come up with some permanent solutions to Saw Mill River flooding. We received word that the New York DOT over the next several weeks will be mustering some forces to clean up those areas of the Saw Mill that still have debris, downed logs, some of the heavy, heavy lifting. We viewed that as a positive sign that we have got DOT's attention, that they are going to help maintain what is their waterway. The group is meeting frequently. I should have an IMA to you soon, and that would be something that the communities would be signing on to as we begin to pursue funding opportunities. We realize that it is too big a job for one entity to take on by itself, but there should be some strength in numbers.

Finally, there was some confusion. I may have contributed to it. In 2008 there was an effort on the part of the Army Corps of Engineers to embark on a comprehensive study of the flooding along the Saw Mill River. What happened, and what was told to us at our last meeting, was that the county was unable to come up with a sufficient match of funding for that study. Consequently, that is why the work was never accomplished.

BOARD DISCUSSION AND COMMENTS

1. Rivertowns Tourism Board Report

Trustee Walker: I sent around a report summarizing the first year of operation of our Rivertowns Tourism Board. The Rivertowns Tourism Board is an ad hoc committee of representatives from Dobbs Ferry, Hastings and Irvington. The whole point of our board is to promote tourism. We have also been working with a consultant selling communications

represented by Bruce Bolger, who is a Hastings resident. In fact, this was partly his idea. We want to thank Bruce for initiating this and keeping it moving. He has done a terrific job. Except for a \$200 contribution from each of the villages, most of the money for our activities was raised through sponsorships of local businesses and Chambers of Commerce. In addition, we got a matching grant from the Westchester County Tourism Agency. We were pleased that without a burden on the taxpayers we were able to raise money and undertake some interesting events and promotional activities.

One of the activities that was really successful was a WFUV campaign on the radio station to promote the Aqueduct and, particularly a walking tour that was given in June. There were two tours. One started in Hastings and went to Dobbs, and the other started in Irvington in the afternoon and went to Dobbs. I attended the morning one, and I was pleased to see over 80 people from all over the metropolitan area coming to this walking tour to learn about the Aqueduct, and then afterwards to disperse throughout the villages and take advantage of our local restaurants and shops. It proved to all of us on the board that this kind of promotion can drive visitors from outside of the river towns into our communities to take advantage of our resources, particularly the Aqueduct. Although we are focusing on the Aqueduct now, it does point out that there are opportunities to promote other activities, events, maybe our waterfronts in the future. We are learning that we are a tourism destination. We had a little doubt about who would come to walk the Aqueduct, but it was a diverse group from all over the metropolitan area. We have also set up a Web site, which has been getting quite a few hits, and put together maps of the Aqueduct and the downtowns. People have been seen using these maps. We have been promoting through Metro-North, as well.

We were pleased with the first year of activities, and I want to go over some of the suggestions that the group and Mr. Bolger have for our activities going forward. One is to increase cooperative marketing and to encourage other events like Friday Night Live, or other groups like the Friends of the Old Croton Aqueduct, to join with us in these promotions so that they benefit, as well. Our Rivertowns Tourism Board did promote the Aquafest on WFUV. We would like to do more of that kind of thing. If we tell them in advance, we might be able to get some funding from these organizations. Whether it is Friends of the Aqueduct, or 12 Miles North for an event, or Friday Night Live, we can do some co-promoting in the future, which could reduce the cost for everybody. Friday Night Live has a promotional budget. We promote every single Friday Night Live. Can we take some of that and put it together with something? Let us say we are doing a weekend of events, and we can all put some money in and promote it together. That would be a real savings.

Another thing that we are proposing, and there is a lot of discussion about it in the group, is to invite Tarrytown and Sleepy Hollow to join. I have brought that up in the past to this board, and I think we have nothing to lose and everything to gain by broadening this

initiative. There are people who have expressed concern that because Tarrytown and Sleepy Hollow have such great destinations that we will be driving more tourism in their direction. For example, Philipsburg Manor and Washington Irving's house are amazing regional destinations. But those are promoted by the group that owns these properties. They are promoted in other ways so they would not necessarily be promoted by our Rivertowns Tourism Board or the Westchester tourism department. The real advantage is that we can get more funding for our promotions if we invite Tarrytown and Sleepy Hollow, particularly from the hotels in Tarrytown and Greenburgh as well. So we may even want to invite Greenburgh to participate in some respect, particularly because there are hotels along Route 119. And we can place more promotional materials in those hotels, but that costs money too. So we want to get funding from the hotels, we want to pay for promoting within the hotels. That really requires inviting these other municipalities to get involved. But that is a recommendation and y a point of discussion for the Board.

Other recommendations that really would impact us, as a board, is the idea to increase dues from \$200 to \$500. This would be for our cooperative marketing program. There is also the idea of asking each village to put some capital into a signage program. In this report the suggestion is a two-year capital contribution of \$2,000 per year for tourism signage at the train station and maybe other locations. We would attempt to go after, as an intermunicipal group, additional funding from whatever sources we can find, whether it is from sponsors, grants, the public, fund-raising efforts. So that is a question for this Board as to whether they would entertain the idea of putting in our budget \$1,000 this year and \$1,000 the following year to go toward this signage effort.

