

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**JANUARY 6, 2015**

A Regular Meeting was held by the Board of Trustees on Tuesday, January 6, 2015 at 7:38 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Peter Swiderski, Trustee Bruce Jennings, Trustee Marjorie Apel, Trustee Meg Walker, Trustee Nicola Armacost, Village Manager Francis A. Frobels, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

**CITIZENS:** Ten (10).

**APPROVAL OF MINUTES**

On MOTION of Trustee Apel, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meetings of December 9 and December 16, 2015 were approved as presented.

**APPROVAL OF WARRANTS**

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

**PUBLIC COMMENTS**

**John Gonder:** John Gonder, 153 James Street: I read in the paper a public notice United Water New Rochelle, under the terms of the commissioner's order the average quarterly bills for residential customers in the former UWNR rate district one, which is us, will increase from \$205.50 to \$232.23, or a 13 percent increase already. United Water plans to implement monthly rather than quarterly billing in 2015, et cetera. That is another reason why the Board made a big mistake when they passed that \$250,000 to the water company. But that is over with, it is a lost battle.

In Dobbs Ferry I did not see any bags over their meters. So I went in a restaurant, said do I have to pay? Yeah, you gotta pay in Dobbs Ferry. So they do not give any Christmas or holiday rates on meters.

We have a new advocate, and apparently she is doing a good job for the last few months. We got an advocate for the school, the youngsters and their families. We have an advocate for the seniors. Maybe we need an advocate for the residents, because all we hear from Trustee Walker, for several years and maybe longer than that, the commercial district. How

about the residential district? There are a lot of problems out there that you need an advocate. So you should consider it in this coming year.

I hope the Board's familiar with the Homestead Tax Option. You may have to decide what to do about it.

**Mayor Swiderski:** The Homestead Option is something that the Town passes once the assessment is done. We would have to adopt the assessment roll and decide whether that is appropriate at the village level. The Homestead rule would affect us because the Town roll affects schools and Town taxes.

**Mr. Gonder:** But we do not vote on it? The Town votes on it?

**Mayor Swiderski:** The Town votes on it.

**Village Attorney Whitehead:** You vote on it only for the Village tax.

**Mayor Swiderski:** But we would only vote on it if we adopt the reassessment the Town is doing, and face it at that point. It is going to be a package deal that we will have at that moment. Right now we are not considering it.

**Tim Downey, 520 Farragut Parkway:** I sent out a lengthy e-mail today regarding the DPW. The way we operate our systems with our DPW is reminiscent of the '60s and '70s. There is not a corporation in America that could operate as they did in the '60s and '70s and still expect to be in business. Unfortunately, you have the pass-through non-efficiencies often time with government. Let me just take, for example, the large trash truck we are considered purchasing. I saw the Greenburgh truck in action and it is something to marvel at. It, naturally, needs the right topography. But I believe it was one man. This arm comes out, picks up a can, picks it up, put it in and he is done, he is off. Probably going from house-to-house as quickly as two men wearing their bodies out dragging behind in the snow and cold and slipping and hoisting and keeping themselves vulnerable to injury.

It is a terrible system. The chassis on the trucks we use for our ordinary garbage trucks are general chassis. They are meant for haul trucks, dump trucks, carting trucks and it is three or four steps up and down off the ground. If you look at New York City's trucks, the Town of Greenburgh truck, it is a one-step in and out. It is almost like an SUV because it is expected you are going to go in and out a lot, whereas a dump truck, you are just hauling across a road, hitting a button and the truck goes up. But if you are not getting out of the truck, you essentially have an expensive chauffer just driving. You do not have the participation other than somebody just moving the vehicle forward.

We are looking at a large dump truck. I would advocate we look at more sophisticated equipment. The up-front costs may be more. But I am trying to reduce the wear on the men, creating a new theme where they feel energized. If you had trucks that had the ability to drop off the dump body, pick up the salter, now we are ready for the storm. Storm is done, or we have a mild winter, we do not have a truck bearing salt all winter long that is not used for anything other than parked in the garage. While we went with the new freightliners, with the stainless steel bodies that have plates to fill in, it is still not a truck that you would want to dump boulders into. We have to think in terms of how do we have a flexible, elite team of trucks. Particularly with the consideration of the merger, we have to think about what is the right piece of equipment. I see the dump truck parked in front of Parks and Rec. That is one of the ones that is up for repurchase. Just to move people around from the Municipal Building to a job, unless they are really working you do not need that heavy a weight class vehicle. You do need it when the snow comes because you need that as part of the team for the salting. I hope this consultant is really looking at data. He is not thinking of how we can consolidate and buy paper towels. Is he looking at the data, is he looking at tonnage, is he timing things with GPS-ing vehicles to see their routing and how long they are standing and what they are doing. Really get to the science of it. Then we could free up our team.

I suggest that we could pare down our DPW team: three men, three trucks rolling out consistently even on a holiday week where the workload is light. August, the workload is light. They will find a way to fill the day, come back to the barn at the usual time. Maybe we could haul two trucks through the Village. Maybe those heavy periods around holidays, a lot of packages, OK, we roll three. But there has to be some dynamic system other than just three roll, come back in and three done. It is terribly inefficient to go around picking up little blue bins the size of laundry baskets and dumping a couple of cans into a truck. No private business would ever run that way.

**Patrick Randolph Bell, Hastings-on-Hudson:** The A&P has got these new bags and they are not happy with it. Possibly you could talk to the A&P, maybe get some bags that are a little thicker, some handles. I got some snow melting in this right now to try to test out how it does in the rain or the water. I am going to throw something heavy in, try to carry it around.

Thank you again for approving my Festivus pole and the free thinkers display and the greeting sign. That was great. Even Mr. Gonder, I was so surprised, came to the Festivus pole opening celebration. He got a little Festivus pole I think he gave to his dentist. People came out, and I want to say thank you. It goes along with a quote that Mayor Swiderski had last year: the quality of a society is measured by how it treats the weakest and most indefensible. Those who are atheists, even though they are 20 percent of the population

according to the most recent studies, and those who are non-religious, often get the short end of the stick. And around the globe, they get murdered constantly. So thank you very much for supporting that.

**Mayor Swiderski:** It is not my quote. I did lift that from Roosevelt, but thanks.

**Mr. Bell:** I know it is not your quote but you used it in public and it was a great quote to use.

I want to go back to the transgender rights issue that we talked about in that adult entertainment law where it says no male or female impersonators, and also in the Village contracts, where it left out gender identity. In December, the attorney general issued a statement saying that now the Department of Justice will include underneath that Title VII 1964 definition of sex gender identity. So I do not think we are going to have to change the contracts. You are now covered. I am glad I was right, and the attorney general thought so, too. I am sure he has been watching the meetings. But I would like to see if we can change that other bit of the law. There is this a presidential proclamation about federal employment. Here is a quote. It goes, as we mark 45 years since ...[unintelligible] to fight an unjust policy and awaken a nascent movement, let us honor every brave leader who stood up, sat in and came out, as well as the allies who supported them along the way. Following their example, let us each speak up for tolerance, justice and dignity, because where hearts and minds continue to change over time, laws will, too. I call upon the people of the United States to eliminate prejudice everywhere it exists and to celebrate the great diversity of the American people.

