

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 2, 2016

A Regular Meeting was held by the Board of Trustees on Tuesday, February 2, 2016 at 7:33 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

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

CITIZENS: Twelve (12).

APPROVAL OF MINUTES

On MOTION of Trustee Armacost, SECONDED by Trustee Apel with a voice vote of all in favor, the Minutes of the Regular Meeting of January 19, 2016 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 53-2015-16	\$ 9,591.87
Multi-Fund No. 54-2015-16	\$14,111.63
Multi-Fund No. 55-2015-16	\$97,975.56

PUBLIC COMMENTS

John Gonder, 153 James Street: Tomorrow you are holding a meeting in regards to Building 52 and the consent order. Maybe you could tell us how much time you will give the individuals to talk.

Mayor Swiderski: The usual five minutes seems to be fair and you do not get a second shot at the mic until everybody has had a chance to speak. We are going to call the evening at 10.

Mr. Gonder: I hope you still will consider putting in sidewalks rather than paving roads this year. You had a good winter, the roads have not been damaged that much, and you had that new thing you tried out that fixed potholes that seemed to work pretty good.

I have a VA card here. With this, I was surprised and very grateful I get a tax benefit from the school taxes. I hope you will consider it this year, especially with the reevaluation with a

lot of people that bought homes, built homes, servicemen. They are decaying because they cannot afford to fix them up. Trump made a very interesting comment. He was with the veterans and he said that the illegal aliens were getting greater benefits than the veterans. And it is true. I found out recently that Home Depot gives 10 percent off, if you have a card like this, to veterans. They do it every day regardless if it is a \$10 item or less to thousand dollar items. So some people think about the vets, and I hope you will do that this year. And I hope you would consider that the Village merchants do more for themselves rather than doing everything for them.

Mayor Swiderski: I am not sure what benefits we offer illegal aliens in this village, but thank you for the point.

David Skolnik, 47 Hillside Avenue: I have sent you numerous communications, and as per mostly usual I have only heard back from the Mayor. This is about the LEDs. Unfortunately, even the Mayor's response more often than not seems to miss the points I am trying to make. I sent you a link to the Scarsdale report. I am mentioning it publicly because, again, I get no response pretty much from any of the Board members about this. I come in here assuming that you have gotten these and have looked at them. That is the extent of my leap of faith because there is nothing otherwise that substantiates that. I thought it was relevant, not so much because I thought that is what this community could have done, but because I thought it made clear what an actual study would look like. My point that has been refuted by the Mayor and the Village Manager that we had a study in Hastings I will continue to argue against. What undermines any confidence in me and I think other people, at this point I can no longer keep asking the Village Manager for a response which I do not get. Or as you know from the last meeting, there were things we were told were going to happen that did not happen, and I did not even have the courtesy of information about that. But at this point, you are the ones that have not had a courtesy. I consider you responsible for what is going on with regard to the lack of follow-up with LEDs. I have had FOIA requests that are telling there is no written documentation for some basic questions about how this issue is being handled. That is a significant problem. If I were a Board member and I felt any responsibility at all I would be concerned about that. The coloration is no longer the issue. The issue still is the extensive glare issues, not just the one near my house but throughout the Village. It might be that somebody is dealing with this but there is no indication from any requests for information about that. I need to see a response because you are handling significant issues. Tomorrow you are going to be dealing with the waterfront, you are going to be dealing with the budget. If this can be taken as any indication then I do not have a lot of confidence in the way you handle stuff. I would rather not have that feeling, I would rather not have to say that. I think you have got to take it a little seriously that I come up here every week and still get nothing.

Patrick Randolph Bell: On the LEDs, I agree with Dave; what he said I will double.

We have a voting machine resolution coming up. What is it going to cost? That was not anywhere in the resolution. Instead of using the electronic voting machines you could use a paper ballot. They just did that last night in Iowa for I do not know how many people. If we are interested in saving some money maybe that is an easy way to do it. Might have to stay a little longer and count. This is the new law as of December 1, 2015 all municipalities must use the electronic voting machine for their local elections.

What is this negotiation about this intermunicipal agreement with the county over the fence? From what I understand, in order to spend \$103,000 on this fence we have to have some ownership interest, we have to have some leasehold interest, in this fence. What is that, and what are we looking for? Is it going to be we want no liability, we want to own nothing, we want the county to do it all, versus we are going to have to settle for we have to maintain the sidewalks, we have to repaint the walls occasionally. What are we trying to get out of this intermunicipal agreement so we could get this bond? If something goes wrong, could we say to the county you did mess up the way we are supposed to put the supports within the parapet and, because of that, we cannot give you this \$103,000 because we are not willing to take responsibility for this fence even though you are going to put it up anyway. We are not paying for it anymore because you did not give us this. This is what the contract originally was. We agreed to it based on these plans and these plans did not come to fruition. Maybe you could let us know a little bit about it. Maybe Mr. Frobel could then let us know about this inspection I talked to you about today, which I guess we did hire an inspector, and let us know what that process may be going forward. What are we planning on having this inspector do? Have we negotiated that yet?

Or as you mentioned at the last meeting, which you mentioned to me today and I thought it was different but you were right, we are still waiting on documents so we could decide what we are going to inspect. Do we have any more updates either from Counselor Whitehead on the intermunicipal agreement and, from Mr. Frobel, what are your dealings with this inspector we have hired. How much are we, and I think it is \$10,000, willing to go above, or are we going to spend a little less than that depending on what goes on? Just keep us updated on the process is all I am asking.

You brought up how much time do people have to talk tomorrow, five minutes and then maybe a second bite at the apple at the end. But Mayor, you just mentioned that we are going to be done by 10. There are two very important things being discussed tomorrow. What happens if not everybody gets to talk about those two very important things, Building 52 and, let us say, the water tower, by 10 o'clock? Will you have a second meeting?

Richard Ryan, 11 Rose Street: I do not think it will surprise any member of the Board to hear that I remain very interested in the status of the debris barrier that is allegedly going to be posted on the Warburton Bridge. There is no publicly available information about when the debris barrier is going to be posted. There is no account of what the latest communications between the Village and the county are about the debris barrier. A number of those of us who are opposed to the debris barrier have pointed that although it is often called, publicly, a suicide prevention barrier, in fact the manufacturer of the debris barrier specifically says it is not warranted as a suicide prevention barrier. So it appears to us who oppose the debris barrier that you are collectively imposing a liability risk on us. We were told by the Village that if we opposed the bond for the debris barrier that we would be subjecting the Village to a suit by the county. I and many would appreciate hearing if a member of the county government told the Village that they would sue the Village if we collectively opposed the debris barrier. There are a lot of unanswered questions about the debris barrier.

Mayor Swiderski: I want to get to some of the questions raised. To Mr. Gonder, there is a program available for everybody who is in rent-controlled housing that we are looking to publicize called SCRIE, Senior Citizen Rent Increase Exemption. If you make less than \$50,000 and you are over 62, go to the Community Center and pick up the paperwork that allows you to file for an exemption for rent increases on your property. The Village pays the amount of the increase offsetting that cost so you can, on a fixed income, continue to live in that housing. That is available to you if you live in, and I do not think the term is "rent-controlled," but "rent-managed" housing, "rent-stabilized" housing. That also applies to you if you are disabled.

The cost of voting machines. I believe there is no cost to the Village for the use of the county services around voting.

Village Clerk Maggiotto: They do not charge for the use of the machines but there are other costs involved. We have to pay to transport the machines, for the paper ballots that are especially designed to go in the machines, and for the election inspectors.

Mayor Swiderski: We pay for election inspectors no matter what. But the marginal cost is the transport and whatever additional expense for paper. And do we have an option for paper ballots?

Village Clerk Maggiotto: We could use paper ballots; however NYCOM does not recommend paper ballots in an election with more than a certain number of people voting, perhaps a thousand, for accuracy purposes.

Mayor Swiderski: The fence negotiation, is there anything to be said publicly, or is that an ongoing process?

Village Attorney Whitehead: I am waiting for a draft from the county attorney's office.

Mr. Ryan: Mr. Mayor, can you say what the negotiation is?

Village Attorney Whitehead: We have to have an agreement with the county because the Village has agreed to pay X dollars in exchange for the revised fence. That agreement was made with the county awhile back. That needs to be memorialized in writing, in particular for the Village to issue its bond to pay for that. So the bond has not been issued yet.

Mr. Ryan: So what is the negotiation? I am unclear about the ...

Village Attorney Whitehead: We did not characterize it as a negotiation.

Mayor Swiderski: We are waiting for documentation for a proposal from the county that we will react to.

Mr. Ryan: But about what? What are you waiting for the county to propose to you?

Village Attorney Whitehead: A draft IMA with respect to the modification of the fence and the payment of the Village for the modified fence.

Mr. Ryan: I am lost in a haze of bureaucratese here. What is the county proposing to the Village?

Trustee Apel: We do not know yet.

Village Attorney Whitehead: There has to be an agreement. We had a verbal agreement; it needs to be put into writing.

Trustee Walker: We are going to pay for it.

Mr. Ryan: You had a verbal agreement? Not an agreement in writing, but a verbal agreement.

Mayor Swiderski: There was correspondence. You have FOIA'd that extensively and you have what is available on that topic.

Mr. Ryan: Peter, what is the current state of the negotiation?

Mayor Swiderski: There is no negotiation, and we are waiting for a ...

Mr. Ryan: It was just characterized as a negotiation.

Village Attorney Whitehead: Not by us.

Mayor Swiderski: My mistake. It is an IMA we are awaiting from the county.

Mr. Ryan: And what is an IMA?

Village Attorney Whitehead: An intermunicipal agreement.

Mayor Swiderski: It is a formal agreement between localities that you establish how you work through any number of issues.

Mr. Ryan: Will someone on the board help me out here...

Village Attorney Whitehead: It is an agreement that says the Village is going to pay X dollars, and in exchange the county has changed the design for the fence and is putting up this fence instead of the original fence.