Trustee Armacost: I do not think we can put any more money towards signage until our signs are up. We put money in the budget two years ago for signs. I assume that money is still earmarked for the signs, but it seems to be an outrageously long time not to have our own signs up. We can come back to that issue when we can tick off our own signs.

Trustee Mayor Walker: I can address that because I have been the one pushing, and not just pushing, but writing the report, creating the signs, approaching all of the approval agencies, waiting for the approvals, going back and forth and back and forth. It has taken a long time because over the last year we have not gotten the approvals very quickly from the DOT, from the county, and from Metro-North. We would have our signs in the ground by now if we had not been held up by Metro-North. We could not get approvals from them, so we are redesigning our signs, we are taking Metro-North off of them because they will not approve the use of their name on our signs, and we are relocating them so that we do not have to wait for their approval. I wrote a letter today to Sign Extreme saying you can start to move ahead on the fabrication of the signs.

Trustee Armacost: Meaning that the signs will be made by when?

Trustee Walker: I do not know the answer to that, but I can find out.

Trustee Armacost: We should wait until the signs are in the ground before we approve any more money for anyone else's sign. On the issue of Tarrytown and Sleepy Hollow, is the name going to be changed?

Trustee Walker: It would remain Rivertowns Tourism Board.

Trustee Armacost: But what does "River Towns" mean then? Does River Towns mean something specific? I thought it meant a specific set of villages and towns.

Mayor Swiderski: It includes Tarrytown, it includes Sleepy Hollow. Sleepy Hollow is sometimes used as part of the group, or not. It is an informal term for everything from us north through, and sometimes including, Sleepy Hollow. Sometimes it includes Elmsford, sometimes it does not. There is no official designation.

Trustee Walker: And one of the distinctions that we have made is that Tarrytown and Sleepy Hollow, although they have a piece of the Aqueduct, it does not connect to our part of the Aqueduct because it is disrupted by the Thruway.

Village Attorney Stecich: Part of Tarrytown does.

Trustee Walker: Part of it does, up to Lyndhurst. So that part could definitely be connected as part of our tours, particularly since you can walk all the way to Lyndhurst, and that is an important destination. At any rate, there has been an argument that because Tarrytown and Sleepy Hollow do not have more Aqueduct we should limit it to the three villages. But in terms of funding and driving visitors here, I think it is in our interest to include them. But I would love to hear from you.

Trustee Jennings: I do not want to muddy the waters about the name River Towns but I do think it would be advantageous if we could rope in some of the things that are in northwest Yonkers. You have a whole bunch of hotels now, Executive Boulevard. You have got the Hudson River Museum. The Aqueduct goes down there. I am not suggesting we try to deal with the entire City of Yonkers, but there are destinations. If we are worried about having all the tourist stuff up in Tarrytown, there is some stuff down here that happens to spill over into Yonkers. My second question is related to that. Have you yet, or will you, enter into cooperative dialogue with the Cropsey people? One of our primary attractions is the fact that

we have all these wonderful paintings in Hastings-on-Hudson. Surely, that needs to be cooperatively factored in with the Cropsey folks.

Trustee Walker: On the Yonkers point, it is interesting that you raise the new hotels because this effort is geared toward economic development. Obviously, we want to drive business to our local businesses. So the Aqueduct is a great destination, but we do not want people to just come and walk. We want them to shop and eat in our towns. One of the reasons they did not think about including Yonkers was that it does not have the Aqueduct going through a downtown. However, they have hotels where we do not. So that is a good point. Maybe we can highlight the fact. I do not know if you can walk to the Aqueduct from those hotels, but it is not very far away. It is much closer to the Aqueduct than other hotels, except for maybe the Doubletree.

Trustee Jennings: Many hundreds of rooms have been built on Executive Boulevard in the last few years, There are three of them there. They are much closer to the very good restaurants in downtown Hastings than they are to the good restaurants in Yonkers. We have several hundred people in hotel rooms which would come to Hastings for a number of things if they only knew about us.

Trustee Walker: Putting the brochures that we are going to create into those hotels would be very beneficial, maybe more so than in one of the Marriotts.

Trustee Armacost: I want to understand whether, again, Tarrytown and Sleepy Hollow, do you need to have a cooperative agreement with those towns in order to offer brochures to their hotels?

Trustee Walker: Yes. The hotels have said that in order for them to be involved that there would have to be something municipal.

Trustee Armacost: Why? Is it a legal rationale, or is it sort of a question of politeness?

Trustee Walker: I do not think it is a legal rationale.

Mayor Swiderski: It is not legal, and I spoke to Bruce about this at some length because I was interested in this topic, as well. They are within the Village of Tarrytown, and it is politeness more than any legal formality. They want to see Tarrytown engaged before they promote other villages. It is nothing more complicated than that. It is as rich a motherlode as the hotels on Executive Boulevard. These are businessmen who I would imagine would tire of hotel food. Here is an opportunity to eat elsewhere, and we have got good food and offers.

Trustee Armacost: But there would be no need to have a cooperative agreement with Yonkers, then.

Trustee Walker: It depends on what the hotels say.

The question about Cropsey is a good one. We have talked about it in terms of bringing them in if we were going to promote a weekend, for example, in the spring or the fall, to ask them if they would participate and perhaps even contribute to the promotions. Have them be open at a certain time, and we will put them on the Web site and promote them. We have discussed it, but we have not taken any action. We have also talked, in our Friday Night Live meetings, about including them in an art walk or other events.