I believe we are in violation of this new attorney general proclamation and the presidential proclamation. Here are some items for the record: the release from the attorney general telling you how this is, the memo from the Department of Justice, followed by the PDF of the Title VII memo. The memo says Title VII, 42 USC, section 2000-E2A, prohibiting discrimination by private employers and by state and local governments. You are covered under this. With that law, the way I look at it, if you do not allow this to go on in the Village people cannot be hired by these private establishments, who may then become these adult entertainment establishments if they hire one of them. When you are forbidding that, you are getting involved in something that we do not need to be involved with. You could be held accountable for that. This says that they instruct the Department of Justice and the local U.S. attorneys to enforce this law if they are even given a complaint. Once again, our village will be sued. And we have been sued more than enough recently.

Two very nice people wrote in from the Village about the display. I have never even met these people. They posted on the free thinkers of Hastings-on-Hudson Facebook page. This

guy says I was so happy to see your holiday display out at VFW park. Good going. I could honestly say I feel more truly a part of the community seeing a display that roughly represents my thoughts in this season and public space. Thanks very much for this meaningful contribution to our community. The other one goes I saw your display in town. I thought it was nice that I live in a place that is tolerant of so many beliefs. I consider myself a humanist who finds the teachings of many spiritual practices wise and useful, and practicing a life of tolerance, love and service to others. I am a spiritual person, but do not participate in organized religion. I am not an atheist. I have a God of my understanding, and I believe in separation of church and state and also in freedom of religion and from religion.

I am sure I had something else to speak on, but in the five minutes we are given that is all I got. Maybe adding two more minutes at the end to comment about what goes down in the meeting. We do not have to wait two weeks that way.

**Bryan Healy, 13 Summit Drive:** I wanted to speak about the passing of the bid for the fire truck from the last meeting. We all know your positions on it except for Trustee Walker, as she was absent for that meeting. It would be important for transparency, and an election year, that we know her position.

**Mayor Swiderski:** Trustee Walker, do you want to comment?

**Trustee Walker:** I would have voted to approve it.

**Victoria Canonico, Forty North Restaurant:** I am the general manager and one of the new chefs at Forty North in the Tennis Club of Hastings. I wanted to formally introduce myself. Blu was there before, and another a chef started the restaurant Forty North. But Justin Chipkin, the other chef, who is working service right now, and I are here for the long haul. We have got an exciting menu. It is a small menu, but people are enjoying it. We are growing and expanding our menu, and we hope to have it a little bit bigger by summertime. Good chicken, good steak, all that good stuff. Tuesday through Friday we open at 5:30, close at 10 o'clock. Friday and Saturday we are open until 11, and Saturday and Sunday we are open for brunch from 11 to 3. Sunday we close at 9. Mondays we are closed for dinner but the bar is open.

**Trustee Armacost:** Welcome. And the food is delicious. Really, congratulations.

**Trustee Apel:** Very good. We enjoyed it.

**Mayor Swiderski:** Good luck.

### **1:15 ACKNOWLEDGMENT OF AUDIT OF JUSTICE COURT**

**Village Manager Frobel:** New York State law requires that each year the local justice court submits their financial records to an outside independent auditor. That occurred. Last week we received that audit. Once you have accepted the audit, it is passed on to the state. There is no action item that the Board is required to take this evening, but the Judge has asked if he could be here tonight and offer some comments about the audit.

**Mayor Swiderski:** The motion to acknowledge, I do not remember passing something like that before. Is that a new thing?

**Village Manager Frobel:** It has been recently brought to our attention. We were unaware that this was an obligation. Whether or not it was a recently-enacted law, we are not certain. But received notification in September that this was an obligation.

**Judge DiSalvo:** Thank you for the opportunity of standing on the other side of where I usually sit and address you this evening.

We have all received the May 31, 2014 audit of the Nugent & Haeussler, PC organization. I reviewed it and compared it to the audit of May 31, 2013, as well. I have discussed it with Fran Frobel, and I am happy to say that the audit is very limited in its findings. There are five findings, all of which basically were in 2013, as well, some of which are merely statements of processes. I do not find this to be particularly helpful when they say things that are obvious, that are not critical. I would like to comment on two of the findings. One is that bank reconciliations are not consistently reviewed and approved by the Village Treasurer. This is an interesting comment, because their similar comment from the previous audit said that we needed a formal management oversight of the monthly bank reconciliations. Last year we responded that the Village Treasurer does review the monthly bank reconciliations. So this year they said, OK, but he has not initialed every one. The report I have is that he, indeed, has reviewed every one. We will just be sure the initials are placed there going forward. I, too, will continue my review and initial, as well.

**Trustee Armacost:** But do you mean the Treasurer or do you mean the Deputy Treasurer?

**Judge DiSalvo:** The Deputy Treasurer.

The second comment is, the Village has outstanding parking tickets with a substantial balance and recommendation that the Village pursue collection. This needs some context. We have talked about this before. The previous auditor recommended wholesale writing the tickets off the books, and we did not do that. Instead, we discussed with you and with the

state proper procedures. The thing we discussed, and I remember the Chief talking about it at the time, was the ease with which New York allowed people to reregister vehicles, getting a new plate and new registration, without clearing up parking tickets. That has been a difficulty. The state has changed its policy somewhat, but it is not perfect yet.

We did not wholesale wipe the outstanding tickets off the books. These are tickets that have accrued over many years. The report we get from our company reports some plates, for example, as not having a known owner. We spoke to the state about the proper procedure. What we implemented as a result was a process of reviewing, with the Village Prosecutor, each of the outstanding tickets. We called out those we thought were least collectible, and then asked the company monitoring this for us to send out additional notices. A couple of years back, that resulted in some good collections. We have also maintained a process where, if anyone comes before us for any outstanding tickets, that we review to see if they have outstanding items on that list and we bring it to their attention, as well.

Additionally, as you recently implemented, a good decision on your part: the booting of those whose tickets are outstanding a long time, which has resulted, as the Mayor recently reported, in substantial revenue to the Village. We are glad to see that this is, again, further culling the list. So I consider this comment by the auditors to be somewhat uninformed and routine on their part.

**Trustee Armacost:** Is it just that it is out of date? Because the audit was for before the period of the booting, right? So your other measures were probably happening at the time. But certainly the booting, it was not relevant to that time period.

**Judge DiSalvo:** No, it is not. But it is an audit that has got a management letter dated September 19, 2014.

**Trustee Armacost:** I see. But it is for the previous fiscal year.

**Judge DiSalvo:** It is for the previous fiscal year. We are not talking numbers, we are talking concepts here. That is all.

I have a serious concern, though, with regard to this audit. I do not think it goes far enough. It is, as it says in the beginning, an independent accountant's report on applying agreed upon procedures. I want an audit that tells me that the financial statements that we produce each month and report to the state are fair and accurate, and this does not. I think we should engage these auditors to go further. I say this not out of any, and I make this really clear, lack of respect or distrust at all for the people in my department or those that review their work. It is clearly and solely a statement of process. I think it is the proper process,

especially when one has a department headed by someone who is off-site and part-time: me. We need to have this kind of thing in place. Not for me and not for this staff, but for always. I have talked to Mr. Frobel about this and we agree that we are going to call the head of the team that audits, and discuss whether they could perform this function. Thank you, and I appreciate the review and I recommend to you that you accept this audit and report to Judge Prudenti that you have done so.

