## VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2007

A Regular Meeting was held by the Board of Trustees on Tuesday, January 8, 2008 at 8:05 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Deputy Mayor Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Diggitt

McLaughlin, Village Manager Francis A. Frobel, Village Attorney Marianne

Stecich, and Village Clerk Susan Maggiotto.

**ABSENT:** Mayor Wm. Lee Kinnally, Jr., Trustee Danielle Goodman

**CITIZENS:** Eleven (11).

**Deputy Mayor Swiderski:** Mayor Kinnally is still weak from his surgery and will not be joining us tonight. Trustee Goodman called in sick with the flu. As a result, we have an abbreviated Board of Trustees and, perhaps, a shorter meeting as a result.

#### **APPOINTMENTS**

**Deputy Mayor Swiderski:** I would like to announce two appointments to the Village Arts Commission, Tracy Allan and Nancy DeNatale, for three year terms. These are effective as of tonight. Congratulations.

## APPROVAL OF MINUTES

**Trustee McLaughlin:** I had two set of corrections. One set of corrections was to these minutes, and I communicated them to Susan.

On MOTION of Trustee Quinlan, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Regular Meeting of December 11, 2007 were approved as amended.

On MOTION of Trustee Quinlan, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Public Hearing of December 18, 2007 were approved as presented.

**Trustee McLaughlin:** I communicated corrections on these to Ms. Maggiotto, so the motion is to accept the minutes as corrected.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -2 -

On MOTION of Trustee Quinlan, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Minutes of the Public Hearing of December 18, 2007 were approved as amended.

On MOTION of Trustee McLaughlin, SECONDED by Trustee Quinlan with a voice vote of all in favor, the Minutes of the Executive Session of December 18, 2007 were approved as presented.

**Deputy Mayor Swiderski:** Our policy regarding what is public and what is private in executive session has been a topic of some discussion. At our last executive session, things were discussed that we agreed afterwards were not material to a legal action, and could be of interest to the public. So Trustee Goodman composed a memo describing that discussion for the public's information. Several versions went back and forth, and we were prepared to read it tonight, but the Village Attorney is asking that Danielle read this at the next meeting because there may be one or two words that she would like to have altered.

**Trustee Quinlan:** Trustee Goodman put a tremendous amount of work into this memo. She consulted with the Mayor, she consulted with counsel, Mr. Chertok. I have spoken to her numerous times on the phone. I said last week that probably 90% of what went on in the executive session for advice of counsel, in my opinion, was not private at all. There was one brief discussion that had to do with litigation or a possible response to a litigation that was pending. The rest of it, I thought, should have been held in public. Danielle felt the same way, and took it upon herself to do hours and hours of work to come up with this memo. I would like to commend her for that and I look forward to reading this memo next week.

## **APPROVAL OF WARRANTS**

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

Multi-Fund No. 41-2007-08 \$ 92,259.34 Multi-Fund No. 42-2007-08 \$ 16,366.58 Multi-Fund No. 43-2007-08 \$146,812.08 Multi-Fund No. 45-2007-08 \$333,069.74 Multi-Fund No. 46-2007-08 \$ 2,250.00

## **PUBLIC COMMENTS**

**Deputy Mayor Swiderski:** The public can comment on items that are not before the Board this evening. We ask that you restrict yourself to a reasonable time.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -3 -

John Gonder, 153 James Street: I am a resident for a lifetime. Again, I am requesting the Board to review the bus on James Street. It was always brought up, in the school system, by my parents, you follow the law. If you do not like the law, you change it. That is what I am asking you to do. You know in your hearts and minds that this is a bus, and you have an ordinance about commercial vehicles, trailers and everything else. For some slick reason, this is registered in Florida. He painted it because someone told him he had to paint it. You know that someone is trying to beat the system. We do not know if that vehicle is safe because it is never inspected because it is Florida. This is the third year that it has been there. You got rid of it once, and then for some unexplainable reason it all of a sudden was registered as an SUV. But you know it is a bus. It has lights on it like a bus, you should treat it as a bus, you should review your ordinance. I hope you will. Thank you.

Jim Metzger, 427 Warburton Avenue: At either the last meeting or the meeting before, we were introduced to the concept of the affordable housing LLC of 422 Warburton, LLC. It was the first I had heard that there was a not-for-profit committee within the Village to handle affordable housing. My question is, who formed this; who is on it; who is overseeing it; who is providing legal counsel for it? There was a great hue and cry at the LWRP meeting about an intermunicipal authority being developed to handle the waterfront. It seems to me that this is a similar organization. If money is changing hands within a separate group within the Village I would like to know who is handling it and where the money is going, and have that be brought to the light of day. The Arts commission has a similar request to form a not-for-profit. I would ask that those constraints in information be imposed upon that committee as well.

**Deputy Mayor Swiderski:** I know that the Affordable Housing Committee and the LLC are essentially one and the same in membership, but I am not acquainted with the legal structure of the LLC.

