

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MAY 2, 2006**

A Regular Meeting was held by the Board of Trustees on Tuesday, May 2, 2006 at 8:15 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Marjorie Apel, Trustee Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Diggitt McLaughlin, Village Manager Francis A. Frobel, Village Attorney Brian Murphy, and Village Clerk Susan Maggiotto.

CITIZENS: Seven (7).

APPROVAL OF MINUTES

On MOTION of Trustee Apel, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Special Meeting of April 7, 2006 were approved as presented.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Minutes of the Public Hearing of April 11, 2006 were approved as presented.

On MOTION of Trustee Apel, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Regular Meeting of April 18, 2006 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 66-2005-06	\$ 95,222.40
Multi-Fund No. 67-2005-06	\$131,000.00
Multi-Fund No. 68-2005-06	\$ 8,671.70

43:06 2006 FARMERS' MARKET

Sue Smith, 645 Broadway: I sent a memo to you explaining where we are at and what we expect for this year and, for those of you new on the Board, to give you some background on the market and how it is going. Regarding the parking, we appreciate that the neighbors around here and the police department accommodate us very good-naturedly. There is a lot of congestion in the morning about 10 o'clock. We try to get people to park down the hill but not everybody wants to walk up the hill. So it is crowded around here, but we appreciate that the police department and the neighbors indulge those of us who love the market.

Mayor Kinnally: Any change of vendors this year?

Ms. Smith: There will be. We have lost Bobolink, the cheese people, because they cannot cover as many markets and they had a past relationship with Pleasantville. We are trying to get another cheese vendor. The wine people had trouble getting help. Small businesses find it hard to staff a number of different markets. But we are trying to add vendors so that we still have as many. The big ones that we count on every year will all be back.

Trustee McLaughlin: Is there any possibility that any vendors could hire Hastings people?

Ms. Smith: The site manager we used last year was from Hastings. I think some of the vendors have tried to hire locally. Some people do meet them here. Training people to handle the money and all, that is not an easy thing. But I would be glad to encourage that.

Trustee Apel: Is there an end date on this?

Mayor Kinnally: The Saturday before Thanksgiving. It is a great community spot on Saturday morning not only for people here in the Village but also for people from neighboring villages and North Yonkers. It is great that we have been able to continue this.

Ms. Smith: We try to encourage more people to come from farther away because that will bring some business to Hastings stores, we hope, and that is always an important mission of the market committee. It is a committee of volunteers, and we very much appreciate the people who help out. The market's attorney wanted something more formal in terms of use of the property, so that is why it your approval is in the form of a resolution.

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

RESOLVED: that the Mayor and Board of Trustees approve the use of the Municipal Building parking lot for the 2006 Farmers' Market on Saturdays beginning June 3, 2006.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

44:06 CABLEVISION PEG FEE SETTLEMENT AND RELEASE

Village Manager Frobel: This involves a challenge to the money that Cablevision collected under the public educational governmental access charge. It was an accidental collection and this is a settlement and release without admission of wrongdoing. It is simply the amount of money that they have settled as owed to the Village, nearly \$70,000. We intend to use the money towards our new television station that will soon be part of the building on Main Street. This will not dissolve into the general fund. It has come after lengthy negotiations.

Technology Director Zaratzian: The head of our committee, Bob Perlstein, who is an attorney, negotiated this with the Greenburgh consortium that worked this all out and it seems very fair to me.

Mayor Kinnally: We thank Ardsley and the members of the consortium and especially Raf and Bob for pursuing this. Our recovery is substantial. It is something that exceeds most of the other municipalities but it is payback for what Cablevision has taken from the community. I am glad it can be reinvested in our asset, the public access portion of the broadcasting entity.

Technology Director Zaratzian: I would also like to thank Gil Harris from the Ardsley cable group who helped us calculate what was to be owed.

Trustee Swiderski: Why was it not directly refunded to the subscribers?