**Trustee Apel:** Do you get a heads up on this before the report is written?

**Judge DiSalvo:** I did not.

**Trustee Apel:** It is a year behind. Is that what we said?

**Judge DiSalvo:** It is a half a year back. That is not so unusual for an audit. What we have done in the past, and what we will do this year, is follow up with a response to their findings.

**Mayor Swiderski:** The auditor mentions a substantial balance. Do you have a sense of what percent of the outstanding balance has been paid as a result of the booting or threat of booting?

**Judge DiSalvo:** I believe it is in the single digits.

**Trustee Armacost:** I thought it was \$16,000.

**Mayor Swiderski:** So \$16,000 is single digits of what is owed.

**Judge DiSalvo:** Yes, I think so.

**Village Manager Frobel:** Some of that number truly is uncollectible.

**Judge DiSalvo:** Yes, these go back to the 1990s.

**Village Manager Frobel:** We will never see that money, in all likelihood.

**Trustee Armacost:** It was something like \$130,000. Was it \$130,000?

**Judge DiSalvo:** I think it was more than that.

**Village Manager Frobel:** It is closer to \$300,000 in tickets that are out there. And a large percentage are uncollectible.



**Judge DiSalvo:** Yes, these go back to the 1990s. We have eliminated from the system those that are unknown people and those that are more than a certain number of years of age. We have a standard that we are using to review to cull this. We do not do that for those that we believe are collectible, and we define those to include those from people in town and in neighboring municipalities.

**Trustee Armacost:** Often, when an auditor puts in a statement like this what they are really asking you to do is we want you to write off what is uncollectible. So is there just a debate over what is uncollectible?

**Judge DiSalvo:** The previous auditors said to write it off. This one did not. So I think this is not an indirect way of saying that. I think they are just saying make efforts, and the Village clearly is.

**Village Attorney Whitehead:** The booting law is an effort so you have already done what they recommend.

**Trustee Armacost:** But I think the way it is worded makes it unclear if you can ever satisfy them unless you get the \$300,000 down to zero.

**Judge DiSalvo:** We may not be able to satisfy them. I think this is merely another of their series of routine comments. It is not a particular criticism.

**Trustee Jennings:** I have a question about just what I am looking at, with May documented and December documented together. I expected to find the sum total that is still outstanding, and I do not find it.

**Judge DiSalvo:** This is a statement of cash receipts and disbursements. That is all this is.

**Trustee Jennings:** Where is the rest of it?

**Judge DiSalvo:** This is all that they provided us. I can go into my records and come up with these figures. It is very limited.

**Village Manager Frobel:** We can provide the work papers that the auditors saw, and that is where he arrived at the number as to what is outstanding. It is arranged by 30 days overdue, 90 days, one year, five years, 10 years and out. It is a table, and it shows you the value of what is out there and owed to the Village over that time frame. That is not typically part of the audit document.

**Trustee Jennings:** I do not see anything amiss in your approach to dealing with these unpaid tickets. The notion of writing it off the books strikes me as the kind of thing that auditors would say because there is some sort of an accounting standard and our books do not look right if we have this number, and we need to get rid of the number, or we need to shift it someplace else. We have done this with the Village budget over the last several years, and made some corrections that were beneficial to us. But if that is where this is coming from, then no amount of procedures, little tweaks, that we would come up, including a booting law, will satisfy them because they are based on an abstract accounting rule. On the other hand, if they are not appealing to an abstract accounting rule and they just want us to get his off the books because I do not know why, I do not know why we need to even worry about that. My question, Judge, is what you have requested that we get our auditors to do in the future, a different kind of audit, will that remedy this kind of issue?

**Judge DiSalvo:** No, I am not asking for that. I accept the fact that these are old tickets that we have all inherited and we continue to live with, and that unlike the rest of the matters that come before the court, with a regular calendar and appearance date, we do not have the same kind of mechanisms in place. We are doing our best, when able, to resolve these open things and to cull the list of those that are determined to be uncollectible. But it is still a large list. I am prepared to live with that because I think we can take advantage of the opportunities that come our way to collect, as we have. We should continue to do that and not wipe them off the books. I do not read this as their attempt to ask us to wipe it off the books, as the previous auditors did. I am prepared to accept that. I am more concerned about their not expressing an opinion about the facts and figures reflected in the reports that we produce each month. I have confidence in them. I have confidence in my staff. But I want an outside independent auditor to tell me.

**Trustee Walker:** What would they base that statement on? How would they review the books differently than they are now in order to give you that kind of opinion?

**Judge DiSalvo:** I think they would have to do more sampling. I am not sure, though that is what I think they are going to say.

**Trustee Armacost:** I think most auditors do not like to write that kind of thing. They like to keep it as neutral as possible. What they like to do is tell you what you are doing wrong rather than give you an A-plus. I think what you are asking for is, I would like an A-plus, my team is an A-plus team. My experience with auditors all over the world is, if you can get an A-plus out of an auditor you must be spectacular. Normally what they will do is they will give you a pass. It is like a pass-fail a thing. I do not know if I am misinterpreting what you are asking for, but I doubt they will go in the direction of saying anyone gets an A-plus.

**Judge DiSalvo:** I interpret what they have given us here, especially as compared to the previous year, as a very, very good report.

**Trustee Armacost:** Yes, absolutely.

**Judge DiSalvo:** And I appreciate your characterization. I differ a little with it because what I am really looking for is not so much a result but a process.

**Mayor Swiderski:** You are looking for an independent verification that provides you and the Village with some comfort that there is another pair of eyes.

**Judge DiSalvo:** Yes, right.

**Village Manager Frobel:** And I think that is what the audit was, Mayor.

**Trustee Armacost:** Yes, I think they have done that.

**Village Manager Frobel:** The Judge and I have had this debate. It is a wonderful audit. It is letter perfect. Those findings are really a stretch. And as Ms. Armacost said, they are not going to tell you that. They are going to tell you that we found nothing wrong with your systems. We tested your systems and they are fine, they are sound. There is no evidence of any misdoings or errors in it.

**Judge DiSalvo:** I do not produce a financial statement.

**Village Manager Frobel:** No, we supply your financial records to them.

**Judge DiSalvo:** Right. And I think of those as 12 statements, in a way. I am on the audit committee at some local significant not-for-profits, where we get a statement that says your financial statement is a fair and accurately representation. We understand it is your financial statement, we did not prepare it. All the caveats that you would expect. But we think it is fair and accurate. That is what I do not have here, and I am accustomed to that from the not-for-profit work I do so I am looking for that here. Maybe they will not give it, maybe it is not possible because we do not produce a financial report in the same way. I appreciate that that is a possibility. But I am glad that you have agreed with me that we should at least have the inquiry.

**Village Manager Frobel:** Oh, very definitely.

**Trustee Armacost:** Yes. If you can get that. I think you should consider that an A-plus plus if you actually get that out of them.

**Judge DiSalvo:** We will see. Thank you all.

**Trustee Armacost:** Thank you so much. My congratulations for your A-plus plus.

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

**WHEREAS,** the Unified Court System's *Action Plan for the Justice Courts* includes initiatives to improve accountability and controls over Justice Court finances and records, and

**WHEREAS,** among the initiatives is increased monitoring of town and village board compliance with Section 2019-1 that requires that town and village justices provide court records and dockets for an annual audit, and that the fact that the audit was conducted be entered into the minutes of the Board's proceedings, and

**WHEREAS,** Nugent & Haeussler, P.C., has conducted an audit of the Village Justice Court of Hastings-on-Hudson for the year ended May 31, 2014, now therefore be it resolved

**RESOLVED:** that the Mayor and Board of Trustees acknowledge that the required audit has been conducted, and instructs the Village Clerk to forward the audit report and this resolution to the Office of Court Administration.

