

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
ORGANIZATIONAL MEETING
APRIL 10, 2007

An Organizational Meeting was held by the Board of Trustees on Tuesday, April 10, 2007 at 8:10 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, Trustee-elect Danielle Goodman, Village Manager Francis A. Frobel, Deputy Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

CITIZENS: Fifty (50).

INVOCATION

Rev. Betty Hudson: God of abundance, we offer you thanksgiving for our lives together in this Village and for those who willingly give of their time and talents in the service of our common life. May the vision of our leaders encompass the ideals of patience, fairness, and mutual respect. Give them wisdom and reverence to use the resources entrusted to them to serve the common good. Guide them to perceive what is right and give them the courage to pursue it and grace to accomplish it. Amen.

Mayor Kinnally: Before we have the administration of the oath of office we are going to say good-bye to Marge, who has been here a long time and is a long-time participant in the affairs of our village. Stepping down will only be the latest chapter of her continued involvement in our village's affairs and the affairs of the region. It is too parochial to say our village's affairs because what we do here affects not only the two square miles that encompass our village but also the lower Hudson Valley and Yonkers and the Town of Greenburgh and all the other villages that surround us, and the Hudson River. There has been nobody who has been more steadfast in her approach to planning and to growth, non-growth, and making sure that our village retains everything that is charming about it and is also poised for the future. It is a sad occasion to have Marge step down under these circumstances, but it is also a celebration of the number of years and the countless hours that she has given to our community and to ensuring that we remain Hastings-on-Hudson and remain the great place that we are here. Marge, I thank you for your years of service on the Board and for years of continued service to our community.

Trustee Swiderski: Marge, we ran together two times. It was a delight to run with you the first time. I remember walking door-to-door in weather that was so cold our hands were blue and we could barely get the words out. We were mistaken for Jehovah's Witnesses at least once, a husband and wife at least once. And since then, getting to know you and work with you, understand the kindness in your heart and your calm and wise way of deliberating, it has

been a real pleasure to serve with you. I hope you remain involved and this is just a step back, a breather, and you will be back with us.

Trustee Quinlan: Marge, I am going to miss you dearly. Sitting next to you was a pleasure for the last year. You taught me a lot, and I look forward to your involvement in the Village. We have talked about that, and we are going to make sure it happens. Thanks for everything.

Trustee McLaughlin: Marge, I have known you for almost 21 years. I met you as a citizen activist and I have known you as a spokesperson for moderation. I have known you as somebody who is good at getting to yes, that is, that point in a negotiation when everybody is as happy as they are going to be and everybody has gotten something and people still respect each other. You are a master of that. When I came on this board a year ago, you were available to me and you explained so much. I have learned an invaluable amount from you as a fellow Trustee, just as in the 20 years earlier I learned so much from you as an activist. I will miss you terribly. This is not to reflect on Danielle, who is replacing you, but you have been an excellent voice for the people of this village. I appreciate it, and I know they all do, too.

Trustee Apel: I am speechless, which is not often. I want to thank you for all those nice things that you said. We have spoken about how much I am going to miss being on the Board. It has been quite a six years. I have really enjoyed being a Trustee and working on all the issues that we have had. We have had a lot of vocal discussions and a lot of different opinions. Sometimes people do not believe we have different opinions, but we have and we have had a lot of discussions about a lot of the issues. One of the things that I learned, and Danielle will learn, too, is that we always want to do everything quickly and there are just some things that never seem to get done. It is difficult, things take a longer time than we would like. Except for cleaning the quarry. I think we did that in record time.

But it has been wonderful to be able to serve the people of Hastings, to work with the people on the committees and to meet people in the Village. We have a remarkable community of people that really care and that volunteer and really want to see Hastings be the best it can be. I am fortunate to be able to live in this community and to be able to have represented the people. I thank you for that privilege. I feel quite honored that you have given that to me, and I want to thank you. Now I just look forward to sitting at home and watching the reruns of the Village Board meetings.

Mayor Kinnally: Now you've lost your credibility.

Trustee Apel: I look forward to seeing the Community Center opened, we are going to get that done soon, and the waterfront cleaned up. And most of all, my pet project, getting a comprehensive plan. So I wish everybody luck in all the issues that are going to come before you. We are very fortunate that Danielle is going to be on the Board. She is a very wonderful person, knowledgeable, measured and thoughtful, and will be a wonderful asset to this Board. So again, thank you very much for letting me serve you. I have been honored.

Mayor Kinnally: From the Village, on behalf of the Village, a token of our appreciation for your many years of service, in remembrance of your time here on the Board.

David Shapiro: I did not want to let this moment pass without saying something, on behalf of mostly myself. We have worked together and known each other for a long time. We have had a lot of bad times, we have had a lot of really good times. I really speak for everybody who knows you that I have only recently appreciated how remarkable you are. I mean that.

ADMINISTRATION OF OATH OF OFFICE

Village Justice DiSalvo administered the oath of office to Mayor Kinnally.

Mayor Kinnally administered the oath of office to Trustee Swiderski and Trustee Goodman.