Trustee Jennings: Have they ever accepted?

Trustee Walker: We did include them in one event, and that was thanks to Sue Feir who invited them to participate. They were open.

Trustee Armacost: The other group is the Hastings Historical Society. The walk where you visit the interesting houses is fascinating. I do not know if any of you attended the open house they had this weekend, but it was really fun. I took my kids and they would not leave. There were old guns and cannonballs and things that they were very interested in seeing. Hastings is a very interesting town historically.

Trustee Walker: The point is to come up with a weekend of activities, where all of these things could be happening, whether it was an Aquafest, a Friday Night Live the night before, the Cropsey being open, some event at the Historical Society. We cluster them to increase our number of destinations, and make it a more attractive draw for visitors.

Trustee Armacost: My concern is that including Sleepy Hollow and Tarrytown is taking away rather than enhancing. I do not know how one tests that.

Mayor Swiderski: They are such a target-rich population for us. Where are people going to come from? You have got a captive audience in these hotels that are the richest, most likely source of spending dollars we are going to encounter. More so than people coming up from the city.

Trustee Armacost: But in terms of the way organizations work, it tends to be that when you pool money for something like this the money ends up going to the most powerful entities. And we are arguably the least powerful.

Trustee Walker: But we would all be equal partners in this, so we would all be wanting to promote our downtowns and the Aqueduct, our activities, our events. If we were just promoting destinations, then it might be different. But if we were to say there is going to be a weekend of activities and here they are, and this is going on in Hastings, and we have got Take Me to the River festival, and we have got a concert at the Tarrytown Music Hall, we are giving them equal billing. It is not pushing one over the other. But I understand your concern, and it is valid and we have to make sure that we are careful about it.

I hope I can get these signs. I have been working very hard to get them fabricated and installed. But mostly, I have been working very hard to get them approved so we can move forward. I thought it was going to be so simple.

Mayor Swiderski: It was our lowest-hanging fruit and it has turned out not to be. It is wrong that we have to comply with regulations and what do they gain us. What is served by having to go through that effort?

Trustee Walker: No, it is embarrassing. I have been working on these approvals since January. And then reapplying and reapplying, and waiting and waiting and waiting, and calling and calling, and waiting. Tarrytown has them fabricated and ready to go, and they have been waiting two years for their approvals.

Village Manager Frobel: You have made more progress in the last year than we made in three. It started back in '07 or '08, when Susan and I met with the Chamber. We could not even decide on locations, never mind the style.

2. Update on the Waterfront

Trustee Quinlan: I had a discussion with Bill Ports from the DEC. They hope that the PRAP will be out by the middle of December.

Mayor Swiderski: Two months late.

Trustee Quinlan: I will keep calling them, and they say they are getting closer and closer. So we will keep our fingers crossed, and maybe at the next meeting we will have our PRAP.

3. Tire Collection Practices

Village Manager Frobel: Effective January 1, 2012 Westchester County will no longer accept scrap waste tires from municipalities. For us, it is a problem. Hastings generated last year, by Westchester County's accounting, about 10 tons of waste tires. If the county is not

going to accept from us we are going to have a problem unless we can convince our homeowners to take advantage of the county's offer: that the county will accept waste tires from residents for free. You can bring 10 every time you go to their facility in Valhalla. We are going to be getting this out to the community, but we are hoping that people will take advantage of it. We do not pick up waste tires at the curb. But a number of residents do take advantage of bringing the waste tires to the DPW yard. We bundle them up and bring them to the county. They would take them for no charge. So it is going to have an impact on us.

There is no market for these tires. We know, no matter how the cooperation is from our homeowners, we are going to have some tires in the yard we are going to have to get rid of. So we are trying to join some of the neighboring communities through our VOC to see if we can find a vendor who will take them at some cost. There is going to be an expense. Westchester County believes it is in a position where they can deny the collection of the tires, and are under no obligation to accept them from municipalities. We have challenged their contention. The facility in Valhalla is very good. People can go up there for free and dispose of propane tanks, chemicals, waste tires, e-waste. It is very convenient. And it is by appointment, so you can just simply call ahead and say I am coming up there on those set days and I have these items to dispose of, and there is no charge. But a few people in the community will find it just as easy to bring them down to our yard and it will be our expense to get rid of them.

Trustee Quinlan: Could we just turn around and not accept the tires?

Village Manager Frobel: That is what Elmsford is doing. A few communities have taken that position. I am hoping by this early discussion the Board would support that notion.

Trustee Quinlan: Who here on the Board has brought a tire down to the DPW? Are we certain who is dropping those tires off? How many homeowners are dropping 10 tons of tires down at the Hastings DPW? My guess is that somebody with a higher volume of tires is dropping their stuff down in Hastings.

Village Manager Frobel: There have been occasions when I have had to view hours of video to determine if that was the case. We did have a suspicion that a local garage was bringing waste tires down there when it was closed, and we have not been able to prove it.

Trustee Quinlan: How about when it is open?

Trustee Quinlan: Is the video going during the day when they are open?

Village Manager Frobel: Yes.

Trustee Quinlan: So do you see individual people bringing down 10 tons of tires to the DPW in a given year? I do not think so.