Mr. Ryan: And that has not been agreed to by anyone yet?

Village Attorney Whitehead: It has been agreed to.

Mr. Ryan: By who?

Mayor Swiderski: There has been correspondence back and forth. You have that correspondence. It is not formalized in an IMA. That is what the IMA does.

Village Attorney Whitehead: It has been formalized in correspondence, it has not been formalized in the form of agreement which the Village needs to issue the bond.

Mr. Ryan: So the bond has not been issued yet.

Mayor Swiderski: You are asking questions now several times. No, the bond has not been issued. We need this IMA to issue the bond; the bond has not been issued.

Mr. Ryan: I am sorry, I am not trying to be difficult. I am trying to understand. Who needs to issue the IMA?

Mayor Swiderski: It is a document that is signed by both entities. We are relying on the county to issue a draft of the IMA, to which we will react.

Mr. Ryan: Who in the county?

Attorney Whitehead: The county attorney's office.

Mr. Bell: So you are waiting for the county to issue the IMA, and then you are going to react. Which means maybe yes, maybe no. That is reaction. If there is something you do not like you going to ask them to change a part of it, correct?

Trustee Apel: That is usually how it works.

Mr. Bell: So that would be called a negotiation.

Trustee Armacost: Not really.

Mr. Bell: So you are saying I do not like this, can you change this one term. I think that is the definition of a negotiation.

Mayor Swiderski: If you want to characterize it that way, of course.

Mr. Bell: OK. Then the question would be what is in that IMA? I know it is \$103,000 and we need to pay the county this somehow. Who gets the liability? Is there any liability shifting hands here, and is there any ownership shifting hands here?

Village Attorney Whitehead: There has never been any question of liability shifting hands.

Mr. Bell: No matter what it is going to be the county.

Village Attorney Whitehead: It is a county bridge; they own the bridge.

Mr. Bell: Then where does this property ownership thing come in, the leasehold agreement? That is part of that IMA, right?

Village Attorney Whitehead: I assume. I have not seen the IMA yet.

Mr. Bell: So even if they own it, even if we get some kind of property ownership, they are going to keep our liability even if we have to have that to issue our bond.

Village Attorney Whitehead: I have not seen the document yet.

Mayor Swiderski: In regards a suit, we do not intend to be sued by the county or sue the county. We intend to pay in full for the fencing. We prefer to do it by bond. It is the typical way you amortize an expense of this sort. We can do it by paying out of reserves. But we do not intend to stiff the county. A bond smears the cost out over an appropriate period of time, given that the asset lasts at least that long, and it is the way you cover assets of this sort. So inspector and bridge you will cover in your report.

Village Manager Frobel: Yes.

11:16 APPOINTMENT OF VILLAGE ELECTION INSPECTORS

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

RESOLVED: that the Mayor and Board of Trustees appoint the following Village Election Inspectors for General Village Election Day, Tuesday, March 15, 2016

Democratic Inspectors:

Frank Brodhead, 1 Main Street, Hastings
Alex Cornwall, 537 Warburton Avenue, Hastings
John Russo, 10 Cedar Street, Dobbs Ferry
Peter Shafran, 47 Jefferson, Hastings
Elizabeth Waczek, 10 Main Street, Hastings

Republican Inspectors:

Roberta Bennett, 33 South Clinton, Hastings
Timothy Hays, 59 Stratford Lane, Hastings
Bryan Healy, 13 Summit Street, Hastings
Linda Johnson, 21 Maple Avenue, Hastings
Kathleen Soderstrom, 340 Farragut Avenue;
and be it further

RESOLVED: that compensation shall be \$225.00 each for nine (9) inspectors and \$275.00 for one (1) captain.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

12:16 APPROVAL OF AGREEMENT WITH WESTCHESTER COUNTY FOR USE OF ELECTRONIC VOTING MACHINES AND RELATED SERVICES

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

RESOLVED: that the Mayor and Board of Trustees approve the Intermunicipal Agreement with Westchester County as attached for the use of County-owned electronic voting machines and related services for the Village election on March 15, 2016.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

13:16 SCHEDULE PUBLIC HEARING FOR PROPOSED LOCAL LAW A OF 2016 TO ADD NO PARKING OPPOSITE DRIVEWAY AT 35 FLORAL DRIVE

Village Manager Frobel: This comes as a request of the homeowner at 35 Floral Drive. They are looking to establish the no-parking opposite their driveway 10 feet either direction of center of the driveway. It stems from a situation where the neighbor across the street periodically parks their car in such a manner that makes it very difficult for the homeowner at 35 Floral Drive to back out. The matter was considered by the Safety Council and the recommendation before you is to set this for a public hearing.

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

RESOLVED: that the Mayor and Board of Trustees schedule a Public Hearing for Tuesday, Feb. 16, 2016 at 7:30 p.m. or shortly thereafter to consider the advisability of adopting Proposed Local Law A of 2016 to amend Article IX Parking, Standing and Stopping of Chapter 282 Vehicles and Traffic of the Village Code to add new subsection (95) for no parking opposite the driveway at 35 Floral Drive.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

Trustee Armacost: Can we make sure that both parties are made aware of this public hearing?

Village Manager Frobel: Sure.

Trustee Armacost: It is probably a very local issue, but it both sides need to be aware.

Mayor Swiderski: That is something we have never had before us. I do not want to set the precedent if we can avoid it. That is not the way I would rather resolve these sorts of issues. I am hoping there is a greater safety issue that is being addressed because otherwise it seems ...

Village Manager Frobel: Precedent-setting.

Trustee Armacost: And other people have tried backing out of the driveway in various other settings. So make sure it is warranted.

Mayor Swiderski: We are scheduling a public hearing. We are under no obligation to pass the legislation.

14:16 RESOLUTION URGING THAT HEALTH, SAFETY AND PLANNING CONCERNS BE ADDRESSED AND MITIGATED BEFORE ANY FURTHER CONSTRUCTION CONTINUES ON SPECTRA ENERGY'S ALGONQUIN INCREMENTAL MARKET (AIM) NATURAL GAS PIPELINE, COMPRESSOR AND METERING STATIONS EXPANSION PROJECT

Trustee Lemons: Mr. Mayor, would you like me to summarize? It is very long. This resolution came from a number of members of the Conservation Commission. Some of them spoke at our last meeting. The Algonquin pipeline is a pretty large expansion, including through Westchester County and on through to Connecticut; increasing from 26 to 42 inches, increasing the capacity probably by 25 to 30 percent. They have stated that it is only to serve local markets and not for export, but there is always a concern about that.

This resolution addresses many different issues around that pipeline. On Thursday, FERC, the Federal Energy Regulatory Commission, ruled that they would not reconsider their former finding that this was not a threat to Indian Point, and there are a couple of aspects of this resolution that address that. That seems to be an issue, though, that probably for now anyway is that they are not going to reconsider that.

One of the big concerns of the pipeline is that it is carrying gas that, if it escapes at various points whether at the pumping stations or transfer points, we already have significant air quality issues. The area where the pipeline goes is already probably exceeding many air quality thresholds. The World Health Organization has already determined, and there is pretty strong scientific evidence that, when those gases from fracking escape they pose health hazards. That is an issue that could happen anywhere along that pipeline.

The residents that would be most closely impacted by that have protested strongly about having the pipeline run through their communities, to no avail. The Nuclear Regulatory Commission and FERC have both approved it and it seems to be going forward despite strong public opposition. The big underlying issue, of course, is why are we having an expansion of a facility that is going to increase the transfer of fracked gas, that is going to facilitate another increment in throwing carbon into the atmosphere, particularly given the questions about how much using natural gas as opposed to other fuels really reduces greenhouse gases because of the gas escape and methane escape at the fracking point, which is extensive and may well nullify a lot of even the supposed benefits. There are many reasons to be concerned about that, particularly from the health point of view. I think, despite FERC's ruling, there is significant concern about the fact that this pipeline runs within 100 feet of Indian Point. And what would happen if there was an explosion of the 42-inch in diameter natural gas pipeline that close to that facility, which is 28 miles from here. Even though that pipeline is not close to our community, it is close enough to be a concern, and I feel it is important to stand with those other communities in their concerns.

Trustee Armacost: I did get a chance to read this in advance and I agree with Dan. He spoke very eloquently, and it is worth us putting our support behind this.

Trustee Apel: You know how I feel about energy so yes, I am in favor of this. I hope they read it and listen.

Trustee Walker: What are the communities that are directly affected? I know the ones where Indian Point is, but what are the others? Are there dozens of them that are protesting in New York State?

Trustee Lemons: I do not know how many. There are many communities. I did not mention that three of our Hastings residents are part of the Montrose Nine that were arrested. I do not think they have gone back to trial yet, but they were arraigned for blocking access to the site. So our community is deeply involved. The Mayor, and I think all the Trustees, signed a letter of support for them.

Mayor Swiderski: Is it past the point that a resolution is effective? Is this an entirely done deal? Are there still decisions to be made and a point where this weighs in in some way?

Trustee Lemons: It is hard to be hopeful about those decisions being reversed because FERC has now once again ruled on the Indian Point question and the NRC has concurred with them on it. It is difficult to see where is the point of reversal. But part of what is in this resolution is still useful even if the pipeline goes through. It has to do with ensuring the proper monitoring, developing the proper emergency responses should something happen. There is a whole aspect of this resolution that deals with the pipeline going in as it is planned and it is being executed at the moment. But still things that need to be done.

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

WHEREAS, Algonquin Gas Transmission, LLC (AGT), a wholly-owned subsidiary of Spectra Energy Partners is seeking expansion of pipelines carrying fracked gas to serve customers in Massachusetts, Connecticut and Rhode Island, and for export, and which pipelines affect Rockland, Westchester, Putnam Counties and the Greater NY Metropolitan Region.