**WHEREAS,** Nugent & Haeussler, P.C., has conducted an audit of the Village Justice Court of Hastings-on-Hudson for the year ended May 31, 2014, now therefore be it resolved

**RESOLVED:** that the Mayor and Board of Trustees acknowledge that the required audit has been conducted, and instructs the Village Clerk to forward the audit report and this resolution to the Office of Court Administration.

**ROLL CALL VOTE**

**AYE**

**NAY**

Trustee Bruce Jennings	X
Trustee Marjorie Apel	X
Trustee Meg Walker	X
Trustee Nicola Armacost	X
Mayor Peter Swiderski	X

### **2:15 STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS**

**Village Manager Frobel:** Passage of this resolution reflects our ongoing responsibility to stay current in satisfying the New York State and local retirement system. About a year ago we passed a series of resolutions establishing our standard workday by position. It is necessary to change this for several of our current employees, namely, the Deputy Village Manager, the secretary in the Village Hall, the general foreman and the Assistant Building Inspector and myself, all to conform with an anticipated continuing service of the Village Manager until July of 2017.

**Trustee Walker:** And these are just the positions that have changed since the last time we approved this. Because they were, for example, Trustees included in the last time, other employees. Those did not change so we are not including them.

**Village Manager Frobel:** These, by their definition, are linked to my continuing service.

**Trustee Armacost:** Are they the only the only five with a link to you?

**Village Manager Frobel:** Yes.

**Trustee Armacost:** That is so strange.

**Village Manager Frobel:** The whole process has been so strange for us. We do not understand it.

**Trustee Armacost:** So where are the others linked? Do we know?

**Village Manager Frobel:** Some to the term of office of the Trustees, for example, the Village Clerk.

**Trustee Armacost:** No, the Village Clerk is right here.

**Village Manager Frobel:** No, this is her capacity as Deputy Village Manager.

**Trustee Armacost:** Why would the Rec of Police Departments not be on here?

**Village Manager Frobel:** Some are civil service protected, and that is another distinction. There are several fine lines that continue to define the classification of our employees.

**Village Attorney Whitehead:** That is the difference between officials and civil service.

**Trustee Armacost:** And so what about the difference in the number of hours?

**Village Manager Frobel:** No change. There should be no change.

**Trustee Armacost:** But they are different than one another.

**Village Manager Frobel:** Mike Gunther has a longer work day. Mike is the only one that has the 40 hours per week. The rest are for 35.

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

**RESOLVED:** that the Mayor and Board of Trustees approve the Standard Work Day and Reporting Resolution for elected and appointed officials as attached.

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

### **3:15 DESIGNATION OF VILLAGE ELECTION DAY AND ELECTION DISTRICT**

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

**RESOLVED:** that the Mayor and Board of Trustees designate Wednesday, March 18, 2015 as General Village Election Day, for the purpose of electing one (1) Mayor and two (2) Trustees for a term of two

(2) official years each, and be it further

**RESOLVED:** that the polls are to be open between the hours of 7:00 a.m. and 9:00 p.m., and be it further

**RESOLVED:** that one Election District is designated, located at the James V. Harmon Community Center, 44 Main Street.

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

**4:15 DESIGNATION OF GRIEVANCE DAY**

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

**RESOLVED:** that the Mayor and Board of Trustees designate Tuesday, February 17, 2015 as Grievance Day, from 5:00 p.m. to 9:00 p.m. in the Conference Room, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York, and be it further

**RESOLVED:** that the Board of Assessment Review will meet at such designated time and place for the purpose of completing the Assessment Roll and of hearing and determining complaints in relation thereto.

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

**Mr. Bell:** Why can we not have more than one district open for the Village election so the

Uniontown people do not have to come all the way downtown when most of them are old, retired and they have to manage to make their way down to the Village on a day that could still be really snowy or dangerous? Can we not open up one more voting place?

**Mayor Swiderski:** It is passed, but it is a good question. Susan, how is that set? Is that set at the village level?

**Village Clerk Maggiotto:** It is set at the village level, but under certain restrictions. At one time, we had eight districts for Village voting. We conformed to the county election districts. A number of years ago, because of a number of circumstances including the very low turnout in most elections, we were able to combine into one election district. At that time, it was considered a vast improvement. It was a much more efficient use of resources. It saved the Village a considerable amount of money. And we have not heard any complaints about it.

**Mr. Bell:** Is this not our first contested Village election in five, six times. Maybe we should open up at least one more somewhere.

**Village Clerk Maggiotto:** We cannot do that. You simply cannot just open another voting place. It is a process that was very involved to combine into one, and to go back we would have to separate again into eight districts. It is not just a matter of designating a certain place as a voting district. It is very complicated.

**Mr. Bell:** I am just confused. I vote up there all the time. The same three nice ladies volunteer their time. There are volunteers anyway at the firehouse. Can we not just open up one more in Uniontown?

**Village Clerk Maggiotto:** No, we cannot, under state election law.

**Mr. Bell:** According to the State Board of Elections?

**Village Clerk Maggiotto:** Yes.

**Village Attorney Whitehead:** The districts have been combined for the Village.

**Village Clerk Maggiotto:** Unless we wanted to study the process again and decide to go back to eight districts. But you cannot do it on a case-by-case basis.

**Mr. Bell:** Maybe you show me where the law is, and I will look into it.



**5:15 DESIGNATION OF TAX LIEN SALE**

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 designate Tuesday, March 17, 2015, as the Tax Lien Sale date at 10:00 a.m. in the Village Clerk's Office, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson, New York.

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

**VILLAGE MANAGER'S REPORT**

**Village Manager Frobel:** I wanted to preview an initiative that comes out of the Village Officials Committee. We are looking to join with our neighbors to retain the services of a vendor-contractor to assist us in filling potholes. Last evening Ardsley and Tarrytown or Elmsford passed resolutions entering into this intermunicipal agreement. This is a pilot program. The Village Officials Committee explores initiatives and opportunities that to save money for all of us. This came out of an initiative from Elmsford. This firm will come in and, for 80 hours, we will divide the time among the seven communities and designate certain areas to use this process to fill potholes. Somewhat innovative, although the technology has been around for awhile. It is one truck, one-man operator. The demo I saw was one man. They come up on the hole and they use an aeration process where they blow out all the loose debris and the water. They fill it with a tack coat and then the aggregate, and it fills the pothole. It has been very successful especially in the cold weather months rather than using cold patch. It is a heated-up aggregate. We would like to try it. We think it is a low risk s. All of us have voiced the dissatisfaction with cold patch. It typically does not last very long, especially in the cold weather. This has been successful in keeping the hole filled longer because it adheres better to the existing asphalt.

For the Village, it would be about a \$2,500 expenditure so it is a low-cost effort. Our neighboring communities are very much committed to it. By the end of February we will be able to find a number of locations. If it works, it may be something we enter into on a

longer-term basis. Under this scenario, we are retaining the contractor and his employee. It is possible to just rent the truck and train your own people to use it, keep it in town for a few days or a few weeks. We will see if it works. I will have that on the agenda for the next meeting.