Technology Director Zaratzian: When we first had our franchise agreement in 1995 there were not PEG access fees on the bill, so whatever we agreed to in that franchise was all we could ask for. As the companies were taken over and merged, and the FCC changed rules, they decided to break out the bill so consumers could see where their money was going. They broke out the PEG access fee at 37 cents per subscriber. When Cablevision got into the Internet and telephone business, customers all paid that 37 cents. It went over the level that was agreed to in 1995, so until we got into negotiations nobody questioned that PEG access money. Ardsley started asking, and then we started asking, and Bob and Gil Harris got into this negotiation with Cablevision and they decided to do an internal audit. Sure enough, because of all the subscribers due to their added abilities, this money was there and we were entitled to it. And here we are asking for it.

Trustee Apel: Are they still collecting that 37 cents?

Technology Director Zaratzian: They have said that they have stopped as of December, 2004, but we are checking on that, as well.

Trustee Apel: So individuals should check their bills?

Technology Director Zaratzian: Yes, if anybody sees a 37 cent PEG access fee they should notify us right away because we will be asking for some more money.

Mayor Kinnally: Does the release cover beyond the 2004?

Technology Director Zaratzian: No, it does not.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the settlement and release agreement with Cablevision of Southern Westchester, Inc. as attached for the payment of \$69,906.84 to the Village of Hastings-on-Hudson as reimbursement for over-collection of Public, Educational, and Government support fees.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

45:06 LITIGATION RETAINER AGREEMENT

Mayor Kinnally: I am going to ask that this be taken off the agenda, and we will discuss it under Board discussion and comments and in executive session this evening.

46:06 SALE OF SURPLUS VEHICLES

Village Manager Frobel: We advertised for the disposal of surplus vehicles and attracted five entities that expressed interest. One person wants to buy all three at the high bid, so we are recommending it be awarded to him.

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

WHEREAS, sealed bids were received on April 26, 2006 for the sale of three surplus vehicles: a 2000 Crown Victoria, a 1992 Chevrolet Caprice and a 1992 GMC 2-Yard Dump Truck, and

WHEREAS, the highest bids were received as follows:

2000 Crown Victoria	\$1,829.99	J.D. Routman, Suffern, NY
1992 Chevrolet Caprice	\$ 269.99	J.D. Routman, Suffern, NY
1992 GMC 2-Yard Dump	\$1,859.99	J.D. Routman, Suffern, NY

now therefore be it

RESOLVED: that the Mayor and Board of Trustees approve the sale of surplus vehicles to J.D. Routman, Suffern, NY for \$3,959.97.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

47:06 TAX WARRANT 2006 - 2007

Mayor Kinnally: This resolution is the final point in our budget process and collection of outstanding taxes. It is a tax warrant for 2006 - 2007.

Village Manager Frobel: It spells out the money that we need to levy against the real estate property values in the community. We have an assessed valuation of \$42,508,055. It indicates the taxes will be paid in two installments. The first is due before June 30, and the second one before December 31 of 2006, as well.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Mayor to sign the Tax Warrant for 2006- 2007.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

48:06 SUMMER MEETING DATES

[Board discussion of dates]

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

RESOLVED: that the Mayor and Board of Trustees hereby schedule the following Regular Meeting dates:

1. July 18, 2006
2. August 22, 2006
3. September 12, 2006
4. September 26, 2006

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

Mayor Kinnally: We should have an executive session with counsel in connection with 9A. Because there are two new members of the Board, the findings are substantial, this is our first time through the MUPDD and we are coming at this with a record and findings forwarded to us by the Planning Board, Chertok thought it would be appropriate for us to meet with him.

EXECUTIVE SESSION

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Board scheduled an Executive Session for May 9, 2006 at 8 p.m. in the conference room for advice of counsel.

EXECUTIVE SESSION

On MOTION of Trustee Swiderski, SECONDED by Trustee Apel with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss litigation, boards and commissions, personnel, and advice of counsel.

VILLAGE MANAGER'S REPORT

Village Manager Frobel: The Village cleanup day was very successful. I want to thank all the many volunteers that participated as well as the staff that coordinated the program. We think we picked up nearly 400 bags of trash, yard waste, debris. We filled almost two garbage trucks. We also put together a clip to air on WHoH recognizing some of our volunteers and putting special attention on the posters that so many of the children put together recognizing the Village-wide cleanup effort.