WHEREAS, the location of the AIM pipeline: 1) passes 105 feet from the Indian Point Nuclear Facility and 40 years of spent fuel rods. Twenty million people live within 50 miles of IPNC; 2) intersects with two proposed high voltage power lines; and 3) is in close proximity to a significant seismic zone; and

WHEREAS, materials and contaminants in the gas pipeline include radium precipitate, radon and its decay products, lead and polonium, many of which are known carcinogens and present a serious health risk both to local residents as well as the potentially hundreds of short-term construction-related workers; and

WHEREAS, peer-reviewed scientific studies and the World Health Organization link exposure to air pollution from fracked gas with neurological, cardiovascular, respiratory other health problems, while peer-reviewed scientific studies specifically indicate that emissions from compressor stations and other shale gas infrastructure are also associated with negative health impacts; and

WHEREAS, the current emissions that include benzene, toluene and formaldehyde will be significantly increased by the expansion of the Southeast and Stony Point compressor stations and other gas pipeline infrastructure and operations, including but not limited to metering and regulating stations, pipelines, valves, fittings and Pipeline Inspection Gauge (PIG) operations; and

WHEREAS, the tri-state region, including Rockland, Westchester, and Putnam counties, is already considered a non-attainment zone for air quality standards according to the United States Environmental Protection Agency (EPA) and exceeds the limits for pollutants such as ground level ozone and particulate matter. The compressor stations and metering & regulating stations emit NO_x which combines with sunlight to form ground level ozone. The infrastructure also emits particulate matter; and

WHEREAS, there is presently no advanced notification for all planned full or partial blowdowns at compressor stations, or immediately following any unplanned partial or full blowdowns, in order for residents and public officials to take prompt emergency measures; and

WHEREAS, considering the continued build-up of greenhouse gases in the atmosphere, the State of New York and its political subdivisions should not be facilitating the construction of additional fossil fuel-related infrastructure, particularly when such infrastructure will operate for decades into the future; and

WHEREAS, the villages, towns and cities of Rockland, Westchester, Putnam and the Greater Metropolitan region are duty bound to protect the health and safety of all its residents and all workers associated with the project; therefore be it

RESOLVED, that

- 1) before any further construction on the pipeline expansion project, an independent air emissions baseline assessment be conducted in the areas directly impacted by the proposed compressor and metering and regulating stations modifications;
- 2) any continued construction of the pipeline be continuously monitored by an independent expert acceptable to industry, local government officials at the state, county, town, and village level, and to advocates and the public, with funding for this monitoring provided by Spectra Energy; and
- 3) results of the continuous monitoring of air, water, land and all other environmental impacts be reported daily to the New York State Department of Environmental Conservation (DEC) and the EPA, and made available to the public in a transparent manner; and be it further

RESOLVED, that AGT be required:

- 1) to install the best available mitigation technologies on all components of the existing and proposed compressor and metering stations in the AIM pipeline project, including electric compressor engines, zero emission dehydrators, blowdown prevention, vapor recovery units, and methane capturing equipment;
- 2) to utilize the best practices outlined by the EPA; and
- 3) to install selective catalytic reduction if gas-driven engines are used instead of preferred electric engines; and be it further

RESOLVED, effective immediately, that advanced notification of all planned blowdowns (either full or partial) and notification within 30 minutes following any unplanned partial or full blow downs of the Stony Point and Southeast compressor stations and other gas pipeline infrastructure and operations (including but not limited to metering and regulating stations, pipelines, valves, fittings, and

Pipeline Inspection Gauge [PIG] operations) be given to all of the towns within a 25 mile radius of the nuclear reactor in order to alert all residents, emergency first responders, and municipalities within their purview; and be it further

RESOLVED, that a comprehensive and transparent Health Impact Assessment (HIA), as outlined by the Centers for Disease Control and Prevention and the National Academy of Sciences, be conducted by an independent entity acceptable to industry, local government officials, advocates and the public, and funded by Spectra Energy; and be it further

RESOLVED, that this comprehensive and transparent HIA cover cumulative short-term and long-term impacts as well as direct and indirect impacts of all infrastructure components and operations of the AIM project, including compressor stations emissions and blow downs, metering and regulating stations emissions, and pipeline leakage prior to construction, during construction, during normal operations and during blow downs and accidental release events, with a thorough analysis of all materials and contaminants in the pipeline, including radium precipitate, radon and its decay products, lead and polonium, and with a thorough analysis of the proposed Pipeline Inspection Gauge (PIG) launching staging areas and the handling, storage, cleaning, and disposal of PIGs, PIG wastewater, PIG launcher and all other associated equipment with PIG operations; and be it further

RESOLVED, that Spectra Energy fund a comprehensive, independent and transparent risk assessment of the potentially catastrophic explosion of a 42" diameter high-pressure pipeline in close proximity to Indian Point Nuclear Facility and a significant seismic zone, to be completed in accordance with CFR Federal Law 50.59 and 10 CFR 100.20 regarding changes to site, and be it further **RESOLVED,** that the Village of Hastings-on-Hudson opposes the continuation of construction of maintenance facilities near schools, parks, houses of worship, business or residential districts or any other population centers; and be it further

RESOLVED, that Spectra Energy be required to follow New York State law by undergoing an independent Environmental Impact Statement

before construction of the AIM pipeline continues any further in order to comply with the requirements of the State Environmental Quality Review Act (SEQRA) and thereafter minimize and mitigate any negative environmental impacts; and be it further

RESOLVED, that parkland and private property seized by eminent domain be returned to the public and its private owners and that the trees cut down to make way for the pipeline be replanted at the Spectra Energy's expense; and be it further

RESOLVED, that the Clerk of the Village of Hastings-on-Hudson, NY be hereby authorized and directed to send a copy of this resolution to the Federal Energy Regulatory Commission and all federal and state involved agencies with the request that the health, safety and planning concerns stated in this resolution be addressed and mitigated in the environmental review and all other review processes before project permissions be granted; and to send a copy of this resolution to Hon. Barack H. Obama, President of the United States; Hon. Charles Schumer and Hon. Kirsten Gillibrand, United States Senators; Hon. Nita M. Lowey and Elliot Engel, Members of the United States House of Representatives; the President Pro Tem of the United States Senate; the Speaker of the United States House of Representatives; the Majority and Minority Leaders of the United States Senate and House of Representatives, Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. Andrea Stewart-Cousins Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Souris, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Mayor Peter Swiderski	X	

Mayor Swiderski: Please pass on our thanks to the Conservation Commission for working through that issue.

Elisa Zazzera, 111 Pinecrest Parkway: You hit on all the points that are bubbling in me about this, from the dangers of it being next to Indian Point, to the grand scale of why are we increasing our fossil fuel structure to does it really matter if we sign this. It is a great gesture, but what is more important is not just sign that paper, not just clap your hands and show your support, but use whatever influence you can, if you think this is the right way to go, to see that FERC does not get to do this again, to see that the NRC does not get to rubber stamp these things. These are issues that need to be looked at. One of the three sitting here, Andy, tomorrow is the court date. If anyone is available to be in Cortlandt for any amount of time, come by and show your support. Thanks for signing it, and keep paying attention.

Mr. Gonder: I do not think the Board should take any resolutions such as you just made. It is not doing anything in regard to Hastings, and it was approved by two federal agencies that there was nothing wrong with it. Then we have three residents that got arrested, and you are trying to help people that got arrested for something they did wrong. They were blocking, and were asked very nicely to move and did not do it so they got arrested. Therefore, I do not think you should follow a resolution when some people get arrested for something they did wrong and they are trying to push something over on you.

Mr. Bell: I have to agree with Mr. Gonder. I love Andy as a person, I support him as a person. I do not support the actions he took to break the law. It is a disgrace to this village that Trustee Lemons said I support the actions of these individuals. You can support the individuals, but not the actions of breaking the law. Your job up there, all of you, not one of you objected, including Counselor Whitehead.

Village Attorney Whitehead: The resolution does not ...

Mr. Bell: It is not the resolution. It was the comment made by Trustee Lemons saying everybody up here on this board. Do you understand what I mean?

Mayor Swiderski: Yep.

Mr. Bell: Please, say we support our friends, we do not support them breaking the law. Individuals, fine, but as elected officials no.

Mayor Swiderski: Thank you. The intent here was not to begin a back and forth on this. We passed a resolution, the Board is comfortable with that resolution, and the matter rests.

Before we move on to the Village Manager's report, I do want to raise an issue about tomorrow. I am not entirely confident that we will be done with Building 52 in the 2 ½ hour period elected and also have time to get to the consent decree. I would like to tentatively block off time where we can continue the public hearing and get more input if necessary. Is there time in the next two weeks we can set aside if necessary for extended public comment?

Trustee Lemons: I am wondering whether five minutes is the right amount of time. We normally do five minutes, but we usually have a fairly small number of people. I am anticipating we will have a lot of people, and I think it is possible to give your comments in three minutes in a succinct way and make your point. That would give more people an opportunity, even if we had two meetings.

Trustee Apel: If we do three minutes, I suggest that people have to sign in to talk. If we can only have 50 people, then the first 50 people that sign up are the only ones able to talk at this particular meeting. They will each get three minutes or whatever we allot, then the rest will have to come to the next meeting. It may work out better, people might understand it.

Trustee Armacost: That seems like a fair way to do it. On the second date it is tricky. Every night between now and the 10th has some event on it. I am not going to be here from the 10th through the 22nd. I can look at the meeting and do not need to be there myself

Mayor Swiderski: I am going to suggest that because we are looking to move the date for the hearing we should also allow more time for people to react, therefore, to move the vote to the first Tuesday in March.

Trustee Armacost: That is very sensible.

Mayor Swiderski: Do we need a resolution for that, or is that simply an agenda item? OK, we are moving the vote on both the consent decree and the demolition permit to March 1. That gives us the full month of February to play with in terms of an additional date if we need it.

Trustee Armacost: To Marge's point, the signup sheet is important because people should not be allowed to speak twice at the first event and the second event. So we need a record of who has spoken at the first event.

Mayor Swiderski: Yes, but if people have comments on both documents they should be permitted to speak.