**Trustee Walker:** In order to measure the success of this pilot can you do a cold patch and this new method and see if it lasts longer and if it adheres better. Just to do as a test.

**Village Manager Frobel:** We can do that kind of test and see what is better. This is more expensive than using cold patch and our own people. But if it lasts longer, then it is worth it.

**Trustee Jennings:** I am assuming that the cooperation among the villages has an economy of scale, so we are getting a better price than if we engaged this company on our own.

**Village Manager Frobel:** We think this will help us in reaching that goal of the efficiency law; we have to reach the one percent. We think this kind of initiative may help us towards reaching that goal, as a group. So more details to follow.

**Mr. Downey:** Is it Pothole Killer out of Syracuse?

**Village Manager Frobel:** Yes.

**Mr. Downey:** This is something I talked about in the past. You can see the work that has been performed on the Saw Mill Parkway by the Starbucks. They were there last autumn doing it. You can see down Broadway coming down the hill from Andrus on the northbound side of Broadway. It tends to be the lighter gray chip material. The patch will outlast the blacktop around it. Go on YouTube and you will see how the machine works.

**Mayor Swiderski:** It is an impressive sort of Rube Goldberg-like machine. When you see it, it looks silly. But we got a presentation, we got references, we got recommendations. We get together every six weeks or so and are constantly looking for opportunities. This was an interesting one so we are giving it a shot.

**Trustee Armacost:** What will we be doing with our team that would otherwise have been doing this? How are we going to be deploying them now that we have outsourced that work?

**Village Manager Frobel:** We will have to look at that. Short-term, this is only 11 hours. That is all we are going to have this crew for. It is really one workday.

**Trustee Armacost:** Do we know what they are doing in 11 hours? Have we mapped that

out?

**Mayor Swiderski:** We give them a route and it is not ready yet. They can do a remarkable number in those 11 hours. If you believe them, it is ridiculous. It is a couple minutes a pothole.

**Trustee Armacost:** So we then freed our team up, basically.

**Village Manager Frobel:** Eleven-plus manhours.

**Trustee Armacost:** If they are very efficient we have freed them up for a lot more than 11 hours.

**Village Manager Frobel:** That is true, and that is something we will have to look at and try to quantify.

## **BOARD DISCUSSION AND COMMENTS**

### **1. Update on the Downtown**

**Mayor Swiderski:** The topic of the last few days has been the new bag law. The A&P kicked off the year implementing that law earlier than other stores and so is on the front lines of both educating the public and experiencing their ire, and working through how to work this out. I asked the Downtown Advocate here to give us a sense of what is going on from her perspective. She is on the ground and catching it from merchants, as well.

**Downtown Advocate Prisament:** My role has been one of working with the Conservation Commission and the Board and Peter to make sure that, first of all, everybody has been informed on the merchant level. While an e-mail did go out, not every merchant reads e-mail or even is on an e-mail system. Everyone was aware, at least from the earlier efforts of the Conservation Commission. People are at different stages in acceptance and compliance. As the folks are finding out from the public, there are people who are upset and there are people who are adjusting and there are people that are all for it. It is a process.

You see the same thing at the variety of merchants in town. Some have gone ahead and taken out their Styrofoam coffee cups and replaced them with paper cups. For example, the News Stand on Farragut in between Amjo's and the gas station has switched out their cups. Prime Meats has taken out their Styrofoam to-go boxes and is using plastic for now and looking into a plastic that is approved. Some of these options cost a little more. A good number of merchants have a large supply left of their single-use bags so they are in the

process of using down their stores and exploring their alternatives from paper to reusable bags that they will sell or give with purchase.

The biggest chunk of negative feedback comes from restaurants and stores that have heavy items like wine, and food that is either hot or heavy or leaky. Those merchants do know there is a possibility of a heavier plastic bag that complies with the law. Many of them are looking into paper and, when necessary, doubling paper. And, of course, educating people about the reusable bags. We do owe an answer to Peter Rockwood, who asked about a biodegradable single-use bag. But is it single-use or not I guess is the question. If it is compostable. He checked with the company, and according to them it is very safe for the environment. I do not know if we want to verify that independently, but he did do some extra research and says that it is. So whether or not that complies to the letter of this law remains to be seen. He is also looking into a canvas bag with slots so you can carryout, which some wine stores do. He also already gives customers who buy a few bottles a carton.

So everyone is adapting in their own ways. Most of the merchants have been amenable and just looking to know when fines might start and how much time they have. A few, a couple, are angry about it. Most are with the program, and others are on the front line already trying it and educating the public. I am working with the Conservation Commission, who is doing a run of about 2,400 or 2,600 of reusable bags with the logo they picked with the Arts Commission. Stores are being given the opportunity to purchase these at a discount, below cost, as part of our educational campaign. Then we are suggesting a list price so they are selling them for the same amount and it is not like you can get it across the street. More or less, that is up to them, but you can always suggest a list price. Or they may give it with purchase. That will be a limited run of bags to educate people, as you know because you approved the budget for it. We are in the process of taking orders.

Those bags should be out into the stores in a couple of weeks to help with the transition. They are not a long-term solution, but they will put more Hastings bags with our logo in people's hands to bring back to the stores. In terms of the A&P, hopefully people will appreciate that the people at the checkout lines did not set this policy. They are in the front line, enforcing it. They are learning how to pack those paper bags, they are having to be the interface for how people feel about this. But people are being charged a nickel for those bags. If they bring the paper bags back or bring a reusable bag they are also credited a nickel.

**Trustee Walker:** We have been looking at our Friday Night Live schedule. We want to come up with a calendar so we can start to do some fund-raising, and right away because we want our first Friday Night Live to be in March. We are pushing that along. Barb, you

were going to work on your work plan for the year. I was wondering when you are coming back to us with proposals.

**Downtown Advocate Prisament:** One other thing, all the merchants at the Farmers' Market have been notified about the ban and are in the process of getting used to the idea of bringing different bags when they use single-use.

Friday Night Live. We did have one meeting where we started to plan a series. We have some very exciting ideas that appeal to all segments of our community and age groups and will take place in various locations in the Village. I will be whittling down the myriad potential endeavors and ideas I have worked out and discussed with many of you for the year. You can expect that before the next Trustee meeting. The idea is to have the series laid out ahead of time so we could approach potential contributors and tell them the events they will be publicized for supporting, in advance, and what kind of marketing will go along with it so we can get people on board to support this early.

I would love to see it locally and regionally funded, by outside merchants or companies that do not compete with the merchants here, as well as merchants that are here. And not always the ones that typically support everything, like all our teams and everything else, but some other people in the community, businesses that do not get to support things that could really benefit from supporting it. Yes, we will be spending the winter raising funds and putting the events together, and looking for volunteers. We will figure out how to get the word out. I would like people who would be excited about each idea to participate. Not necessarily one group of volunteers that does everything for all of them, but people who like the specific topics and really have something to contribute. One of the key pieces for that is a multi-merchant gift card which I would like us to try. I am exploring the idea of having either a credit card or a Hastings coin that can be purchased for gifts and used at a variety of merchants. They are complex programs, and I have started to take proposals in and look for different options.