The Chamber of Commerce and the recreation department are moving ahead in their plans for their first annual arts and crafts program on Saturday, May 27, from noon to 5:00 p.m.

Trustee Swiderski: Can you give us update on the Community Center and the difficulties encountered with the contractor on building?

Village Manager Frobel: I have tried to keep you informed in written correspondence each week, but we have encountered some difficulties. The contaminated soil posed a problem that caused some delay. We are probably a little behind schedule. We are also wrestling with the contractor on some change orders. There are some disagreements from our perspective on the work that he believes needs to be accomplished. The only change orders that have come before you and that have been executed so far have been for the removal of trees and the contaminated soil. We are far apart with the contractor as to what he believes was required to be done and what we believe the specifications required. We are still optimistic that we will be in there by Christmas. The original schedule was sooner, but I have always thought it would be around the end of the year and I hope we can stick to that.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I announced last time a meeting that I am having with some people from ARCO. Mark will be there. I am trying to obtain from ARCO what the agenda would be. I am not sure who the other attendees are going to be, but if and when I get that information I will pass it along.

Trustee Swiderski: Do you know what the general substance of the meeting is?

Mayor Kinnally: They are going to discuss their engineering and plans to date as far as some of the placement of, I may be wrong, utilities and fill and things of that nature. They are trying to work within the confines of the settlement agreement, and now reality is starting to intrude. So they are looking at how this is going to be staged, where they are going to do what, what additional testing has shown and whether or not that will affect what they are going to do, or can or cannot do, under the consent decree. I hope to have an update on where they and the DEC are on OU-2, and if that will affect the timetable for OU-1. If they are going to have their technical people there it may be beneficial for us to have our technical people from Malcolm Pirnie there to discuss what has been going on and to interpret for us what all of this means. I believe the meeting is on May 24.

My understanding also is that ARCO is planning on meeting with the DEC in Albany during that trip to find out where OU-2 stands and get a better idea of the timetable. My understanding also is that June is probably the time that Albany is going to do something with OU-2 and everybody is trying to urge them to move forward. There is going to be a change in the administration. There may not be a change in philosophy or anything in the DEC, but with the changeover in personnel at the top there is going to be a learning curve. I would think everything is going to get held up. We would like to get it through now with people who are conversant with it.

2. Litigation Retainer Agreement

Mayor Kinnally: The village officials committee has been working with the Town of Greenburgh and the with the litigant, Bob Bernstein, and with the mediator to try to resolve a lawsuit that Bob Bernstein brought against the Town of Greenburgh concerning the purchase of Taxter Ridge. That has wended its way through the courts, it is now through the second department, and, unfortunately, the villages were not allowed to intervene in the appeal. Bernstein wants to go beyond Taxter Ridge, has threatened litigation, and now has sued the Town of Greenburgh, saying that the way that the budget is allocated for parks and recreation facilities in the Town of Greenburgh is illegal; he wants to put it in the A budget, which affects the villages. He filed an Article 78 proceeding a couple of weeks ago. Paul Feiner was sued as the supervisor, and the village officials committee has been discussing the possibility of people in the villages intervening. There have been discussions about funding that lawsuit, because it would not be a Village that would be the intervener but someone in the community, possibly the mayors of the villages. We are going to need advice of counsel as to the legality and appropriateness of that.

The village officials committee has suggested that a budget be established and funding allocated by the individual villages to underwrite the attorney's fees and expenses that would be incurred in intervening. A member of the village officials committee has agreed to donate his services pro bono in connection with the legal challenge. The additional retainer would cover lead counsel for the interveners.

Brian, we will seek your guidance in executive session as to the appropriateness, but assuming you tell us that it is appropriate and legal to do it, can we now discuss the Village's authorizing the expenditure of \$5,000 to contribute toward the legal fees that would be incurred in intervening this lawsuit?

Village Attorney Murphy: Yes.