Trustee Apel: So we are going to allow three minutes?

Mayor Swiderski: Let us make it three minutes. We will do a signup sheet, which I am not a fan of since they favor those who show up early. But let us do a signup sheet. We have got a full four weeks in which to play here. I am good with the 10th.

Trustee Armacost: Which I cannot be at, but those are good.

Mayor Swiderski: It is going to be recorded, and if there is a Q&A portion to that event it will be with ARCO and myself. I do not see the Board answering questions of fact.

Trustee Apel: I will not be here in February, so you can pick any day you want.

Mayor Swiderski: Then let us go with the 10th as a second day. To be clear, 7:30 to 10 tomorrow and tentatively 7:30 to 10 on the 10th if we need to. Depending upon how it is going tomorrow, we will terminate on 52 and continue the following week on the consent decree.

Mr. Gonder: You keep changing things. Now we can only talk three minutes and we have to sign up?

Mayor Swiderski: Yes.

Mr. Gonder: What time does the signup start?

Mayor Swiderski: We will have it at the door. When will the doors open?

Village Manager Frobel: At 7.

Mayor Swiderski: OK, the doors can open at 7. I will put that out tonight in a short note to people.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: The engineering firm of Deerkoski Engineering has begun their work in the review of the rehabilitation of the Warburton Bridge. As I have indicated before, we have been somewhat frustrated in the lack of documents we have requested of Westchester County. All we have received so far is the bid manual and the specifications for the rehabilitation. That has been enough work for the engineering firm to do over the last few days, but there still is a host of documents that we have asked for. Most recently, this week, I have sent out another e-mail to the appropriate parties reminding them that we are requesting certain things. I mean, these are everything from inspection reports, shop drawings of the original bridge, deficiency reports over the course of time. We have asked for inspection reports, any change orders, things that, quite frankly, should be routinely available in the engineering office. I do not know if it is attributable to lack of staff but, as you know, I sent that notice out beginning with the commissioner, the project engineer, the consulting engineer. There is a host of people that, in the chain of command, should be able to provide us with the data we are requesting.

We will be conducting an on-site field inspection of the bridge within a very short period of time with the engineering firm but, in the meantime, the documents we have asked for are very critical to his analysis; we do not have those yet. In terms of the fence, I reported to the Trustees that the fence was scheduled to be installed last Monday. We had made arrangements for that to start. The company, the contractor, decided not to begin installation attributed to the snowstorm on Saturday. I have not further word, despite asking, when I can expect them to be back to begin the installation. Any questions? But that is really what we know so far.

2. Warm Mixture Pothole Repairs

Village Manager Frobel: On the second matter, Hastings will be joining with our neighbors in hiring an outside contractor to help us fill potholes during the winter months. As you know, we had, I think, based on our analysis, very good luck with filling the potholes with a warm mixture rather than cold patch last year. And our neighbors all share with that. So the Village Officials Committee, at our last meeting, discussed it and we can expect to have the firm back, probably, in Hastings towards the end of February. They will be here again this year for two days. In my estimation, a very reasonable cost at under \$4,000 a day for the equipment, the product, and the manpower to do that. We expect to make some good headway.

Thus far, our roads are holding up pretty well. I think our DPW crew, Mike has had them

out routinely, filling potholes. But I suspect with the heavy rain schedule for tomorrow and the weather getting a little colder, we should see some potholes forming soon. We are looking forward to having this company come here, as I said, towards the end of the month.

That is everything, Mayor.

Trustee Apel: That is good. I am glad it is going to rain and wash away because I can see in front of my own house pieces of road that has been churned chance, and you will not know until the rain clears it all out.

BOARD DISCUSSION AND COMMENTS

1. Proposed Resolution for Restriping of Farragut Parkway

Mayor Swiderski: We are moving to a proposed resolution to request restriping of Farragut Parkway.

Village Manager Frobel: This comes as a request from Mary Jane Shimsky, who is here this evening. We took this matter up in October. The very next day, I wrote to both the commissioner of public works for the county and to the New York State DOT. The New York DOT took two months, but he got to me anyway indicating DOT New York would consider this request and would be assigning it, I got the impression, to a staff to begin that. We have not heard anything from Westchester County, whether or not they would join with us in this effort. But as of now, that is all I know about this initiative.

Trustee Walker: I wondered, looking at the letter from the DOT, that they assigned and named the individual. Could you follow up?

Village Manager Frobel: Let me continue to push. That is what we do. I will get back to them again and tell them we are interested and do want staff to consider it. They will do their analysis and some recommendations and see if, in fact, it is feasible.

Trustee Walker: I want to respond to the resolution that Mary Jane gave us. I am all for reducing it from four lanes to two lanes. When we talk to the state about it there will be some options to look at. But I am a little concerned about a crosswalk across Farragut to the bus stop. Not because I do not believe in crosswalks, but am just afraid, at that location, that it may not be a safe crosswalk. When it is un-signalized, even if you put up signage warning motorists, even if we can succeed in slowing the traffic I am not sure if it is going to be safe enough to tell people they could cross there. That is something we can talk to the state about.

A crosswalk at some point along Farragut is a good idea, I am just not sure where it should go to enable kids to walk to school, particularly.

Trustee Armacost: Is that not something that the Safety Council and the transportation working group can do? One can look at it and then pass to the other, or vice versa. I do not think we need to decide that right now, do we?

Trustee Apel: One of the questions I have for our lawyer is, is it designated a parkway? Do they have different rules, and maybe some things are allowed to have going across it?

Village Attorney Whitehead: I have not looked at the crosswalk issue because we were only talking about the restriping. We can look at that, and certainly the state will tell you.

Trustee Walker: One other idea that several people have mentioned to me that we can pass on to the committee: putting bike lanes on Farragut and creating a safe crossing at Saw Mill Parkway to get bikes to the South County Trailway from Farragut Parkway. If we are reducing or narrowing the roadway we will have extra room. What happens to it when it gets to the parkway I am not sure. At any rate, it is something to think about.

Trustee Armacost: I think that is a good idea. I want to come back to the matter at hand, though, which is what else can we do to help move this forward. If the county has not chimed in is there something we can do to encourage their support?

Trustee Walker: We can at least get the state portion going, right?

Village Manager Frobel: Yes. I will re-contact the commissioner, the director.

Trustee Walker: Who did you contact?

Village Manager Frobel: Mr. Pisco's office responded.

Trustee Walker: So he is the commissioner?

Village Manager Frobel: The New York Department of Transportation assigned it to the regional director, and then he responded to the trustees.

Trustee Walker: Right, but who did you contact at the county?

Village Manager Frobel: Mr. Jay Pisco, he is the commissioner of Public Works & Transportation.

Trustee Walker: Can we ask Mary Jane to look into that?

Village Attorney Whitehead: We would also like him to respond on the bridge documents.

Mary Jane Shimsky, Westchester County Legislator: You are not alone. We often have trouble getting our due diligence documents, as well, so we can all commiserate. It is very frustrating. I have discussed with the Village Manager some thoughts about how we might move forward with the FOIA request to try to get their attention on some of these items. There have been times I have held over items that were supposed to come to a vote before the full board of legislators because we did not get our complete due diligence documents. Usually after that, the required materials were forthcoming. But it is difficult, and I suspect the reduction in staff the Village Manager alluded to probably has something to do with it.

I thank you for addressing these important safety issues on Farragut Parkway. The reason I added the crosswalk was because a neighbor of mine who is a senior citizen described the difficulty she had getting across the street to that bus stop. People are using the bus stop whether there is a crosswalk there or not. There is a functional crosswalk at the intersection with Lawrence Street and the Saw Mill River Parkway. I do not think being a parkway is necessarily disqualifying. It may be that it might make more sense for safety reasons to move it up closer to Amjo's to improve on the sight distances for the vehicles coming up the hill, but it would be good to get feedback from the DOT.

In terms of the narrowing, you need more space, especially on the side the driveways are on. Especially during the summer, when the bushes and trees in the area are leafed out, it is almost impossible to see what is coming down the hill. One of the property owners tells anyone before they pull out that they should never make a left-hand turn onto Farragut Parkway, they should make a right-hand turn and then go on that loop right before the intersection with the Saw Mill, which is what I had planned to do the day I had just come within seconds of two fast-moving cars riding abreast of each other down that side of the parkway. If I had been a few seconds earlier I would have been in a very serious collision. You need that extra space to provide sight lines for people who are pulling out.

A bike lane and some safe way across the parkway is an interesting idea. I would suggest that for the safety reasons we discussed the bike lane should go on the other side. I do not think there are any driveways there, so you do not risk any collisions with a bicyclist. I also do not know, and this is something the Village Manager and others may opine on, whether you are more likely to get more of the response you want if you pile it all together or if you do it one at a time. Also, how long it might take for you to work out the details before you present them to the DOT is also an issue. We received an e-mail from DOT that said they

would consider the restriping as long as there was a duly-passed resolution by the Village Board, which is why I submitted the draft resolution in question.

Trustee Apel: Have we looked into perhaps moving the bus stop?

Representative Shimsky: That might be a possibility, as well. It is now at the foot of High Street, which is already well into Farragut Parkway. Might it be possible to move it back closer to Amjo's, where you do have a slightly more pedestrian-friendly setting?

Trustee Walker: The road is already narrowing and there is a median. That could become a pedestrian refuge. It helps people in crossing the street to have a place to stop.

Trustee Armacost: What are the next steps then? We are passing this and waiting for a response from Mr. Pisco?

Village Manager Frobel: Let me send another letter off. Our letter from the New York DOT did not say anything about a resolution. You must have got a separate e-mail. So if that is necessary, then if the Board is inclined we could consider that.

Trustee Armacost: But we have two groups that are specifically dealing with those kinds of issues so we should decide whether that is the kind of thing that goes to those groups or not.

Trustee Walker: This is definitely for the new Transportation Committee, once it is formed.

Trustee Armacost: Exactly, which hopefully will be after executive session today.