**Trustee Armacost:** I wanted to follow up on the point that Mr. Gonder raised earlier about the parking holiday. We wanted to see whether there was a significant economic benefit to the merchants for that. I wondered whether you had been able to collect data that tells a story one way or another, Barb, or if you cannot tell us today whether you could tell us at an upcoming meeting. That was significant as a consideration, for me at least, in extending that time period.

**Downtown Advocate Prisament:** I have spent the week since the holidays under the weather and not out and about, unfortunately. But I did base with a few of the merchants who said business was up and they would be happy to share some more specifics about that,

and had received specific comments from shoppers who said to them it is so nice that I can relax and take my time and shop. They are qualitative, anecdotal so far; feedback has been that it was helpful. And they really appreciated the effort that was put in to light the town more fully this season.

But in terms of more quantitative comparisons, as best as one can make them given all the factors, I plan to collect that for you. In fact, I was going to mention that in my own list. As I go around to follow up and see if people are placing bag orders for these reusable, I will be also collecting the information that you asked for.

And lastly, we did another promotion in December. The Shop & Drop promotion was a success, in that the families that came thanked us and said that it was a fabulous idea and they got some shopping done or they had dined out in town. They loved it and hoped we would do more in the future. So we do plan to do them next year, if possible. They are pretty self-sustaining in terms of cost. And if we do them, maybe pick two dates and publicize them well in advance and more broadly. I think we will get a really nice turnout. The merchants liked the idea, as well.

If she is still here, I want to thank Victoria from Forth North for coming; she her new partner-chef, she is the new general manager, were enthusiastic supporters and participants in the Village Crawl. Many people have approached me and said they have been back to dine many times since, and how welcomed they felt. Victoria and her partner have said they are really looking forward to being an integral part of our community.

One of the things you will see in the one-year plan is an ongoing thing that has already begun: our discussions with some of the businesses that border on the Steinschneider parking lot about the situation behind and how we might better encapsulate the garbage or deal with the situation so it is neater. To be continued.

**Mr. Bell:** The Hastings sign from the Movie House Mews, the old movie theater sign. You can see it from the corner of Warburton and Broadway. If it were lit up again, people would drive by and see "Hastings." I would love it if you guys could talk to the owner of that building, say let us fix this sign, the Village might contribute a little money to fix it.

## **2. Update on Deer**

**Mayor Swiderski:** Our deer project, phase two, gins up this year. Twice the numbers of people on the ground and twice the amount of time, and four times the feeding stations. Starting next week, the darting team will be in town to seek out locations for the eight feeding stations they are going to set up next week. Those will run for two weeks to

habituate the deer to coming to those locations. Then the darting will commence starting February 1 and continue for two full months. We are going to have a total of four professionals out of the Humane Society bunking in a rented house in Hastings for that two-month period right in the heart of the action, by Andrus. Over the next few weeks they are going to be here getting familiar with the street grid, getting familiar with where the deer are, and establishing those feeding centers.

One of the things we will be reaching out to the community on in a couple of days is a request for permission to dart on your property. I will be sitting down with the Attorney to work out the details of what that permission needs so we are covered. As we did last year, a small red surveyor's flag will be planted on properties that have given permission. If a deer strays onto that property, and one of our teams in nearby and determines they have a clean and safe shot, they will dart that deer. That is going to be an effort substantially carried out by the advanced placement environmental sciences class in the high school, which is eager to do it, as well as a HASP which is eager to do it. The HASP class will be assisting in the setup of the six feeding stations we are adding to the two we already have.

It is going to be a logistical effort. The manpower, the kid power, will be supplied by the students. And Dan Lemons joins us again this year. He helped coordinate volunteers last year to run that effort and work with Melissa Shandroff, the teacher of the AP class to get this done over the next six weeks. We do not anticipate, necessarily, having all the properties flagged on February 1, but rather phase it in where the kids will fan out in a neighborhood, give that neighborhood a flag and then move on to the next one. We will be focusing specifically in the areas around the feeding stations and then, if time permits, fanning out from there.

It is round two. We learned some lessons last year from what did not work, including too many people on the scene. Deer are not stupid. They recognize faces. If they know you live at a house and see you every day you can scream all you want, they know you are just a local resident. If you are an outsider and they do not recognize you their ears go up and they become far more vigilant, and it is a lot harder to get within the safe distance to take a shot. A couple of the lessons were that extensive stalking simply does not work. They take off. Basically stop, get out of the car and shoot as quickly as you can is the most effective way to do it. They are clever.

The announcements will start going out, the whole educational campaign will start going out, and we are off to the races again with phase two. Last year, we had very limited success for the first two weeks. We took a week off to think things through, came up with the flagging idea, and darted six deer in the last five days. If we do those sorts of numbers over these two months we will hit our numbers. We will do what we wanted to do, which is get the majority

of the does in town and we will have a substantial base to begin to see if this effort is successful next year.

**Trustee Jennings:** Is it your plan to have the students go door-to-door and ask permission for the red flags, or is there a registry that people can sign up on?

**Mayor Swiderski:** The exact details I want to verify with the Village Attorney. Last year, we did e-mail permission out of the specific household. So an e-mail received saying you have my permission to dart on my property, and the property address. Or a knock on the door and a kid sticking out a form that was signed. We did a first pass with targeted e-mails to the Hillside neighborhood where we did this. Then the kids followed up and hit the houses that had not responded to the e-mails. We got about 400 last year. It was just about all the homes in the Hillside area. Many of those red flags are still there on the property. Unfortunately, we cannot assume because there is a turnover from year to year. Sadly, there might be a new owner who has no idea why there is a red flag on their property.

**Trustee Jennings:** Maybe you should change the color.

**Mayor Swiderski:** That is a good idea, a different color flag. A positive and also a negative consent. If somebody specifies no we note that and that will not happen. Last year, I think we had two who specifically said no. Given the configuration of their property, because they were fenced, it would have involved breaching the fence. And I do not blame them.

**Trustee Jennings:** Yes. But it is an opt-in now so no word should be a no.

**Mayor Swiderski:** No assumption that you could dart on a property unless we have gotten a specific yes. It is an administrative and logistical hurdle. A Village resident has offered to help us set up online. He is here today, Richard Ryan. I just have to confirm what is positive assent. Is entering an address enough? What will constitute enough evidence to safeguard us, and I want to nail down the specifics with the attorney before we move ahead..

**Trustee Apel:** It might be a good idea that when they decide where they are going to do it to put a map up. If we are allowed to register and you are in the area, you want to put your name and address on based on the map. But even if you are not in the area you should volunteer and do it anyway, because the deer do not know about the map.

**Mayor Swiderski:** We are going to a broad request to the community. But when the kids are deployed into the field, our initial focus will be around the feeding stations because we are trying to ramp up quickly here.



**Trustee Armacost:** Thank you to Richard and Dan and all the other people who will be volunteering, and to the young people who will be volunteering for this process.

**Mayor Swiderski:** A brief touch on finances. We have two grants this year that cover \$16,000 of the expense. As we had last year, we do not expect our expense here to be more than 10 or 12 thousand dollars, something on that level. We have two organizations that put up most of the expense. The biggest funder, by far, is the Humane Society, who are funding the cost of the personnel in full. The costs we are incurring here are the house rental and the feeding stations and the material. But the four professionals from the Humane Society are donations in kind to the effort.