Village Manager Frobel: When I observe the video from my desk at times, because I will have it on periodically, it is mostly recycling stuff coming down there, bulky waste. During the normal work day, I have not observed people bringing tires.

Trustee Quinlan: So where are the tires coming from?

Village Manager Frobel: You might have a homeowner who has cleaned out his garage and he has got three or four.

Trustee Quinlan: That is typical. I have a few tires as well. My guess is that someone is bringing down a lot of tires that does not have them in their garage.

Village Manager Frobel: Some of that number is our own tires from our own vehicles.

Trustee Quinlan: Well, then you are going to bring them up to Valhalla from now on. We know that.

Mayor Swiderski: Try.

Trustee Quinlan: What do you mean try? They are Hastings vehicles.

Mayor Swiderski: It is only for homeowners.

Trustee Armacost: Yes, but they go as homeowners. You have people go as a homeowner. You cannot lose 10 all at once for the Village. That would seem very strange to me that the Village needs to dispose of more than 10 tires at one time.

Village Manager Frobel: Not at one time, but they build up in the yard.

Trustee Quinlan: I just cannot believe we have residents bringing 10 tons of tires.

Trustee Walker: Will the county accept tires at those periodic hazardous waste events that they have in Yonkers? They have them throughout the county. But they are accepting computers and medications and chemicals.

Village Manager Frobel: I do not believe so, but I do not know for certain. Because in the past, you could bring it to your municipal garage. Valhalla is a short drive. It is very convenient.

Trustee Walker: That is true. Secondly, we require a fee when a resident is disposing of a refrigerator to deal with the freon. Could you require a fee to deal with the tires to compensate the Village for the cost?

Village Manager Frobel: We might have to. That is one of the options we are looking at. What I thought is, if we join with neighboring communities and find out what that fee is, then I will know better. Whenever you buy a new tire you pay a \$2.50 fee. Maybe that is the fee that the garage realizes it is going to cost them to get rid of the tire.

Trustee Armacost: I am unclear what the resolution is.

Village Manager Frobel: I just wanted to inform the group that there are several options that we are exploring. We are going to map out a strategy, and pick out what is best for us an organization and for homeowners that it convenient. But at a minimum, we are going to be doing a notice to the community about this facility that is going to be open and accepting this kind of waste at no charge. We will have directions, we will have their hours, and we will encourage them. Phone number to make the reservation. If you go to the Westchester County Web site for this it is very helpful.

Trustee Quinlan: Have the directions ready to give anyone who tries to bring them to the garage. There is somebody down there, right? The only time I think I am allowed to go down to the dump is on Saturday morning, right?

Village Manager Frobel: People stop down continuously during the normal work day to drop off recyclables.

Trustee Quinlan: Are they allowed to do that?

Village Manager Frobel: We do not prohibit it.

Trustee Quinlan: So I can go down Monday through Friday, 9 to 5. And there is no dump truck there for me to throw them in.

Village Manager Frobel: Just recyclables. We are not taking your household garbage.

Trustee Quinlan: But a tire is not a recyclable, is it?

Mayor Swiderski: No.

Village Manager Frobel: But we were taking it for free up until January 1. So it would not have been a problem had you brought a tire.

Trustee Quinlan: Yes, because we could get rid of them, right? Now we cannot. I do not think we should allow tires to be dropped off anymore. Does anybody disagree with that on the Board?

Trustee Armacost: Obviously, if it is going to cost us money, if it is being passed on to us.

Mayor Swiderski: Until we work out a policy to charge for it.

Trustee Armacost: We need to know whether it is commercial or whether it is citizen dumping of tires before we can decide the best way to act. In the same way as with the leaves, the first thing that you did was have a conversation with the commercial leaf dumpers and you developed a program around that.

Mayor Swiderski: But those were known entities. The problem here is that we do not know.

Trustee Armacost: It should be obvious, if you are getting tires showing up, who is bringing the tires. If suddenly there are a whole bunch of tires the night before, 10 tires, you know that is probably not coming from an individual. At that point, you have to deduce that it is a commercial dumping situation. Or you look at the film from the night before to see what happened that night such that we now have tires.

Village Manager Frobel: It becomes a police matter at that point, yes.

Mayor Swiderski: But this new ruling by the county is a new thing. It previously was less of an issue because it was free.

Trustee Quinlan: We have a big pile of tires down there now. We are bringing them up there before January 1, I hope.

Village Manager Frobel: Right.

Trustee Quinlan: On January 1 we will have no tires, so it should be very easy to track tires coming down there because there will be none. If a bunch of tires show up out of the blue,

then we look at the video and tell the police to get on it. We have got to be more diligent, because it is now going to cost us money. We cannot afford it to cost us any more money, period. Every time I turn around people are asking for money around here, even the tourist board. 10-year warranties, that is fine. That is all good stuff. I vote yes, but there has got to be some end to everybody asking for money all the time.

4. Electronic Communications Policy

Mayor Swiderski: I did not want the electronic communication policy issue to entirely drop off, because we got stymied before. Part of what we got stuck on before was what do we keep, ,what do we save long-term, and what do we delete. We found out that everything that comes into the Village e-mail server right now has been preserved, which is substantially more conservative than the law requires and probably not what we want to do long term. On the other hand, deleting everything is too liberal. So what I was going to propose was something that acknowledges that it does not hurt to err on the side of being conservative, but does not burden us with, long-term, everything is saved and if we ever get FOIL'd.