Representative Shimsky: Moving the bus stop would have to involve the county because it is the county bus system. If the county chooses not to opine on the striping I do not think that is necessarily fatal.

Trustee Armacost: The striping, these things, can be separated out and decisions made on some and not necessarily on others. So if we can expedite it.

Representative Shimsky: I would urge you to move as quickly as possible on the restriping, and if there are different options we would like to see on the bus stop that it could be worked out over time. Despite my inconsistent record at getting the documentation I need from the county, if you would like to explore moving the bus stop I will do what I can to move some due diligence forward on that on the county's end.

Mayor Swiderski: I am interested what the DOT has to say about that. The DOT may have its own recommendation on that score.

Representative Shimsky: Probably does make more sense to see what the DOT has to say, and then move it from there.

Mayor Swiderski: To sequence it so we may see progress.

Trustee Armacost: So we will unbundle, deal with striping, and pass the other things to those committees and hear from the DOT.

Trustee Walker: I have brought this up several times before. Since we are contacting the state about restriping, can we ask them also about restriping Broadway going north from where Warburton intersects and reducing that from two lanes to one lane in the northbound? We have gotten a letter from the temple saying they are in favor of it. It would be much safer. They have two crosswalks there, and it would be much safer for people crossing there if it were two lanes instead of three lanes.

Village Manager Frobel: That was part of the original review, though. Did DOT have a reason not ...

Trustee Walker: No, the Village had a reason. It was that apparently ...

Village Manager Frobel: They thought residents would park there from the condos, right? They would park on the street and avoid using parking on their lot.

Trustee Walker: But there is striping on one side. It is on the west side but not on the east side. If they were to park anywhere it would be on the west side, and they are not. So I do not think it is an issue. People from Temple Beth Shalom have contacted me several times about it, and they keep saying yes we will, yes we will. But since we are contacting the state about restriping, I would love to add this.

Village Manager Frobel: So from the intersection to the Dobbs Ferry line.

Trustee Lemons: To where it becomes again one lane.

Mayor Swiderski: We are not doing anything Dobbs has not already done.

Village Manager Frobel: OK, I will fold that into the letter.

Mr. Skolnik: I am baffled. I do not understand what the immediate urgency is, given that you have been talking about creating a committee that would be not only empowered but qualified to look into this with some sophistication. I feel like I have been watching the same mistake made over and over. I had to go to more effort than I should have had to to get even the text to the proposal that you are considering this evening. The transportation stuff has been treated this way all along, where it does not show up and suddenly something is happening. I am wondering if any of you saw the document I submitted some months ago after this item first was broached. I spent time giving this a lot of thought. You are doing yourselves and the Village a disservice by jumping ahead of yourselves. Going immediately to the DOT, assuming these people will necessarily have the same sense of space, the sense of what the community is, as a resident group would, given all of our responses to the space.

Trustee Walker: This is a process, David. It is going to take time. We are trying to get it jump started. The DOT will come back to us, and it will take months and months. It is not going to happen overnight. We want to start the process now rather than dragging out feet. There will be several different iterations and drawings and many discussions, and we will probably have to pass another resolution. In my mind, this is a way to get things going. Then when we have the Transportation Committee set up they can be reviewing these things and they have public meetings about it. But it is a way to see some action instead of waiting, waiting, waiting.

Mr. Skolnik: I will point out to you what my experience has been in this process having witnessed it for a number of years, which is by the time this stuff comes before the public there has been communication, there has already been a history of interaction. So there is also a tremendous difficulty once there is this momentum to start ...

Trustee Walker: There were also many discussions about this during the Comp Plan.

Mr. Skolnik: Please do not put forward the Comp Plan as somehow the Bible on this. I was there. I watched the process, I was involved in the process. As much as there is information and consideration about circulation in the Comp Plan, the thrust of that whole effort was not a transportation study. There was no independent study done for the Comp Plan. It was based on previous studies that were also flawed and never accepted by the Village. Please do not raise the Comp Plan as the reason why all of this stuff should move forward.

Mayor Swiderski: Mr. Skolnik, we appreciate your input. There is a recurring theme in your complaints about the way we do business up here. It does not unfold with a certain amount of study and analysis you think it should. We understand that. Sometimes decisions are made at rates that are much slower than they should be, and sometimes they are faster. But ultimately, you are dealing with a limited number of people on all these committees,

with limited amount of time, and we do the best we can to think through the topics before us; whether it is transportation, whether it is LEDs, it may not involve the degree of study you want, but we are comfortable with that up here and we do the best we can. I am going to accept that this will be a recurring theme between us, but I do not think this comes out of nowhere. There have been accidents on that stretch of road, it is a road that receives repeated complaints about speeding. For us to ask the owning authority to take a look at it is hardly a radical or odd thing to do, and we have spoken about it on this board a couple of times already. It has not come out of the blue. There is a context here that we are acting as best as we can. We are asking an authority that has the resources to do this study. They are going to make recommendations. And that is what we want here. It may not be unfolding exactly in the sequence you want. I accept that, and that is OK.

My privilege, I am going to ask for the last word there. We want to get to the rest of the agenda

Mr. Bell: Can I offer a jump start?

Mayor Swiderski: No.

Mr. Bell: Put like cones up.

Mayor Swiderski: No.

Mr. Bell: You know, like put something up to declare a state of emergency.

Trustee Armacost: Please, can we just ...

Mr. Bell: A couple of cones and sawhorses, police cars.

Trustee Apel: Can we get a sergeant at arms in here now.

Mr. Bell: Block it off safe for the high school kids.

Trustee Apel: Could we get the sergeant of arms?

Mr. Bell: One of our mutual friends, and their kids almost got hit again in front of the high school.

Trustee Armacost: Please let us move on. Stop talking about it.

Mr. Bell: I am just looking for jump starts. I am not messing with your process.

Trustee Apel: No.

Mr. Bell: I know, I understand. OK, thank you. But keep it in mind.

Trustee Apel: Sit down.

Mayor Swiderski: Thank you. You know, Patrick, this is not a circus. I cut it short because it was going on long enough. I will invite you to the mic if we are continuing the discussion. It went on long enough.

Mr. Bell: Next time. Sorry that I interrupted.

2. Riverview Park – Progress Report

Mayor Swiderski: This particular process has gone on for awhile. We had one member of the public submit a positively excruciating blow-by-blow description of this process over the years, and it has gone on for awhile. It is a long history done a disservice by tight budgets. Parks and Rec has resources that are constrained by the Board that has wrestled with a tight budget. This park has had a vision for it set awhile ago that involved a split use, dog and human. We were progressing with small changes to realize that vision, and Parks and Rec was doing the best it could given their resources. We appreciate it.

But a couple of things happened. That park became all too successful as a dog park. It was heavily used, in some cases by professional dog walkers. With Parks and Rec, if people understood how limited their staffing was they would be shocked, given how much they do. They do not have the staffing to sit there and monitor a facility with dogs running around that did not have the rules set or the structure for that to continue as a dog park. It led to an unfortunate incident. That brings us to today. The park's function as a dog park and human park was essentially reduced to a single use. The door was taken off the gate so it could not be utilized as a free-for-all for, especially, the multi-dog walkers. The local residents eagerly spent effort in the fall to turn it into the potential for a human park.

Here we are at a decision point. It is time for us to carry this park to the next level, which is something beyond the limited resources we have applied, but it is going to a use determination. Typically, that is left in Parks and Rec Committee's hands because those decisions belong there. But there was a liability incident, and the issues here ultimately involve both a matter of liability and final use. It may start in the Parks and Rec Committee, but it is going to land up here eventually. Rather than wait, let us determine the use up here.

That is where it is going to end anyway because it is going to be very hard to come to a consensus opinion. It cannot be both, it has to be one or the other because of the issues around monitoring and safety and everything else.

We have wrestled with how to do this. There have been private conversations and many conversations with various members of the public. It is clear to us that this cannot linger for another six months. We do not want a lengthy process. We are going to ask for a session where the public provides input, people are given a chance to finally speak. And when I say "finally," I mean the final round on this. The Board will decide a use, and then we will pitch it back in the style of what happened at Reynolds Field. So Kendra and Parks and Rec, in concert with an appropriate group of interested parties, will then act on that use and do what we do do well: figure out to turn a space into something useful.

I would like to schedule a public hearing where people tell us what they want in that park. That night, if it is a Tuesday and otherwise the next Board meeting, we have a discussion about that, determine the use, then turn that charge over to Kendra to then take the next steps in organizing for the community a schedule for rolling out a design and then upgrade to that facility so it can be enjoyed by the community. Not everybody on the Board has heard this out of me, so I am going to stop talking now and ask for reactions from the Board on this proposed process. Does that feel right, and if not what suggestions would you have to modify that proposal?

Trustee Armacost: We need to do it quickly. I was astounded at how long this has been going on ...

Mayor Swiderski: It is embarrassing.

Trustee Armacost: ... and I think the group wants to be able to move forward with uses in June, and I would like to be able to support that. It is the least that we can do as Board members, to support that. I recommend that it is done as soon as possible. If we can do it next Monday, Feb. 8 that would be fantastic. I would love to be there, and I am going to be away after that but I do not want my absence to delay it. I do think that what you have sort of framed is a good and fair way of dealing with the situation.

Mayor Swiderski: I want to get this off of our lap with a clear and stated use for the park so we can then move to the process of design and a rollout. And also a sense of budget so everybody is working within realistic parameters instead of the dribs and drabs that we have fed poor Kendra and her department. It should be what we are willing to part with, and then everybody knows the playing field.

Trustee Armacost: The liability issue is very important. That is why it needs to come to us, and it is something we need to consider as we are looking at uses.