Trustee Swiderski: This revolves around the fact that half of Greenburgh is unincorporated and the rest of us, a slight majority, live in the villages. The budget that Greenburgh operates under is divided into two halves: the A budget and the B budget. The A budget, which has about \$1.5 million of expenses, is shared between the unincorporated part of the town and the villages. The B budget, which is something on the order of \$15 million, is dedicated to the unincorporated part of the town and is paid for by taxes out of that part of the town.

One of the biggest expenses in the budget is parks and recreation. About 20 years ago there was a dispute over the fact that each of the villages have their own parks that they pay for, and there was a resentment on the part of the unincorporated part of Greenburgh that we were using a facility that unincorporated Greenburgh had, and a resentment on the villages' part that we were paying for this. The Finneran law was passed, which stated that the parks and rec budget would be entirely in this B budget; it would be covered only by unincorporated Greenburgh and not by the villages.

The parks and rec budget for Greenburgh is somewhere between \$8 and 10 million depending upon what you include. Given that we currently pay \$1.5 million, dropping this into the shared budget would mean about \$4 to 5 million dollars more would be put on us in terms of expenses, a tripling of our town taxes. A typical household in the Village pays between \$100 and \$150 in town taxes. This would go up to closer to \$500. That is a significant jump that has a real impact on people. We are not going to take that lying down. Bernstein claims that this allocation of the parks and rec budget is illegal and it should be fully shared. The village officials committee disagrees. It believes that the Finneran law was expressly passed so this would not be so, and we believe there is merit in fighting this lawsuit. It is an assault on the villages, and we all believe strongly enough that it is worth fighting that the mayors will join the lawsuit as private individuals.

Trustee McLaughlin: I had always thought, as a Village resident, that we were not permitted to use the town's recreation facilities.

Mayor Kinnally: We are limited in some of them: the pool; the tennis courts at Veteran Park; there may be a few others. Not that we want to.

Trustee Swiderski: Part of the Finneran law covers that. Where things began to get a little hazy, and this is what the Taxter Ridge suit came out of, was that the state gave money to Greenburgh to purchase Taxter Ridge, but if state money goes for the purchase of a park the park has to be open to everybody. At that point, Bernstein, the litigant, said if it is open to all, all should pay. That is in the courts right now, but now he has made a broader claim that regardless of whether it is open to all or not these facilities should be jointly shared.

Mayor Kinnally: I would like to have an authorization, conditioned upon our getting a green light from counsel and we will discuss that in executive session, that we authorize the expenditure of up to \$5,000 to fund the intervention in the Bernstein lawsuit challenging the A budget allocation of all the parks and recreation fees in the town.

Trustee Swiderski: I understand that out of the six villages four of them have already authorized this.

Mayor Kinnally: Either formally or informally, that is right. This is not the retainer agreement. This is just the authorization for the expenditure of funds. If and when we choose counsel we will have the retainer agreement.

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, the Mayor and Board of Trustees authorize the expenditure of up to \$5,000 in the intervention of the Bernstein lawsuit challenging the A budget for parks and recreation fees, conditioned upon the approval of the Village Attorney to the appropriateness of the expenditure.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Peter Swiderski	X	
Trustee Jeremiah Quinlan	X	
Trustee Diggitt McLaughlin	X	
Mayor Wm. Lee Kinnally, Jr.	X	

Trustee Swiderski: It is sad that one individual could be so disruptive. For over 100 years the villages and the town have coexisted without this sort of dissension or tension. This has nothing to do with us versus unincorporated Greenburgh or us versus the town board. It is us defending ourselves against a lawsuit that could cost our citizens a lot of money. I want to make sure that is clear on the record. This is nothing against the town.

Mayor Kinnally: We believe the Finneran law addresses that very thing. Maybe we are all wrong. But we cannot let a challenge like this go by that dismantles what was addressed by Bill Finneran and the assembly and the senate a number of years ago. We have correspondence from Bill, the assemblyman who represented this district before Richard Brodsky, to the then-mayor of Ardsley discussing exactly what we are talking about, what his intent was and how the bill would address the problem that gave rise to the law.