First of all, addressing the point Jerry brought up, anything that comes to our own private e-mails are ours. If we feel compelled to send it in to Susan because we think it is something that should be of historic interest, and kept, that is fine. But personal e-mail address items, just take that off the table. Then everything that comes in to the Board of Trustees general e-mail Susan gets. She will categorize those that should be kept for the long term and put those in a separate folder, and the others are retained for one year. Everything that comes into our own e-mails, if we think something should be saved for the long term we forward it to Susan, and otherwise it is retained for one year.

Trustee Quinlan: So that would be the e-mail for Trustees.

Mayor Swiderski: Trusteequinlan@hastingsgov.org. If we feel something in there should be long-term, it is forwarded on to Susan. At the end of one year it is a revolving deletion. Everything is kept on the individual Board of Trustees items for a year so; if we have a second thought we can cough it over. And otherwise, the Board of Trustees' e-mails Susan segregates into long-term. Everything else stays for one year, just like our own individual ones would. And then maybe on January 1 we reach back and delete everything from the previous year backwards.

Trustee Quinlan: If someone e-mails something to Trustee Quinlan at hastingsgov.org does it just go to me?

Mayor Swiderski: Yes. An automatic copy is being made and saved in this archive, but nobody is reading it.

Trustee Quinlan: So I do not have to send anything to Susan. It is saved.

Mayor Swiderski: No. Let me repeat the distinction. Right now we save everything with no sunset, so it is saved forever. I am suggesting that is way too conservative. So rather than save it forever, at one year if anything came to only you that fulfills the criteria of policy-oriented that should be saved you forward that to Susan.

Trustee Walker: But that means that the Village will no longer be saving those that come to our Trustee account. But when we say please save this, we send it to Susan.

Mayor Swiderski: You send it to Susan, but Susan puts it into a long-term folder.

Trustee Armacost: Do we have a Village document retention policy?

Village Clerk Maggiotto: It is a state policy, very detailed: for one year, six years, or permanent.

Trustee Armacost: I do not think there is anything that would come to us individually that would fit into any of those categories. Those categories tend to be things that deal with personnel issues, they deal with tax issues?

Village Clerk Maggiotto: Every department has its own retention schedule. The schedule is about half an inch thick, and it covers the whole range of documents that a village produces.

Trustee Armacost: If something comes to one of us as a Trustee without anyone else cc'd on it, and it is a document, whether that Trustee knows it or not it is governed by one of these policies, and then it is deleted after a year, you have a problem. There needs to be either guidelines given to Trustees about what fits where, or someone has to keep that stuff. In the cloud you do not have a storage problem.

Mayor Swiderski: Absolutely you would have guidelines on what you pass on to Susan. I get a lot to me specifically. But it is a handful only addressed to you individually. And you would have those criteria Susan would lay out, saying if it is an e-mail from a constituent complaining about an item that should be forwarded to her.

Trustee Armacost: There are policies that exist out there that would not fit. A complaint does not fit into any of those policies that I am aware of. But it has to be preserved for more than a year.

Village Clerk Maggiotto: Yes, it does. Some do. It depends on the subject.

Trustee Jennings: We need to see that in condensed form.

Trustee Armacost: There is another issue. If it does not cost anything more to keep it in the cloud, why do you need to delete?

Village Clerk Maggiotto: If you have the record you must produce it if there is a FOIL request. Even if a retention schedule is six years, and you should have gotten rid of that file, if you still have it, then your FOIL request goes back 20 years. If you have it, you have to produce it.

Village Attorney Stecich: And also if there are a lot more documents you have to go through to respond to whether it is a FOIL request or a discovery demand. Maybe you have to wade through a lot of stuff that just should not be there.

Village Clerk Maggiotto: For a lawsuit, for discovery. You are supposed to clear it out, really, to protect yourself.

Trustee Armacost: But it is a two-edged sword. You want to clear it out to protect yourself, but if you are supposed to have kept it and you cleared it out you also have a problem. So I do not think it is a simple you delete for a year. Some of these things are not that easy to decide is this a one-year or a two-year or a six-year item.

Mayor Swiderski: Then you err on the side of conservatism in those cases. If it were easy other communities would have done this. We can shrug and not do it. But then 20 years down the road we get a FOIL and it is literally a million documents you have to go through. It is a burden on the Village to comply with something we legally do not have to because we did not set a policy. This is a best-faith effort. You do what you can to comply with a law that is maybe not as clear as it could be. But we are trying to wend a way to something that will comply with the spirit of the law and the letter of the law as best as we can. It requires some judgment on us individually whether knowing somebody fits in those categories. And if it does not, forward it on to Susan for long-term.

Trustee Armacost: But can we at least say that anything older than six years should be deleted, or not?

Village Attorney Stecich: No, some are permanent.