Trustee Apel: I have a strong opinion. I am very concerned about the budget. If you are going to do something and plan for the budget next year it has to be done immediately. The other thing is in line with the discussion I have brought up in terms of the Comp Plan and Parks and Rec. While making a quick decision on this, it needs to be also looked at in conjunction with the rest of the parks: do we want a dog park somewhere but not here, or we do not want dog parks at all in the village, or it cannot be. We have discussed Kendra looking at what we have already and what the uses are and the cost. If she is going to be given a finite amount of money, and she is given \$100,000, and I am making this up, and we decide we are going to spend \$80,000 on this park, then we have nothing left for the other parks. It is an individual thing as well as an overall thing, and it may be that Kendra needs sufficient increase in that budget in order to make any of these things work in the parks. So I would recommend, yes, that you can move along with this. But we need also to get a report from Kendra on all the parks and the usage, the expenses, and then see the whole picture.

Trustee Walker: Marge is right that we have to look at it in context. I hope we do, within the next year, update the Comp Plan with that in mind, looking at the parks. We can look at totality. But that said, we have dragged our feet on this long enough, and do not need to wait for a Comp Plan in order to make a decision about this park. My concern is, does Monday allow enough notice to folks. You can send out a letter, but there are a lot of people who do not get them. I am so shocked at how many people do not get Village e-mails. Responsible citizens do not get those e-mails.

Mayor Swiderski: We could post around that playground, and we could post on the telephone poles in that area.

Trustee Walker: But it is not just about that area. There have been folks writing from other neighborhoods saying they would like to have a dog park there. It is a Village-wide issue.

Mayor Swiderski: Right, it is a Village-wide issue but I am not sure that we have lettered the whole community. I am not sure what mechanisms above and beyond what we usually do, other than maybe posting at the Community Center and the library.

Trustee Apel: We could put a banner up by the defunct A&P.

Mayor Swiderski: That is ambitious by Monday.

Village Manager Frobel: What happened to the discussion about having a facilitator help us draw out from the community?

Mayor Swiderski: That may very well be how we handle the design. The design of the park will still have to go through a use analysis. But here was the concern about a facilitator: you stick people on both sides of the use issue in a room, and the problem with the space is it cannot gracefully handle both unless there is real control over the dog issue. It has got to be one or the other. We believe that the facilitated approach to come up with uses will simply come back to us. We talked about it and in the end, it is a liability issue that will or should come back to us. In the end it is our call.

Trustee Apel: Is it possible, though, that we keep it as a people park for now? There may be the possibility of doing a dog park, part of it, something down the road. But for now, if the objective is to get usage by the children in the area and keep it safe, then keep it for that and then move towards deciding if that is the place for the dog park or someplace else.

Mayor Swiderski: But if we invest money in the park the use should be clear. Otherwise, we may be investing in landscaping and fencing that is not appropriate for subsequent use.

Trustee Armacost: Marge, I will forward you the list of public discussions going back to the early 2000s on this, and you will be surprised and appalled at the number. We have to bite the bullet. I do not think we can be punting anymore on this decision.

Trustee Apel: In a way, I am saying the same thing. If the decision by the Board is to keep it a people park, then go for it. Then if there is a thought of a dog park later, you can worry about it later.

Mayor Swiderski: But I think we have to decide about that location. I do not think we are doing any favor to the people who live in that area for them to think a decision might be reversed at some future point.

Trustee Armacost: I think there are other places in the Village where there could be excellent dog parks.

Trustee Apel: Is this not the park that has the lower part and the problem with the handicapped getting down there?

Trustee Armacost: Right. I think we just need to make a decision.

Village Manager Frobel: And, Marge, that is what came out when we submitted a grant. We went to quite an effort to do some design with cost estimates and, of course, the expenses if you make it a dog park.

Trustee Apel: It is more expensive to make it a dog park.

Village Manager Frobel: Very definitely.

Trustee Walker: Fran, I do not understand why it would be any different if you make it a dog park or if you make it a people park. The cost of putting in some kind of path or ramp down to the lower area. Why is it necessary, if it is a dog park, that you have to have a ramp and it is not necessary if it is a people park?

Trustee Apel: Because of the dog runs down there and you are handicapped, how are you going to get your dog back?

Trustee Walker: OK, so if your child runs down there and you are handicapped, how do you get your child back?

Village Attorney Whitehead: It has to do with if it is the only dog park and it is the only area for dogs in the Village. That is part of it. There are a number of issues relating to it, but that is one of them in terms of accessibility.

Village Manager Frobel: I was more focusing on the fencing and gates.

Trustee Apel: And also you are talking about playground equipment and stuff like that.

Village Manager Frobel: And bringing water to the site and expenses like that.

Trustee Apel: Well, you might do it for both and have water for both.

Trustee Lemons: Can I ask, again, about the process? We are talking about a public meeting or comment, then that would be followed by a Board decision in terms of purposing?

Mayor Swiderski: Yes.

Trustee Lemons: I think that is pretty soon in terms of people feeling like they got informed.

Trustee Armacost: Let me show you the number of consultations that have happened on this park.

Trustee Lemons: But we are in a different year now. Other things have happened and the neighborhood has changed.

Mayor Swiderski: We could do it at a regular meeting on Feb. 16. I know you will not be there, Niki, but that will not preclude you from listening to it.

Trustee Walker: That way it gets on an agenda ahead of time.

Trustee Armacost: People want to have an opportunity to have a conversation. I think people already have views about usage which they want to bring. The reason to have a consultation is to be able to make the decision which, in many ways, relates to liability issues which I do not think people are going to speak to in the meeting other than to say my child was bitten by a dog.

Trustee Walker: I have the longest history of all with this park. I started working on it in 1998. One of the first things I started doing as a planner was work with the community to come up with ideas for that park. I do not want to give dog owners short shrift on this. I understand all the issues, but because we had a split park design that was approved by this Board, and that we were going after grants to do it, there were a lot of people in this village who thought they were eventually going to get a safe and well-managed dog park, unlike what they have had. People were not using it because it was not safe and well-managed. There probably are people in this village who are waiting until it was properly designed and managed, and they might want to bring their dog there from other parts of the Village.

I now question whether it should be a dog park, and that is what we need to discuss. But I do feel like there were a lot of people left out of the conversation who were part of it when we were creating that first design. It just gives them a chance to be heard. I do not think we know how many people in this village want a dog park, at this point. But, Niki, because we went in that direction for so long, and suddenly we are reversing course, it would be nice to know how many people really were expecting a dog park.

Trustee Armacost: That is an absolutely valid point. What we have to be clear about is that we are separating two issues. One is people who would like a dog park somewhere in the Village, and whether a dog park should be in that location. The decision we need to make as a board is a very clear decision. It is whether there should be a dog park in that location, given the liability issue that we are aware of: those of children being bitten and dogs running in front of cars. We need to make that decision, and not come back to it again and again.

Trustee Walker: That is fine.

Trustee Apel: What I am trying to understand is, if there was a viable design that would have worked out to have them both there, then you might say you can have both there. But if you do not even know what that design is ...

Trustee Armacost: We have a design.

Trustee Walker: We had what a lot of us considered to be a viable design.

Trustee Apel: But that was what was here before we took the gate off, or no?

Trustee Walker: No, we never gave the Parks Department enough money to complete the design so it would be safe. Splitting an upper part for people from a lower part for dogs. We never got the grant and then never put it in our budget.

Trustee Apel: The grant for the study or the grant to do it?

Mayor Swiderski: To do it.

Trustee Apel: You probably will not remember what the cost would have been to do such a thing.

Village Manager Frobel: It was in excess of \$100,000.

Trustee Apel: Again, we do not know the costs. We are rushing to go forward so we can have money in the budget. If we had a ball park figure of what we are talking about, and we knew that we were going to fund more money in Parks and Recreation so we would not have to rush to make this decision....

Village Manager Frobel: You will not have to know for the budget, because it would probably be a borrowing, and that would come to you, probably, in August, September.

Trustee Armacost: Not being able to open and use the park this year is what it is about. And it is about stopping indecision and moving forward, and showing that we are committed to something valuable to people who live in that area happening there.

Trustee Walker: I agree. I do think, though, that it does not necessarily have to be built out in one phase. It could be a couple of phases and they could try out different things. Getting it cleaned up and getting it safe, those are the most important things because it has been used

by dogs for so long. Then the community can try different activities there. Maybe we put picnic tables that could be moved around and they can try different things, before you start building anything expensive. This is what I recommend to my clients all the time: if you are not exactly sure what you want do not start building heavy-duty infrastructure in excess of \$100,000:: try out a few different uses, not including dogs but try out a few activities there: small-scale children's activities, some temporary play equipment, a tricycle. There were a number of things that were discussed. Try them out, and then we can maybe move forward next year in building more infrastructure. But get it so they can use it this summer.

Trustee Armacost: But there is a prior step, which is making a decision about that.

Trustee Walker: Yes, I agree. We all agree, Niki.

Trustee Armacost: So let us just make the decision. What I am suggesting is that we do not prolong this over more and more time so that more and more summers and springs, et cetera, get lost.

Mayor Swiderski: We are talking about the 16th.

Trustee Apel: But it sounds to me like we have made a decision already, that we want to clean it up.

Mayor Swiderski: The primary use decision has not been made.

Trustee Armacost: We have to decide if it is going to be a people park or a dog park. That is what we have to decide as a board because of the liability issues involved.

Mayor Swiderski: Right.

Trustee Armacost: And we do not need to wait a long time to do that. As soon as we have made that decision we free people up to come up with the ideas. Actually, we have all the ideas. I have got so many documents on people's ideas for the park.

Trustee Apel: But if we get a report from the Village Manager on the costs and the liability issues, then we already know what the answer would be once we get that information.

Trustee Walker: The cost of what, though?

Trustee Apel: He said we have liability issues because the park is not fixed up. If it was, say, a dog park or something I guess it means higher fences or I do not know, all sorts of

stuff. There can be liability issues if it is not a dog park and people are tripping and falling and doing all sorts of stuff. We have to know what our exposure is in both cases and in all cases, period, financially. That is what we are asking, and that seems to be what you are saying. That the decision-making factor here is ...

Mayor Swiderski: It is *a* factor.