**Trustee Armacost:** So the \$16,000 of expenses that are being covered by others.

**Mayor Swiderski:** Are non-personnel costs.

**Trustee Armacost:** Are non-personnel costs, so are our expenses being paid by our taxpayers? Or do we have another grant that is covering that?

**Mayor Swiderski:** No. Up to \$12,000 will come out of our pocket. We run down the grants first, and what is left we pay. Last year, that is what it came to. I am saying that this year. I think it may be less, but they are here twice as long and there are twice as many of them. Two of them are professionals in their late twenties and the others are older, and we have to feed them and house them. That is the agreement. Their time is free, but we are their host and that was the agreement laid out.

**Village Attorney Whitehead:** You are housing them for less money this year.

**Mayor Swiderski:** The per diem rate, because we are renting a house, is less than it was for two people last year in a hotel. But that is because we had the opportunity to line up a house with four bedrooms.

**Mr. Gonder:** Last year, you had to have a veterinarian. This year, apparently you do not need a veterinarian. Is that correct? And how many shooters are you going to have ?

**Mayor Swiderski:** The permit we received from the DEC requires a vet on-call specifically in the case that a deer has to be destroyed because they are wounded. That remains true, and we do have a vet on-call. It is the veterinarian who runs the animal center on Executive Boulevard. He is kindly donating his services, and is the signatory on the drugs purchased that are used to immobilize the animals. We continue to require a vet on-call. That was the same as last year. He is not out with the team. He was not out last year. But he has to be on

a half-hour, hour notice to come out if necessary.

We have four individuals all licensed to do this and capable of doing it. Only two will be doing it at a time. They will be working as pairs of two; one acting as the darter and one as spotter and maintaining site safety. They have a strict protocol they work under. It has got to be within 25 feet, and that is not far. But the shot cannot involve any chance of this flying through the window. It is just a tranquilizer dart but, regardless.

**Mr. Gonder:** So we do not need a veterinarian to give them the inoculation.

**Mayor Swiderski:** No, that is done by the guys. They are trained to do that. They are trained to carry out the tests they do. This remains a scientific experiment being run by the Humane Society at Tufts University, and they are required to take a half-dozen samples on the deer. They take blood samples, they measure somehow and I do not know how they do it, their weight. They take their temperature. They do a whole bunch of things. That is all logged onto forms they are required to submit to the DEC to prove they are doing the data maintenance that the license requires them to.

So it is a scientific study, in the end. On that note, there was a series of metrics that we tracked last year and will be tracking again this year. Those include something called a Host a Hosta program where 50 or 45 pots were placed in volunteers' homes and tracked to see how long they would last. It will come as a surprise to no one that most were consumed within two weeks. Some made it through the summer, but most were consumed. This is run by a woman in town who is a doctor and is kind to give us her time.

The AP class will be doing a study of species survival inside several exclosures that have been set up inside Hillside Woods. These are fenced-off parts of the woods where the deer are kept out. The idea is to see what comes back if the deer are not grazing in the woods. Then we are also staking out equivalent size areas without fencing in the woods and are counting species there. The exclosures tell you what you would have if you have no deer, and the fenced-off plots tell you what it is. Year-on-year we will do that. They are being assisted by Peter Waczek, who mans the Cornell extension desk during the Farmers' Market and is the owner of a cab company and is a Boy Scout leader. He is coming up with a field guide for the kids to use to identify the species and count them. A protocol for that that has been established up and down the Hudson Valley. This effort is being done in a number of locations in the Hudson Valley on a various number of projects. We are part of a much greater whole, seeing the impact of deer grazing on woods.

The police impact reports on deer strikes is being monitored year-in, year-out to see if those

will drop over time. We do not anticipate a drop for years because we do not anticipate a substantial population drop, in fact, for years. But it is one of our metrics. We have an online database for logging deer sightings that has gotten quiet. But we are going to wake up again shortly because once we have deer running around with tags in their ear, if we track that fact in the database we will be able to begin to estimate, reasonably, what the population is in town. If you have the baseline of how many tags you have, if you know you have tagged 40 deer and half the deer in the database are marked with tags, then you know you have about 80 deer. It is a simple proportion, and is mathematically pretty decent a guess. That will be another method.

Finally, we had a camera trapping study run at the end of September and into October, where 16 cameras were strapped to trees around Hastings and took thousands of photographs. Anything warm-blooded. The graduate student-hero who is running this effort is logging through thousands of photos and logging how many deer are spotted. That is the gold standard in the industry for counting deer. You can come up with a very good number. That will be done annually for several years as a way of tracking what is going on. What I am hoping to review with the grad student and with the scientific team is, if our logging effort yields similar numbers to the camera tracking maybe, over time, we will be able to rely on the logging effort alone. So if the logging effort begins to yield statistically accurate numbers that match what we are getting there, that could be the way, moving forward, that we count the numbers, because you will not always have grad students willing to page through thousands and thousands of photos.

**Mr. Gonder:** Last year you inoculated eight. What is your goal this year, 40, 30?

**Mayor Swiderski:** Forty to 60, leaning toward 60, though the answer is as many as we can get. If it looks like we are going to exceed 60 we will be rustling more of the PZP because that is what we have substantial supplies for.

**Mr. Downey:** I had advocated that if we could have gotten the enclosures earlier, before the program started, to develop a databank going forward maybe to help these people who are doing their researching, information-gathering, put into an e-mail to the Village those homeowners who have enclosed their properties that do not have a formal garden setting. We are not interested if the azaleas blooming better this year or not. That is irrelevant. But I say this from a client of mine on Edgar's Lane who did this three years ago, who wanted to replant. I said let us just see what nature does. It is absolutely extraordinary, a woodland type area. Not that they could plant plants they were not able to before it was fenced. Just what naturally came out of the ground, what was hiding there all these years that was being mowed down consistently year after year that you did not know about. It is pretty amazing what has happened there. I would be happy to share this property with the students who go

there, to examine it, get some data of plants, and then reach out to other homeowners.

**Mayor Swiderski:** That would be great. The impact on the population will not be apparent until after the first species count in May. So you will still have a valid baseline, even though we only got them into the ground in October.

**Mr. Downey:** You could always use these properties to bring the student studiers, and say, look for this. This will show up. It gives them some inventory.

**Mayor Swiderski:** OK, that is a good idea.

**Mr. Bell:** I got a question. What is the status of the deer we have already tagged? How are they all doing?

**Mayor Swiderski:** Deer number one was phoned in to the New York State DEC as killed by a hunter on the border of Dobbs and Irvington. They called the DEC to ask if the deer could be consumed. They were referred to Professor Rutberg, and the question was answered. We do not have any other reports of the other seven deer being killed. We have episodic reports of people seeing the tags around, but nothing formal.

**Mr. Bell:** What do we do with these deer? If they are going all the way up to Dobbs, Irvington, Tarrytown, how is this going to help stop this population? The deer who mostly hang out there will come and just take their place over here.

**Mayor Swiderski:** Ultimately there is no question that immunocontraception works in an isolated environment. No question. It has worked in the areas it has worked in. It has been carried on on islands or isolated areas. The big challenge is in a mobile community, where there are illegal immigrants coming in from across the border. It is *the* open issue. We have been told that their range is not great. They stay fairly close to home. But if that range is 10 miles and not 600 yards, we are going to have a problem and we will never be able to solve it. That is why this is an experiment and that is why it has always been a dicey deal. But if we can bring the numbers down, that is what we are shooting for. We have not gotten calls from other communities about the tags.