3. Old Marble Quarry - Next Steps

Village Manager Frobel: You first received the quarry committee's report last September; what came out of that presentation was a commitment on the part of the Trustees not to let the report sit on a shelf idle. There has been an effort to get the project moving forward. Soon after that September meeting there was another discussion with the chairwoman of the committee and the Trustees, looking at some action items that they wanted you to consider. Last December I presented to you a memorandum outlining some action items I thought we could do. We have not done much since then. We have not gotten direction from the Trustees as to how we can formalize a process that is already out there. There are volunteers that want to make something develop in the quarry, something that we can all be proud of. We have a lot of spirit; we just need direction.

We want to discuss with the Trustees how we can move it forward. What mechanism would you like to see us use to have the staff devote the energy and time to have something develop there? It is a long-term process. There are several obstacles, but obstacles are just another challenge to try to address and come up with a solution. I think we can do it.

In my December memo I talked about a committee which was a blend, using the talent that was on the study committee with your existing framework of a Parks and Rec commission. The commission is charged under your code with providing oversight, maintenance, care of all your park properties and Village-owned common land. You could use that existing structure and build from it: have the rec commission form a subcommittee. Ray informs me that subcommittees have been used before with varying degrees of success from the Parks and Recreation commission. Have them work very closely together.

Chris Lomolino, Quarry Study Committee: When we left off the dialogue, the committee had asked the Board to designate the quarry as parkland, and a legal opinion was requested. We also asked the Board to give a general endorsement to the report in the spirit and overall view of the report. Not every single item in the report, but the basic thrust of it. We also asked that a committee be formed, and we had a dialogue about the nature of that committee. We had put forward the idea of a conservancy, and perhaps that was premature. Maybe a conservancy is something that a committee like this grows into over a period of time as opposed to from the beginning. We have come to consider what seemed to be the majority view on the Board that it would be good to do this as a subcommittee of Parks and Rec as a good idea and something that we should go with. The composition of the committee should be the core of the old study committee because they are so immersed in the issues and they are passionate about it and they wish to continue. As ex officio we had representatives of planning, conservation, the Historical Society, Friends of the Old Croton Aqueduct. All of those ex officio members would like to continue as well. We would work very collegially with the commission, become their subcommittee and come to the Board when appropriate, work with the Village Manager and staff as needed.

Mayor Kinnally: What do you see as the size of the subcommittee?

Ms. Lomolino: We have five ex officio members. Was it not nine altogether?

Mayor Kinnally: Voting members would be who?

Ms. Lomolino: The voting members would be all of the people on the committee. I know there was some thought that sometimes ex officio members do not vote.

Trustee Quinlan: I have a list here. We have Robert Cadoux, Ron Cascone from Conservation, John Flack from Friends of the Old Croton Aqueduct, Steve Horelick, Christine Lehner, Chris Lomolino, Susan Maggiotto.

Village Clerk Maggiotto: No, I am not continuing.

Trustee Quinlan: Then you have David McCullough from the Hastings Historical Society, Betty Ryberg, and Fred Wertz from Planning. So you have nine.

Trustee Swiderski: So we set up an official subcommittee to the Parks and Rec. What is the first step? What do you do next? Finalize the plan?

Ms. Lomolino: The next steps have to do with looking into sources of funding, working with Parks and Rec to finalize some of the elements of the plan or at least stage the process. The Board would probably want to speak with an environmental consultant to develop an opinion of how to handle the DEC and its status as a former landfill. And we would take it from there.

Mayor Kinnally: You said the Board. What board?

Ms. Lomolino: The Village Board might want to consult with an environmental consultant about not only the treatment of the former landfill and the relationship with the DEC, but also what state funds might be available. There are some pots of funds available for municipalities that want to reclaim former landfills and make them into public spaces.

Mayor Kinnally: So the suggestions would go to the Parks and Rec commission, and then Parks and Rec would pass them on to the Village Board.

Ms. Lomolino: I would think so.

Mayor Kinnally: The issue of consultants and funding would have to come to the Village Board.

Ms. Lomolino: Yes.