29:07 MAYORAL AND BOARD OF TRUSTEES APPOINTMENTS

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

A. DEPUTY VILLAGE TREASURER

RESOLVED: that the Mayor and Board of Trustees appoint **Rafael Zaratian** as Deputy Village Treasurer for a term of two (2) official years.

B. VILLAGE CLERK

RESOLVED: that the Mayor and Board of Trustees appoint **Susan Maggiotto** as Village Clerk for a term of two (2) official years.

C. DEPUTY VILLAGE CLERK

RESOLVED: that the Mayor and Board of Trustees appoint **Linda M. Knies** as Deputy Village Clerk for a term of one (1) official year.

D. ACTING VILLAGE JUSTICE

RESOLVED: that the Mayor and Board of Trustees appoint **James R. DeVita** as Acting Village Justice for a term of one (1) official year.

E REGISTRAR

RESOLVED: that the Mayor and Board of Trustees appoint **Susan Maggiotto** as Registrar and **Marie C. Oelkers** as Deputy Registrar for a term of two (2) years through April 30, 009.

F. HISTORIAN

RESOLVED: that the Mayor and Board of Trustees appoint **Barbara Thompson** as Village Historian for a term of one (1) official year.

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

30:07 MAYORAL AND BOARD OF TRUSTEES DESIGNATIONS

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

A. OFFICIAL NEWSPAPERS

RESOLVED: that the Mayor and Board of Trustees designate the **Rivertowns Enterprise** and the **Journal News** as official newspapers for a term of one (1) official year.

B. OFFICIAL DEPOSITORIES

RESOLVED: that the Mayor and Board of Trustees designate **JP Morgan Chase Bank, Citibank, N.A., Hudson Valley National Bank, First Union, Hudson United Bank, Commerce Bank, and MBIA-Class** as official depositories for a term of one (1) official year.

C. POLICE AND FIRE SURGEONS

RESOLVED: that the Mayor and Board of Trustees appoint **Dorian Tergis, MD** and **Charles Edelson, MD** as Police and Fire Surgeons for a term of one (1) official year each, to be compensated on a fee or contract basis.

D. REGULAR MEETING DAYS

RESOLVED: that the Mayor and Board of Trustees designate the **first and third Tuesday of each month** as the Board of Trustees Regular Meeting days.

E. AUTHORIZATION TO SIGN CHECKS AND INSTRUMENTS

RESOLVED: that the Mayor and Board of Trustees authorize the following to sign checks and instruments of the Village of Hastings-on-Hudson, when countersigned by the Mayor or one (1) Trustee: **Francis A. Frobel, Susan Maggiotto, Linda M. Knies** except individual payroll checks which shall require two (2) of the following signatures:
Francis A. Frobel, Susan Maggiotto, Linda M. Knies

ROLL CALL VOTE

AYE

NAY

Trustee Peter Swiderski
Trustee Jeremiah Quinlan
Trustee Diggitt McLaughlin
Trustee Danielle Goodman
Mayor Wm. Lee Kinnally, Jr.

X
X
X
X
X

31:07 MAYORAL AND BOARD OF TRUSTEES DESIGNATION

Mayor Kinnally: I carved this out from the other resolution because O'Connor Davies is a client of my firm. I work not only with O'Connor Davies, but also with mutual clients of theirs in my firm. I have always abstained from voting on this.

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

VILLAGE AUDITORS

RESOLVED: that the Mayor and Board of Trustees designate the firm of **O'Connor Davies Munns & Dobbins LLP, Bennett Kielson Storch Yablon & DeSantis Division** as Village Auditors pursuant to the contract approved by the Board of Trustees on March 4, 2003 for audits for the fiscal years ending May 31, 2003 – 2007.

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

32:07 EXECUTIVE SESSION POLICY

Mayor Kinnally: Any discussion by the Board? Any public comment?

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

RESOLVED: that the Mayor and Board of Trustees approve the Executive Session Policy as follows:

It is the policy of the Board of Trustees of the Village of Hastings-on-Hudson to conduct Village business in an open fashion and to make

available as much information as may legally and practically be disseminated.

The New York Open Meetings law authorizes the Board to conduct business in Executive Session in a number of areas. These include:

1. Matters which will imperil the public safety if disclosed.
2. Matters which may disclose the identity of a law enforcement agent or informer.
3. Information relating to criminal investigations.
4. Discussions relating to proposed, pending, or current litigation.
5. Collective bargaining negotiations.
6. Personnel matters.
7. The proposed acquisition, sale, or lease of real property or securities.

The Board recognizes that it is authorized to use Executive Sessions in these situations, but will do so with restraint.

To maintain confidentiality and to encourage the uninhibited discussion of the subjects of Executive Sessions, the specific subject matter and any statements made or positions taken by all participants must remain confidential and may not be disclosed by any participant unless and until a majority of the Board votes to authorize the release thereof by the Board.

It has been, and continues to be, the practice of the Board that all members of the Board, acting together, come to agreement by consensus on the specific information which is to be released to the public, the suitable vehicle for reporting that information, and the timing of the reporting.