**Trustee Jennings:** It would be very difficult to implement, but since the doe mobility hypothesis is so important and since we are, at the moment, the only ones tagging, if we could get people in Dobbs and perhaps even Irvington to put up cameras or to do observational reporting we might be able to have some sense of how many, if any, are in the nearby villages and get a better sense of their mobility..

**Trustee Armacost:** Some of us have deer that live on our property that we feel are the same

deer. I have one that is tagged that comes back and seems to sleep in one part or other of the wooded area on a fairly regular basis. I think anyone who has that experience it would be helpful if that person were to report it.

**Mayor Swiderski:** The database that Richard set up and that has been used heavily is something we are going to wake up and have a place for the tag number. That will be part of the education campaign over the next two months. The tag is not small and is numbered.

**Trustee Armacost:** Yes, the tag is big. I never realized I could see the number, but I will get closer and have a look.

**Richard Ryan:** It is always useful to have any kind of data about the deer.

Mr. Mayor, first of all congratulations on the incredible organizational effort over the last year to keep this all going and to put so many complicated moving parts in place. Just a quick informational point. What is the project governance for the project going forward? How is the project being administered? Who is administering the project? And what is the reporting protocol? How often will the public receive reports on the project, and how quickly will the data be made available to the public?

**Mayor Swiderski:** There are two different protocols. There is the protocol required by the state license that we operate under. It is a license to collect, it is a license issued for studies. It requires a full report to the state.

**Mr. Ryan:** At the end of the project?

**Mayor Swiderski:** At the end of the year. Each year the license is in effect, and we renew that license every year. We issued a report to the community after the study concluded last year detailing our experience and lessons. In terms of that large formal report, the same thing would happen this year. And clearly, during the darting we kept the community apprised of changes in strategy and how we were doing, and that would continue. But that was episodic. It was not a formal weekly or monthly report. I would welcome assistance if somebody wants to help log that on a weekly or monthly basis while it is underway.

**Mr. Ryan:** Could we expect a fortnightly report at this meeting?

**Mayor Swiderski:** During the duration, guaranteed.

**Mr. Ryan:** A web page logging the ongoing results, certainly on the Hastings Village

website or independently or some kind of integration of the two would be, since this is an exceptionally well thought out and innovative citizen science project, which is a hip category right now. It is something that a lot of people would be interested in and follow closely and would reflect on the Village.

**Mayor Swiderski:** Right, I agree.

**Mr. Bell:** Was it explored as to if we could tap into outside sources for people who want to be in the sunshine on this project, RFID tags, the way they track packaging or cell phones? Where you have a battery, you can know where somebody is with their cell phone. Is there some inexpensive thing that could be brought into this tag?

**Mayor Swiderski:** That is a really good idea, and we did not look at it. Dan, let us remember to ask that. That is actually pennies a tag these days.

**Mr. Bell:** We could track and watch them in real time. That deer that was killed, number one, were we able to get the body?

**Mayor Swiderski:** We got the request passed to us from the state DEC. It was second-hand, and the request was passed on to Professor Rutberg, who answered the question from an individual.

**Mr. Bell:** Was it safe to eat?

**Mayor Swiderski:** The state said it was not. The answer is it is, and the PZP is not the issue. The anesthetic in the animal is the issue, and it remains active for a few days. You do not want to be eating it during that period of time.

**Mr. Bell:** But this was a year later, correct?

**Mayor Swiderski:** It was quite a bit of time later so it was safe.

**Mr. Bell:** If you ever get another report I would love for you get the body. We can do an autopsy on it, see if this birth control is working. And also see the tag, how the tag affects the deer. The deer often live in the brambles. They might get them caught. Maybe we would not even find some because the tag gets ripped off. That might be a good thing for the RFID. Let us get a deer and take a look at it. How does this affect the deer, and really make it a science experiment.

**Mayor Swiderski:** If we have that option I think we would consider it.

### **3. Other**

**Trustee Armacost:** I would just like to pick up on the comment made by Mr. Downey earlier relating to the DPW trucks which he has done some analysis of. I thought his memo was very thoughtful, and the Zinsser Park/Library Hill memo was also very thoughtful. I wanted to check on when we go through our purchasing analysis what the process is in terms his statement that we are operating in the '60s and '70s. I want to understand that from Fran's perspective and from other perspectives. It seems that he has put a lot of thought in, and like with many things there are two very different opinions on these things. But I do not want him to constantly be making these comments and us not to have done our own due diligence on our side. It may be that his comments are completely valid but they are way too expensive.

**Village Manager Frobel:** Right.

**Trustee Armacost:** But I want us to at least have done the check on our side.

**Village Manager Frobel:** What I had written down when he was speaking was, I will ask Tim to give me some of this time. We will sit down with Mike Gunther and our operators to get their input as to why we believe the machinery we buy is best suited to our operation. Let us do an exploratory on it and see if there is a better way of doing business. Part of it is the narrowness of the geography of the community. Those are some of the factors that we have to go into as to whether or not the one-armed operation works in this kind of a setting.

**Trustee Armacost:** He made many recommendations. You could take two of the recommendations. You do not have to take all seven of the recommendations. But what I want to do is just make sure, when we have someone who has gone to so much effort and put so much thought in and clear research, that we are acknowledging and taking into account that research. We have members in our community who are real experts. When they make that effort, I want to make sure we are putting in the reciprocal amount of thought on our side to acknowledge that. So thank you for your efforts that you put in, and I would be interested to hear what comes of that.

**Trustee Jennings:** Yes, I would like to thank Mr. Downey also for that memo and I agree with what has just been said. We are going to purchase expensive new equipment, and now we have an opportunity to take a look at a change of operation, whether or not that is feasible, before we lock ourselves in by spending, what was it?, \$500,000 or \$600,000. Not that much.

**Mayor Swiderski:** Less. But still, it is money.

**Trustee Jennings:** Still it is a lot of money. That was the fire truck, excuse me. The timing is very good here to reconsider. The thing that impressed me most about Mr. Downey's memo was that he points out, correctly I think, this is an integrated thing. This is partly about equipment, this is partly about personnel, it is partly about operational places and procedures. You have to consider all three together. But certainly there are a number of good ideas there, and all of it is not a package deal. We can take advantage of what we can take advantage of.

**Trustee Walker:** I actually would like to make a comment on Mr. Bell's request to change the law about the female impersonators. I think we should take a look at it. I do not think we should just ignore it. Not to say that we need to do this as a standalone change. Maybe there are some other things we would like to do at the same time.

**Mayor Swiderski:** Well, that is part of my hesitation. It has always been that our code periodically needs a cleaning.

**Trustee Walker:** Right. So maybe we can find a few items that we want to clean. But I would like to add to a list of items to clean.

**Mr. Bell:** It has been 1994 since the last time we looked at it. I love Ms. Walker's idea, standing up for it. It is something that could be accomplished real quick.

**Mayor Swiderski:** You have advocated for it.

**Mr. Bell:** I am just backing her up, and you guys are trying to push her back down again.

**Trustee Armacost:** No. Just so that you are aware, we have raised this topic in executive session.

**Mayor Swiderski:** There are Easter eggs throughout our law that are just crazy.

## **ADJOURNMENT**

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