Mayor Kinnally: I think back to some of the problems that we had with the pool in dealing with various proposals. The process got a little skewed and the line of communication or reporting got murky. After the fact we had to make a substantial number of changes, and everybody seemed to be a little bruised by the whole thing. But I do not want to dampen anyone's enthusiasm and we have to work through that chain and I think that is good. We have already reached out to the DEC in connection with the landfill and got a preliminary report from them, and it does not appear that it is going to be a problem.

Trustee Quinlan: What I would like the Board to do tonight, if possible, is designate the quarry as parkland. I think that is key to starting the process. I would also like to see if we could get a general endorsement of the quarry study committee report, and also approve this subcommittee of the Parks and Rec. If we can do those three things, then the committee can explore the initial funding, the New York State grant for the quarry trail. I understand there is \$75,000 still available that is going to expire in a year for the start of the tunnel. Then a possibility is talking to ARCO and the Riverkeeper and see if we can get some money from the Hastings environmental trust fund, because it is my belief that the quarry has a significant connection to the waterfront. The marble was shipped from there down through the tunnel to

the waterfront. The water was used by the companies down there for cooling. We could have the subcommittee go to the state, talk about municipalities reclaiming landfills for public use. Maybe we could get Angie to write a grant. Go to the New York State quality communities program, the Hudson River improvement funds, and others, and the town and county and state legislature.

I have looked at the history and I think we need to move on this. The report was completed in September. It is now April. The major logjam was the debate about whether it was going to come under Parks and Rec or a conservancy. I believe it should be under Parks and Rec, and the committee has stated tonight that they do, too, so I do not see any reason to hold it up any longer.

Mayor Kinnally: I think we can pass tonight as to whether or not we want to have a subcommittee, but the composition of that we should discuss further in executive session. On the issue of the parkland, we should institute that. This should go by a formal resolution on our agenda so the community can have an opportunity to be heard. I would like to talk to environmental counsel to make sure that our dedicating it as parkland does not affect any responsibility for cleanup, etc. I would put that resolution on for discussion on May 16.

Trustee Quinlan: And the general endorsement of the quarry study.

Mayor Kinnally: We had that before us, did we not?

Trustee Quinlan: It has been before us, but we have never endorsed it.

Mayor Kinnally: Those are two different things. I think the issue of endorsing it was before us. Did the Board decide to accept it, but not endorse it? I am not sure.

Trustee McLaughlin: I have the minutes of the September 13 and November 1 meetings here. After the first meeting Trustee Apel urged action that night rather than having it come up in March or April, and at the second meeting Trustee Swiderski said if we cannot do it tonight, let us do it soon. But at neither meeting did the acceptance of the report take place.

Mayor Kinnally: This came up once before about a report, whether we endorsed versus accept. It was the Vision Plan? Okay. In that context we accepted it and did not endorse it, right? Okay, we will put it on the same time.

Trustee Quinlan: The word accept or endorse does not hang me up at all. The third thing is the creation of a subcommittee, which you addressed. We could do that the 16th after we discuss it.

Mayor Kinnally: It is going to be a subcommittee of the Parks and Rec commission. The appointment is Parks and Rec commission?

Trustee Quinlan: Right. It would not be us.

Mayor Kinnally: No, it would not be us. Ex officio members from the Board, yes. We can get advice of counsel about it in executive session. But if it is going to be a subcommittee of Parks and Rec, then Parks and Rec takes care of it. When is your next meeting?

Superintendent Gomes: Monday.

Mayor Kinnally: So you could have a report back to us for our meeting on May 16.

Trustee Quinlan: So it is my understanding that we are going to have the designation as parkland and the general acceptance of the quarry study on for the 16th?

Mayor Kinnally: We will have it on the 16th, yes.

Trustee Swiderski: Could we have environmental counsel's input by next week?

Mayor Kinnally: I will talk to environmental counsel. I do not know how quickly he can get us input. We are meeting with him on Tuesday, so let us see if he cannot come at that time.

Trustee Quinlan: I would request that the Parks and Rec committee at the Monday meeting try to agree to the subcommittee and its members. It would be very helpful to have that before us. If you cannot, of course, that is up to you.

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:15 p.m.