Trustee Apel: It sounds like a pretty big factor.

Mayor Swiderski: It is also that the public needs to be heard.

Trustee Apel: I am not saying they should not be heard. But these seem to be the big factors. And the public also needs to know this. Whatever point of view they have, they need to also have this information, as well. If we are going to have a public hearing, the presentation should also include these are the liabilities, these are the costs we have had and these area the problems, et cetera.

Village Manager Frobel: We do not want to bias people, though. I thought it was just find out the use, and then drill down on price. Do we not just want to understand whether the community wants and how they want the park? I thought we were not going to get into design or any kind of bias putting it out there.

Trustee Walker: I do not think it has anything to do with budget. Just use.

Mayor Swiderski: Just use, just ask opinions and feedback from the public on this particular park.

Trustee Walker: And if we do it on the 16th we can get it on the agenda, people will see it. You can also send out a note. That allows enough time for notification. And we could decide that night, although Niki is not going to be here.

Trustee Armacost: I am not going to be here. I would prefer if we could do it on the 8th because then I can participate.

Mayor Swiderski: Niki, three of the Board members, and that does include me, thinks that is awfully soon.

Trustee Armacost: OK, so then we will override me.

Mayor Swiderski: I am concerned about it circulating in time to get enough people informed. I think it is the fair thing to do. Two weeks does not seem unfair.

Trustee Armacost: We have been discussing this issue and how we are going to have a public meeting for at least the last four Board meetings. So if you want that to be the decision you should go ahead on the 16th.

Mayor Swiderski: Then we will set it for the first item on that agenda. And we will post on local telephone poles, in addition to the usual e-mails and at the Community Center and library, so people are aware that this is a topic.

3. Shoreline Committee Charge & Waterfront Estuary Grant

Trustee Walker: We would like to appoint a committee, and I am calling it an advisory committee, of five to seven people. This is my proposal for you to comment on. It would be purely focused on the shoreline. Because we have got this grant from the DEC Estuary program, which we are finalizing, we would like to have this advisory committee. Sorry, the grant is, in fact, to hire consultants. So probably marine and environmental engineers and a landscape architect to work with the Village in coming up with a shoreline plan that we are going to give to BP within six months. They are going to be rebuilding the shoreline, they are going to be building the new bulkhead at the northwest corner, and creating a soft shoreline from south of the northwest corner.

Mayor Swiderski: More accurately they are designing that and we want to feed that process.

Trustee Walker: They are going to be building something there and they have to design it. We want to inform the design process. So we need to do it quickly, and that is why we want to move this quickly, and appoint a committee to get started right away preparing an RFP. Whether it is invitation or sent out publicly we need to discuss, but to then solicit proposals from consultants or consultant teams. This advisory board will review the documents that exist about the waterfront, including the Waterfront Infrastructure Committee's report, the recreational survey that was conducted by the Waterfront Infrastructure Committee, the harbor management plan that was completed in 2007 which had a lot of public input, and also the consent decree, of course, when it is completed. Those are kind of the documents that we will base their work on. Then issue an RFP. I am asking DEC and Scenic Hudson for sample RFPs. We can start working on that right away, as well,

The consulting team, with the advisory committee, would conduct two public meetings. They may find other ways to solicit opinions. For example, when we did this back with the

LWRP we invited the boat clubs to come to special meetings to talk about water-related uses. We can do this in a bigger public meeting, we can talk to commodores at the various yacht and boat clubs, we can do surveys. It is important that the public be involved in this to talk about the different kinds of boating uses, other water uses like fishing, swimming, whatever, where they should go, and other kinds of recreational uses that are going to happen on the waterfront, and how they will be included or not in the shoreline. Some will go in upland areas, but some could potentially be in the shoreline.

This consulting team would develop a site plan, and this is what I am proposing it include: location of water-related recreational and commercial uses such as boat access, fishing piers, floating docks and so on; location of any lightweight ancillary structures to support the water-related uses like boat houses, ferry terminals, cafés, refreshment kiosks and so on; the location and concept design of an esplanade and figuring out where that is going to go; and a concept for the stabilization, planting and habitat restoration of the sloped shoreline. It is going to be armored but also vegetated. We would like to get input from a landscape architect on how that should be done, and public opinion as well. This can be a very natural vegetation, it can be very unnatural vegetation, it could look like a wetlands. So there are any number of ways to look at this. Then we want to ensure that this shoreline improvement plan is completed by July 31 this year.

Trustee Apel: Is that not ambitious?

Trustee Walker: It is very ambitious, but we said six months. That is what we are talking about. If we start moving immediately, and we get the grant finalized and the contract signed, I think we can do it.

Mayor Swiderski: Right. It is probably a month short of ambitious.

Village Attorney Whitehead: Especially because you have to get the consultant to do the RFP.

Trustee Walker: But we could do an invited list of consultants. We will get names and technical assistance from the DEC about this. I have already been talking to people.

Mayor Swiderski: It is important and, unfortunately, it has to be ambitious otherwise we will not have the impact we need to have on the design. Both the DEC and BP have indicated they are open to this, but it has got to happen. Their 100-percent design is due at the end of March, and I think the 50 percent is in September, or 80 percent. So this will be feeding that. They should be invited to observe the sessions.

Trustee Walker: They should be. They could send somebody to all the meetings. I am interested in your comments. We will get this up. There are a number of people who have already served on waterfront committees in the past or who have a lot of expertise in marine engineering or waterfront planning. We could invite them to be in on the planning.

Mayor Swiderski: We have to do that. Unfortunately, we do not have a two-month selection process here.

Trustee Walker: I have a list of kind of professional types, like landscape architect, architecture planning, and civil, marine and environmental engineering, park planning, environmental and natural science, Hudson River recreation. But it does not mean you could not have lay people who have an interest in this.

Mayor Swiderski: Right, but we do not have the time to a broad search. We have to go from the list of people we know.

Trustee Walker: Do you think we should not send out a letter?

Mayor Swiderski: I can, but it should be for immediate response. We cannot have this process go on. You need that group.

Trustee Apel: How many in this group did you say?

Trustee Walker: I am saying five to seven, but it could just be five people.

Village Manager Frobel: Since you are guiding the consultant's work.

Trustee Walker: You are guiding consultant's work and they are a liaison between the consultants and us.

Mayor Swiderski: And the public.

Trustee Walker: And yes, they are helping with the public process.

Mayor Swiderski: Before we put that note out, from the prior waterfront committees do we have five people, or are we going to be short and it is just best to put it out?

Trustee Walker: I have reached out to a few folks, but I cannot say all of them that have served on previous waterfront committees who have the expertise. Should we do that first and see if they want to serve?

Mayor Swiderski: IF you can do that as quickly as possible. I was going to be sending out e-mail at the end of the weekend.

Trustee Walker: This is an interesting committee to be on. And it has a sunset.

Mayor Swiderski: And very defined charter. There is probably time for maybe two sessions with the public.

Trustee Walker: And probably not much more. You can interact with the public at the Farmers' Market or other events, so there are opportunities there, too, which might be useful. Just to let people know what is going on. So any other thoughts? I will change it because I said "revised consent decree concluded." I will say "currently under review." That was Linda's and Marge's.

Mayor Swiderski: And the Infrastructure Committee, it is not that they plunged that first hundred feet away from the shoreline. They just did not populate it with uses. They dealt mostly on where the development will go, and this is filling in the picture.

Trustee Walker: Who is going to decide where the roads go? We like the Infrastructure Committee's report with the road running parallel to the railroad tracks and another road meandering down. It is the meandering road; at some point you need to decide that with more information than we have now, I am afraid. That is something we would do in our form-based code discussion. However, it is important for this process, too, to know where that road is going to be.

Mayor Swiderski: What does the grant cover?

Trustee Walker: The grant covers the design of the shoreline.

Mayor Swiderski: What is "shoreline" defined as?

Trustee Walker: It is going to be that area that is sloped up to where the road is going to be.

Mayor Swiderski: So the first hundred feet.

Trustee Walker: Yes, the first hundred feet. When you are planning or doing design you cannot look at anything in a vacuum. They are going to have to make some assumptions about where the road is going to go.

Mayor Swiderski: Then you may have to make assumptions. But unfortunately, there cannot be a whole more than that.

Trustee Walker: Or maybe they can make recommendations in terms of accessing certain parts of the shore: it would be good if the road could curve out a little in this location. You have a little leeway in terms of grading and so on, and I do not think we want it to be some straight shot. We want it to be a lovely road, a riverside drive, but maybe they can make some recommendations about its location in relation to the shore and access to marine uses.

Trustee Lemons: Mostly where they had that meandering road was well back from that 100-foot area. It is more like 200 feet.

Trustee Walker: But they have decided that based on what they thought was the developable area. It could come out closer.

Trustee Lemons: I agree with Peter that it would be wonderful to know it but we are not going to know it before these things have to be designed.

Trustee Walker: We are not designing a park. This is not a park, this is a shoreline and we have to keep reminding ourselves of that.

Mayor Swiderski: But within that hundred feet is also probably much of the esplanade. And potential flat areas where picnic grounds can go and maybe gradients where you could have other uses.

Trustee Walker: Speaking as a designer, it is hard to design these things in a piecemeal way.

Mayor Swiderski: It is not ideal. We are backing into something without ever knowing, in the end, what the whole is.

Trustee Walker: And that is a hard thing to do. But we can get closer if we move into the form-based code quickly after this.

Mayor Swiderski: Right, but even then it will be way after this before we get that clarity. This process will be done about when we start to kick off that process. This is driven, but why is this a rush? Because it has potential to influence hard facts on the ground.

Trustee Walker: Which are going to be constructed.

Mayor Swiderski: Right, and that is why this is rushed. Because those bulldozers hit the ground and they are going to drop that riprap, and if we can affect how that riprap is laid and say this is where the kayak launch is and that is where we want to eventually put a pier, it is going to affect how those guys design it. If we do not do it now we may not get some of these uses down the road.