Mayor Swiderski: And that is the problem. If we do not eventually pull a trigger, it is this expanding historical record that is pointless. It is a burden we impose on ourselves because we are afraid of pulling the trigger on a decision on it. So I say simplify it to a policy that we should be able to follow, make it clear in the education to the public you respond to Board of Trustees if you want it part of the public record. If you write to individual Trustees it will still be part of the record, but it is less secure. And also your personal notes sent to Trustees and Mayor become part of the record. I resisted this in part, and Bruce brought this up as well, people write us sometimes very candidly, not thinking that they have created now a document that could be FOIL'd. And that is an issue. Part of this will have to be post-script at the bottom my mayor e-mails saying anything you write back to me please be aware it will be saved for a year, at least.

Trustee Armacost: That should be on every single one of our e-mails. Otherwise what we are doing is fixing a tiny bit of the problem.

Mayor Swiderski: There has got to be a public education component here. People write e-mails so easily and put things into those e-mails that they would be mortified to ever see the light of day. On some level it upsets me to think some of that stuff might see the light of day. But we are elected officials and have to live up to a certain disclosure level, and that is just the way it is.

Trustee Jennings: I do not want to prolong this because I do not think it can be resolved, or is germane. I am just thinking of how simple it would be once people know what is what. They will not send me this e-mail to trusteejennings@hastings.gov anymore. They will send it to me brucejennings@. A significant number, including a number of e-mails from Marianne, come to my business e-mail. What am I supposed to do with those? We have already said those are not part of this system.

Mayor Swiderski: That is right.

Trustee Jennings: So the answer is, I do not have to do anything with them. I can delete them, whatever. So I think there is an easy workaround. It is just that people do not realize what is public and what it private. And when they do, they will figure it out. They are sophisticated enough they will send it to us in other places.

Village Attorney Stecich: Part of the problem is that you all have official addresses, I do not think the others, the ARB or the Planning Board or the Zoning Board, do. My e-mail list

is individual names. It has not been an issue with the Planning Board or the Zoning Board, mainly because we have not had any litigation. But if you ever did, other villages I represent there is lots and lots of litigation. Let us say you had a religious land use case, where there would be a lot of discovery. It is all personal e-mail. Maybe there needs to be official e-mail addresses for all of the board members.

Trustee Armacost: Can I suggest we have planningboard@ and zoningboard@, and that that gets cc'd every correspondence.

Village Attorney Stecich: That is maybe not as big an issue because there is not a lot of correspondence. But I could imagine that there could be.

Mayor Swiderski: If the Planning Board asks for comments from the public it should be either planningboard@ or a new address called comments@.

Trustee Armacost: Wherever you think there might be a litigation issue I think there should be addresses/

Village Attorney Stecich: I would just say Planning Board, Zoning Board, and possibly the ARB. Since the new design guidelines the ARB does have authority that could be challenged. Until now they did not. So I would say those are the only three boards.

Mayor Swiderski: Raf, in the ether, hears this and can make it happen. Raf can turn each one of those into a group e-mail. Sending it to the Planning Board is echoed out to all Planning Board members.

Village Attorney Stecich: Anything that I am sending is all privileged because it is attorney-client. It is stuff coming from the public that we are concerned about. So rather than them sending to Patty Speranza, send it to Planning Board.

Village Clerk Maggiotto: Right. People do not ask to correspond to individual Planning Board members or Zoning Board members. It is different with the elected officials because you all have our constituencies. But I do not believe the members of the Village boards do. We will get correspondence, and it will say to the Planning Board or to the Zoning Board, would you please distribute this to everybody. So I do not think it is so much of an issue. But it would be a great idea to have a Planning Board address and a Zoning Board address.

Village Attorney Stecich: Up until now I do not think it has been an issue. It could be, though. And that is a better way to deal with it.

Trustee Jennings: Correspondence between members of boards: does it have to be saved, according to these guidelines?

Mayor Swiderski: It is not FOILable, but it is legally discoverable.

Village Attorney Stecich: And it could be FOILable. Interagency communications are not FOILable unless they are just recounting data and factual stuff. The things that are not FOILable are policy discussions, opinions. But if Peter sent an e-mail around about immunocontraception or something, factual information, that is FOILable, even though it is an interagency communication.

Trustee Jennings: My question really is, even though members of the public may not communicate with a Board member, non-elected people, Planning Board, Zoning Board, whatever, I know in terms of the Conservation Commission there is a great deal of e-mail traffic that goes back and forth among the membership of the Conservation Commission which I get cc'd on. So I have it in my e-mail inbox right now, and I am not so concerned about me and my inbox. But I am concerned about if the Planning Board members do the same kind of thing that the Conservation Commission members do. Would all of those individuals' private business or personal e-mail accounts then become open to discovery? I bet you they do not know that, if it is true.

Village Attorney Stecich: The truth is there is not a lot of that. But let us say there were, yes, it is a problem.

Trustee Jennings: So you should not use your private e-mail for anything touching on your service to the Village. Is that what you are saying?

Village Attorney Stecich: Yes. Let us say there was some litigation and it involved the Planning Board. The lawyer who was representing them would have to go to them individually, if there were discovery requests, and say go to your e-mails and produce anything relating to this application. I do not know if it is so much a privacy concern. It is difficult. And then also people may just be deleting this stuff.

Trustee Jennings: If this is understood, and let us say I am not in office but I was asked to serve on some board, from now on I would say please give me a hastingsgov e-mail account, and I will use it for my board-related activity.