ADOPTED – SEPTEMBER 28, 1993

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

MAYORAL APPOINTMENTS

Mayor Kinnally: I want to discuss the liaison appointments with the Board. We will take this up at our next Board meeting.

33:07 VILLAGE ATTORNEY AND VILLAGE PROSECUTOR

RESOLVED: that the Mayor and Board of Trustees award a contract for services to **Stecich Murphy & Lammers LLP** as Village Attorney and Village Prosecutor for a term of one (1) official year.

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

34:07 ADOPTION OF RULES OF PROCEDURE

Mayor Kinnally: We have moved the public comment section up earlier in the meetings, with the caveat that the public comment is to be on items that are not otherwise on the agenda that evening. Consistent with what we have been doing here, we take public comment before we vote on a matter.

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

RESOLVED: that the Mayor and Board of Trustees approve the Rules of Procedure as follows:

SECTION 1 - Regular Meetings

The Board of Trustees shall hold regular meetings on the 1st and 3rd Tuesday of each month. Such regular meetings shall commence at 8:00PM and be conducted in the boardroom at the Municipal Building. Any deviation of the foregoing paragraph shall be determined by the Board of Trustees.

SECTION 2 - Special Meetings

Special Meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by the Mayor or a majority of the Board of Trustees upon notice to the entire board. Notice shall be given by telephone, in person, or in writing.

SECTION 3 - Quorum

A quorum shall be required to conduct business. A quorum of the five (5) member board of trustees shall be three (3). In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

SECTION 4 - Executive Sessions

Executive Sessions shall be held in accordance with the NYS Public Officers Law '105. All executive sessions shall be commenced in a public meeting. (Appendix I Executive Session Policy)

SECTION 5 - Agendas

The agenda shall be prepared by the Village Manager and Village Clerk in consultation with the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Village Manager the Friday morning before the meeting, however, items may be placed on the agenda at anytime, including during the meeting, by consent of a majority of the Board. The agenda shall be prepared by Friday preceding the meeting. If necessary a supplemental agenda shall be distributed at the beginning of the meeting.

SECTION 6 - Voting

Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law.

An abstention, silence or absence shall be considered a negative vote for the purpose of determining the final vote on a matter.

A vote upon any question shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the minutes.

SECTION 7 - Minutes

Minutes shall be taken by the Village Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon ; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following:

- Name of the Board;
- Date, place and time of meeting;
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment;
- Name and title of other village officials and employees present in an official capacity and approximate number of attendees;
- Record of communications presented to the Board;
- Record of reports made by Board or other village personnel;
- Time of adjournment;
- Signature of Village Clerk or person who took the minutes if not the Clerk

Minutes need not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so. Minutes shall be approved at the next board meeting. Amendments to the minutes shall require Board approval.

SECTION 8 - Order of Business

The order of business shall be:

- Call to order
- Pledge of Allegiance
- Roll Call
- Appointments

Approval of Minutes of previous meeting
Approval of Warrants
Public Comments
Resolutions
Village Manager=s Report
Board Discussion and Comments
Announcements
Adjournment

The order of business need not be followed if the Mayor determines that it is necessary to deviate.

SECTION 9 - General Rules of Procedure

The Mayor shall preside at meetings. In the Mayor=s absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking. A member, once recognized shall not be interrupted when speaking unless it be to call the member to order. If a member, while speaking, be called to order, they shall cease speaking until the question of order be determined, and, if in order, they shall be permitted to proceed.

There is no limit to the number of times a member may speak on a question.

Motion to close or limit debate may be entertained but shall require a two-thirds vote.

SECTION 10 - Guidelines for Public Comment

The public shall be allowed to speak only during the Public Comment period of the meeting or at such other time as the presiding officer shall allow. The presiding officer may modify these guidelines if warranted.

Speakers must step to the front of the room and speak into the microphone.

Speakers must give their name, address and organization represented, if any.

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to five (5) minutes on a given topic, and may be recognized again by the presiding officer after other speakers have had an opportunity to speak.

Speakers may not yield any remaining time they may have to another speaker.

Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the presiding officer.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board with written communications. Written communications shall be delivered to the Village Manager or Village Clerk. Speakers may not read written communications verbatim but should summarize their contents.

SECTION 11 - Use of Recording Equipment

All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording should be done in a manner which does not interfere with the meeting. The presiding officer may make the determination that the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the village board, size of the equipment, and the ability of the public to still participate in the meeting. If the presiding officer makes the determination that the recording is intrusive and has the effect of interfering with the meeting, the presiding officer may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

SECTION 12 - Adjournment

Meetings shall be adjourned by motion.

SECTION 13 - Amendments to the Rules of Procedure

The foregoing procedures may be amended from time to time by a majority vote of the Board.

ADOPTED- July 15, 1997

Amended April 7, 2005 (Public Comment)
Amended April 10, 2007 (Order of Business)

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

ADJOURNMENT

On MOTION of Trustee Swiderski, SECONDED by Trustee Goodman with a voice vote of all in favor, Mayor Kinnally adjourned the Organizational Meeting at 8:40 p.m.