Trustee Walker: And if we want it to be a beautifully landscaped area with natural vegetation we have to tell them, otherwise it is going to be this armored thing with no plants.

Trustee Lemons: And the costs of doing that later are going to be a mess. And it is bound to be an iterative process. It is maybe not the design process you want, where you say we got 46 acres, let us program it. It is not going to work like that.

Mayor Swiderski: We are backing into it. On the other hand, let me put a positive spin here. It is not our property, and we are being given a shot at helping to mold it in a process that will engage us and the public. So it is not ideal.

Trustee Apel: When you do the shoreline you are going to impact what you are going to put on the land. You can do the shoreline, but think about what possibly might be behind it. That is about all you can do because you cannot be specific. But you can have a fair idea.

Trustee Walker: There are certain givens we can work with, where the train station is and we know we are going to have bulkhead on the northwest corner, for example. And the coves can be used for more protected kayak launchings. Then there is j a lot of open stuff.

Mayor Swiderski: Open stuff, but that is also kind of cool.

Trustee Walker: Landscape architects are usually brought in after the design has already been created by the architects. But this is an interesting reversal.

Mayor Swiderski: It is crazy, but at least we are having a chance to influence that process.

Trustee Walker: The other piece we have to keep in mind is that the reason the DEC is giving these grants is to think about resiliency and sea level rise and tidal surges, and how you create a waterfront that can deal with potential flooding. So how you deal with all these increasing stresses on the riverfront, and that is why we are doing a soft shoreline instead of a bulkhead. This is our first line of defense to protect the upland. Whether it is park and development or whatever, this is our line of defense. And that is why the DEC is interested in it.

Trustee Lemons: The shoreline existed before any of the development along the river. It was a defined thing, and then it got dramatically altered by development and human-made things, but to go back to redesign the shoreline to somewhat of a natural thing, and then let the rest of the development have to be in harmony with it, that is a good process.

Trustee Walker: We get to play Mother Nature. That is a nice way of looking at it. I will start reaching out to some of the folks who have served previously and see if they want to be on the committee.

Mayor Swiderski: Right, five people, there is no point in making this large. I am going to make a request that this be your project for the duration of the next six months.

Trustee Walker: This is it. Sorry, downtown.

Mayor Swiderski: No seriously, this is super-important. I am asking that this be the effort and you bring it to us whenever you need input. This is going to affect very tangibly how we use this waterfront. It is exciting. Where you draw that kayak launch, somebody one day is going to be launching their kayak. It is not theoretical anymore. It is hard to believe we are talking in those terms here instead of dreaming. It is now like, omigod, we got to get this in time for the engineering portion.

4. Deer Project Update

Mayor Swiderski: The deer project is kicking off and there is quite a bit happening in the next few weeks. I want Dan to describe that.

Trustee Lemons: We have 27 immunized does at the moment. We had 28, but we lost one from the first year to a hunter. So there are 27, and 20 of them who were immunized last year were already pregnant; we will be discovering very soon if they are going to faun this year. We think it is a pretty effective process and there should be very few, if any, of the does having litters. There might be a couple, but 27 does times the usual number of twins, which are pretty typical, is quite a few fauns that we hopefully will not be seeing this spring.

So the project is getting underway. The team from the Humane Society has already been here. They have set up four feeding stations, and there are three more they would like to set up but there are some issues with them that we have not resolved, whether it is a neighborhood issue or we have to be sure that these are good, safe places to have the feeding stations. But they are set up and they are throwing out corn, and the deer are beginning to congregate. Mr. Gonder confirmed that he has got one on his property and deer are coming

as well as the squirrels. They will be here starting the second and the third week of February. They are going to stay at the Andrus facility, where there is a house that had been derelict and where they had a feeding station the first year. That house has been renovated. Peter happened to discover very fortuitously that it might be available. They will be staying there, and it is a good place. They can dart out the back window where they are staying.

One of the big things we need to do again this year, and is underway now, is to get permissions from private property owners to have darting on their property. That turns out to be very important for the team. It is hard to predict where these deer will be or where they will go, and if they can see a green surveyor flag on a lawn and know that it is OK to dart there, that helps. It gives them more opportunity. Last year, the environmental students from the high school helped with that. They went to homes where people had e-mailed or registered on the website that they would give permission, and they also went door to door. That effort is now starting this week again. The Mayor sent out a newsletter that got a lot of responses. I sent an e-mail to all of the permission-givers from last year that also has elicited a lot of responses. We will have at least as many permissions this year. The students will start going to those neighborhoods that are high priority, because they are around the feeding stations, first. They will be planting flags, they will be going door to door. They will leave behind fliers for when the people are not there, trying to get contiguous blocks where it is possible for the team to dart. They plan to do that through the end of March. What happened last year is, they had a really productive season that I think was about that same amount of time. Probably the weather will be much friendlier to the effort.

Mayor Swiderski: You should never have said that.

Trustee Lemons: I take that back. It has been an ongoing effort to get some measurement of how many deer there are. A photo survey was done the previous year. That has been done again, and there is a graduate student who is working on that with Allen Rutberg, who is from Tufts and is heading up the study. Hopefully, we will get better and better estimates of the actual deer population. The web reporting site is again up and available. We are asking residents to report, and we are going to be particularly interested when the fawning season happens because we have all these deer with tags in their ears, once the fauns are not being hidden away, because they are early on and you do not see them and you may think the doe does not have a faun. Eventually, by the summer, that reporting will also begin to give us a much better idea of how many does there are and if most of the immunized does are not having fauns. That will be an ongoing effort well past the darting season to get those numbers and gauge it back.

Trustee Apel: At what point do they dart the fauns. Do they have to be more mature?

Trustee Lemons: They will be more mature. The first seven does from the first year need to be re-immunized, as well.

Trustee Apel: Because there is one in my backyard that came with fauns.

Mayor Swiderski: Is the number greater than eight?

Trustee Apel: I did not see the number.

Mayor Swiderski: You should because it should be a higher number than eight. If it has fauns and it is one through eight that is a bummer.

Trustee Apel: I will get binoculars out. I do not know how close I can get.

Trustee Lemons: All the does that were nine through 28, those does were all pregnant when they were immunized last year so they are going to faun, every one of them. They take blood samples and look for the hormonal indices, and they all were pregnant, which is not surprising. We believe that they have high fecundity.

Trustee Walker: Can you provide information about the website, where we go to register sightings?

Trustee Lemons: Yes, but I cannot give it to off the top of my head. It has been in all of the e-mails that have gone out to the Village, and there are two different website addresses because one is for giving permission for darting on your property, and the other is for reporting. Those are on the Village website under "deer."

Trustee Walker: How can you ensure that the first seven are darted again?

Trustee Lemons: That is going to be an ongoing challenge. Once they have been darted, and I am pretty sure I have this right, they do not need to be anesthetized and knocked down again. There is a way to immunize without anesthetizing the deer. They can be delivered that dose with a dart. It just falls out and they are good.

Trustee Walker: The first time around it is required because they are doing blood tests.

Trustee Lemons: The first time around the deer have to be tagged. That is the most important thing. Unless they are tagged, from what I understand, they no longer need to be knocked down and anesthetized. So the process is faster. But one of the things long-term that will have to happen if we begin to find, and if the data show, this is working, we have to

develop a local ability to sustain this. That would require recruiting our own residents who could do it, but they would not have to have had the veterinary backup because they would mainly be re-immunizing, darting directly with the immunocontraception.

Mayor Swiderski: We would likely have to debate whether it is an annual or biannual process. What would happen is, the dart would have a dye in it that would spray on the deer and last about a month. So you would do every doe you could that season, and then two years later do it all over again to every doe you could. You would know during the course of that darting season that you have gotten a deer or not because it would have that orange dye on it. So they would not need, in that case, to have the tags. But all of this assumes that the project is successful, and that the DEC agrees it is successful and changes its protocol to allow this to be an accepted way of deer control. And neither one of those are a given.

Trustee Lemons: This year, we are going to begin to get some solid data that will begin to indicate it. It will not be definitive until five years, but we will begin to get some ideas about where this is going.

I have one other announcement. The last Solarize event of the campaign will be this Saturday, February 6, at the Station Café, 10:30 to 12:30. So whoever is interested could come. They can get a \$5 gift certificate to use then or wherever. The Sunrise team will be there to meet with people, assess their houses. We are well into year three at this point, so we are at the lowest price point for everybody.

Mayor Swiderski: How many signed contracts?

Trustee Lemons: I do not know. We were just a little above 30, and I am not sure exactly because I have not seen a report for about a week-and-a-half.

Mayor Swiderski: So we are likely to end up the summer over 40.

Trustee Lemons: I think we definitely will. It could be significantly more. What tends to happen is, in the last month there is much more intense activity.

Mayor Swiderski: Does Sunrise believe it is successful?

Trustee Lemons: They think it has been very successful. If you look per capita, we have knocked it out of the park.

Trustee Walker: This is Hastings and Dobbs you are talking about, the two?

Trustee Lemons: Hastings and Dobbs, although Hastings has been the lion's share, probably three-quarters so far.

Trustee Walker: I was told it was not cost-effective because of the shape of my roof and the trees.

Trustee Lemons: We might end up with three Trustees doing it because Marge has already signed a contract and I think Niki is about to. It turns out my house, I can do 93 percent of our electricity use I did not think would be possible.

Trustee Apel: And I got 99.

Trustee Walker: A question for Fran. Are you going to be setting up cones on Hillside to test out the sidewalk?

Village Manager Frobel: Right. As I reported in the weekly, I held off because of the snowstorm. So maybe next week.

Trustee Walker: You will let us know, and the Ettingers were wondering if we could do a field trip-site study once that is in place.

Village Manager Frobel: Sure. We will have it up for a few days. But that was the delay. It would have been done already.

EXECUTIVE SESSION

On MOTION of Trustee Apel, SECONDED by Trustee Lemons with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss specifics of the transportation group staffing, and personnel.

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Walker with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 10:50 p.m.