Trustee Armacost: But all that can be discovered is relating to the issue itself. It is not like people can go through all your e-mail. There are protections.

Village Attorney Stecich: Yes. But taking Bruce's example, let us say the Conservation Commission with all their back and forth come up with some law that is really burdensome, and the Board passes it and somebody challenges it. Those communications may be relevant and they want any communications among the members that related to your recommending to the Board of Trustees that piece of legislation, which the Board of Trustees ultimately passes. These are all difficult issues. But as you said, you make a good faith effort, you do the best you can. It might not be perfect, but it is going to be better than what exists and better than what most people are doing.

Mayor Swiderski: Right. And it should not be entirely burdensome, and it should show some thought in attempting to comply with the laws.

Trustee Armacost: Marianne, are there other communities that have come up with good policies? Have you talked to NYCOM? Are you sure not California or some of these other places?

Mayor Swiderski: We have got to comply with New York State's archive rules.

Trustee Armacost: But they may have developed guidelines where the laws are not so radically different.

Mayor Swiderski: What we have, what I brought to you, was developed by the New York State archives. That policy was not pulled out of thin air. I sought certain elements because of concern about the privacy of people who write us directly. I acknowledge there is some reeducation for people. Like all of us, we should think before we hit enter whether this is something necessarily we would want to have see the light of day. And it might mean some people are a little less candid to us, but the law is the law. They can pick up a phone instead.

Village Attorney Stecich: You are going back to where it was before. If they wanted to say it they had to write a letter. There is no question that people knew if they sent a letter to a board that it was public record.

Trustee Walker: People have been taking e-mails much too informally. It is surprising what people will say in an e-mail that they would not say on the phone or in a letter. It is so easy to rant and hit send.

Trustee Armacost: To that point, there are policies in most corporate entities where there is a disclaimer at the bottom of the e-mail. Then there is lots of language around that disclaimer that anyone who is receiving, you for example, any e-mails from you that should be embedded in the e-mails that go out. Anything that goes from Board of Trustees to someone,

or from the Village Manager to someone, that kind of thing is a very quick and easy thing to have embedded in the signature of the e-mail.

Mayor Swiderski: We could have the comments at hastingsgov.org where you automatically get an acknowledgment back saying your document is now part of the legal record on this issue, on the issue you addressed in your e-mail. But I want to do something here that we all will not wince at because it is so hopelessly manually intensive. If you tell me I have got to sort every e-mail, forget it.

Trustee Armacost: My suggestion is when the policy is at a stage where it is close to call up Barbara at NYCOM and have them take a look.

Mayor Swiderski: Yes, no problem. Susan and I want to come up with something that does not burden us or her unduly, and yet respects the spirit of the law and would satisfy somebody at NYCOM who has a clue about this. Though nobody really does. We will come up with something that others will be copying.

Trustee Mayor Walker: This is just going to be for e-mails going forward, or is it going to be retroactive?

Mayor Swiderski: We need to talk about that, because I did not realize that Raf was running an archive. It is only a year's worth of archive, and there is stuff in there that should be permanent. But that would require something so hideous.

Trustee Armacost: But can you sort by words or something? I mean, there are certain things which are obvious, and there are certain things that are tricky.

Village Manager Frobel: Some e-mails contain several topics.

Trustee Walker: And then in G-mail you have these running clusters of e-mails that come under one subject because you forget to change the subject. The topic has changed, but you are still sending e-mails under this ancient topic from a month ago.

Mayor Swiderski: Let Susan and I talk about that, and Marianne, and try to figure out a rational, reasonable policy.

Trustee Walker: I was not here at the last meeting, but I definitely am in favor of doing this, as painful as it is. Personally, it is going to help me a lot just with my own e-mail housekeeping.

5. Other

Mayor Swiderski: I just wanted to finish up on the deer. I have been stressing about this meeting with the DEC for two months because I had indications that there would be resistance. I think they are intrigued enough if we do it right, and are willing to support us to a limited non-financial extent with advice and expertise, that we are likely to see them approve a permit. In terms of the time frame, I promised Dr. Rutberg that I would do a rough draft of the permit based on the last one we did, which was approved, and get that to him by the end of December. He committed that, in turn, he would have it off to the DEC by the end of January. The DEC, in turn, said they would redline it and have something back to us within a reasonable amount of time. They are eager to turn this into something that could be a model. But if we got the permit by March, that means, unfortunately, it is a year before we could do anything because this is done in January and February typically.

Trustee Walker: But were we not going to try to come up with some alternative funding anyway? That will take time.

Mayor Swiderski: It will take time to get funding, it will take time to set up the metrics that we want to collect, the stats about how many deer we have in our community, and all that, and to prepare this so that a year from January we could do it.

Trustee Walker: If we got the permit and we had to act within a year, we could do all of that?

Mayor Swiderski: We have people who are well enough along in the process of getting funding, and we have commitments so that certainly half of the expense, assuming an expense of \$20,000 would be covered, this is not going to be all out of our pocket. It is likely to be substantial.

Trustee Jennings: Presumably we do not have to invent our own metrics either. He must have some standardized metrics so he can compare one geographical location to another.

Trustee Mayor Walker: We just need data, right? We need our own data.

Mayor Swiderski: No, it is how we would collect our own internal metrics. But that, actually, I created the previous. So that is boilerplate. It can be modified slightly for this, and it is quite similar. I am not taking on something that I cannot fulfill by the end of December. It is manageable. From his perspective, the professor is thrilled, because the formulation he has has been highly effective on the island that it has been used: 95 percent, 90 percent, that sort of number, and for multiple years. So this would be an opportunity to

deploy it in a free range community like ours that is not totally free range. It has got a southern exit and a northern exit, and the traffic over the highway is not significant. The deer population is simply bounded within the villages.

We agreed that it made sense no matter what Dobbs does. If Dobbs goes for a cull, fine. If Dobbs joins us, fine. It is just useful if they do something because that corks us at the north. To the south, it would be important for us to get permission from Andrus Children's Home to get onto their property, because there is a substantial herd there and there is little below that. We rapidly head off into a heavily-urbanized area. To the south is Lenoir and the children's home. If we can get those on board to allow us the bits of property that are within Hastings for us to be able to do this there we may have a shot at having this succeed.

Trustee Walker: So how many years will be required before we know if this is successful?

Mayor Swiderski: You will see an impact within three or four years. By five years, we will all look at each other and say this is so negligible it is not worth pursuing.

Trustee Mayor Walker: But that means \$20,000 a year? Or it is just the \$20,000 is for the first?

Mayor Swiderski: Right. Then the reinforcement is done with the tranquilizer gun. It is substantially less. There would be concurrent efforts to bring the cost down and also to get restrictions eased on how we can do it. The DEC is going to be looking for lowering the radius for crossbow and bowhunting from 500 feet to something less. I have asked that tranquilizer guns be included in that radius reduction so that we can use it more broadly. Getting Village residents close to Draper to sign off on using it there is going to be a whole lot easier with the tranquilizer gun than with the rifle or bow. We are far more likely to get 100 percent sign-up. The DEC also said that we should consider box traps, trap them and deliver the PCP that way, in those areas that are too densely populated. A box trap is like a tight net. They fall over, and then people rush in and deliver the dose.

Trustee Jennings: Do you have a sense of how many animals need to be contracepted at the first round?

Mayor Swiderski: The trivial answer is as many as we can get. The DEC is saying 90 percent of all does, and Rutberg says that is way high; you will see results at lower numbers. But does are not totally dumb, and you will get the easy ones up front, the ones that were baited into coming to a certain area and being tranquilized. There are those who will be hyper-cautious, scared of people, will smell you, whatever. The first 50 percent are easy, the

next 20 percent are tough, and then beyond that the marginal ones are where the expense comes in. That is where it goes from \$300 or \$400 a deer to \$1,000 or \$2,000 a deer because the effort of hunting down the recalcitrant ones that are hiding out in backyards becomes tough. At some point you do as many as you can, and you call it a day.

Trustee Walker: It seems like it would be easy to do the ones that are domesticated and living in people's yards, but we cannot do it people's yards. They are the ones who seem to have adapted. They think of themselves as house pets.

Mayor Swiderski: That is right. So bowhunting as a cull technique, even the DEC acknowledges is not particularly effective. You are getting 20, 25 percent reduction. They said if you want to cull you sharpshoot. I just laughed. The crack of gunshots, forget it. To have an organized sharpshoot in Hastings is just hard to conceive and in communities as dense as ours is unheard of.

Trustee Jennings: So they are interested in this. They are viewing it as kind of an experiment.

Mayor Swiderski: Very much an experiment. And it has to be packaged with the protocol around it about data gathering, looking to people's responses to whether their property has been damaged, gathering stats in all sorts of different ways, and doing it every year to see if you see a drop-off eventually. You are self-reporting. There are harder stats like car strikes. Just about everybody who hits a deer reports it to the police because their insurance company wants a record. So if you kill a deer with your car you are going to report it. Theoretically you should see fewer strikes. That is a metric that is actually quite hard. If we collect those metrics, in theory we should see a change.

Trustee Jennings: But not until three or four years out.

Mayor Swiderski: Yes. So it is not an immediate answer, but most communities did not do anything because they are not even willing to take the risk of the experiment. I think there is a shot here for success that we could do year-in, year-out without hysterics, without community opposition. People are not going to fight if it works year-in, year-out. Even if a cull is working, there will be people year-in, year-out who will object to that because of its violent nature and perceived risks to surrounding people, et cetera. The beauty of immuno is, if it lands up working for us there will be community cohesion around the solution and it is a model for other communities who do not want to deal with this at all because of the fear of division.

Trustee Jennings: I understand the logic very well. I am just glad that they are not adhering to that footnote in their management plan.

Mayor Swiderski: That seemed to require a cull. And they have backed off on that. So we will see. We had to apply for the license, and now expect to get it. There is one other license that we have to get, and Professor Rutberg has got to get a license out of the EPA for the PCP. He is going to apply for it, but there are hurdles here.

Trustee Armacost: In relation to the Scouts who were here earlier, is it possible not to have their addresses listed because they are underage in the minutes?

Mayor Swiderski: Do you want to go even further and request just a last initial for the last name? There may be parents, and that is Internet searchable.

Trustee Armacost: Exactly. So just have their first name and last initial.

EXECUTIVE SESSION

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

ADJOURNMENT

On MOTION of Trustee Jennings, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:55 p.m.