**Trustee McLaughlin:** I am glad that you brought that up because I was going to bring it up under Board discussion. We are having a second non-profit presented to us, when I, at least in two years as a Trustee, am still not clear on the relationship between the committee and the non-profit, why it exists, and so on. I have heard people hazard guesses as to why it exists, but I have never heard the rationale. Non-profits run the risk of being somewhat less transparent than a Village committee. We should have full access to that information. But if we do, I do not know about it.

**Village Manager Frobel:** I cannot shed any light on it because it does predate me. But we will have our legal staff and our staff at Village hall research it for you and prepare a memorandum explaining the establishment and the history.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -4 -

**Deputy Mayor Swiderski:** It is a structure that has been around as long as I have been on the Board. I have always understood it to be the legal entity that is able to invest signatures on documents and engage outside legal entities on a one-on-one basis. But more than that, I have never understood the structure or the history.

**Trustee Quinlan:** Fran, a memo would be a good idea when you can find the time. Or it might be easier if either Jim Keaney or Sue Smith were invited to give us a five-minute presentation about who they are, what they are, and how they are doing.

**Trustee McLaughlin:** I would like to hear counsel's view on this as well: the value to the Trustees of having a non-profit attached to a committee, what alternatives there might be, the nature of transparency and so on.

**Village Attorney Stecich:** I do not know, either. That was a Neil Hess creation. They do not have separate legal counsel from me. I think Jim Keaney gives them their counsel.

**Trustee McLaughlin:** So he is not the official counsel. I always thought he was.

**Village Attorney Stecich:** No, he is just a member of it with a real commitment. He also does real estate law.

**Trustee Quinlan:** My understanding is that he is a member of the Affordable Housing Committee and volunteers his time, his energies, and his expertise to save the Village money, to provide them legal advice, and help with the different filings.

**David Skolnik, 47 Hillside:** I am not sure if the letter that I sent to you would come up later in relation to the Village Manager's report. If not, I was wondering how a letter like that would be responded to. I assume that you did get the letter, so can you give me a sense?

**Village Manager Frobel:** I would hope the Board would wait to hear from the Safety Council to get their perspective as to what came out of the meeting that you had. Next week is their meeting.

Mr. Skolnik: I am surprised because I know that what transpired with the presentation by the Board of Ed at the last meeting they had prior to the most recent prior meeting, there was a gap of two months. But that was the meeting that the Broadway proposal had been presented, along with the Board of Ed proposal. And then the following month the Board had seemed to already have received the information from the Safety Council. Whereas I had thought that there was going to be a follow-up Safety Council meeting, there was not a meeting but the report had already been sent ahead.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -5 -

**Village Manager Frobel:** David, if I could interrupt, here is where it is at. Your letter was given to the Board of Trustees. The Safety Council is going to take it up at their next meeting, because I did the agenda for them today, a continuing conversation from your report. Out of that meeting, I assume, will come correspondence formally from the council to the Board of Trustees in reaction to your report. The group has not met since we met with you that evening.

**Deputy Mayor Swiderski:** I can comment that the only indication of how your meeting went with them was in your letter. Nothing has come to us, at least not in packets to date or that I have been aware of, e-mails or phone calls, nothing.

**Mr. Skolnik:** And you did not get the video.

## 99:07 DEVELOPER/MUNICIPALITY AGREEMENT BETWEEN VILLAGE AND 422 WARBURTON, LLC TO CONSTRUCT CERTAIN INFRASTRUCTURE IMPROVEMENTS

**Village Manager Frobel:** This is a continuation of the discussion at our last meeting about the legal instrument that we have to enter into with the developer and the county for certain infrastructure improvements at 422 Warburton. We did not act on it because there were some follow-up questions that the Village Attorney needed to research. I am hoping that Marianne could lead that conversation tonight.

Village Attorney Stecich: One of the questions the Board had was if there was a change in the site plan, because this DMA did not cover the retaining wall. In fact, there were no changes to the plan. The retaining wall needed to be done earlier in the project, so it was not part of the money that the county is giving the Village and was not subject to the DMA. There were a couple of amendments that I had requested be made that we did not have prior to the last meeting. All of the changes now have been, and are reflected in the version you got over the weekend. I prepared a final version for Fran to sign, assuming the Board approves it tonight. I would add that unless you are disposed to vote on both the DMA and the IMA, you should put it off. They have to be voted on together.

**Trustee Quinlan:** This is something the Board of Trustees talked about at great length the last meeting. The only reservations I had were who was going to be responsible for the maintenance of the public plaza and the retaining wall. And there was some question about the retaining wall, which has now been answered. They built it, and I assume they are going to be responsible for it because it is not part of any of these agreements. There were some outstanding issues that counsel had not ironed out with the developer, and I was reluctant to

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -6 -

approve it until those were ironed out. As counsel has indicated tonight, she has ironed those out. So those are the answers to my questions, and I am satisfied that I can vote in favor of both proposals.

**Trustee McLaughlin:** My concern was on issues of the retaining wall. As Jerry said, those have been answered. I am ready to vote on both.

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

**RESOLVED:** that the Mayor and Board of Trustees hereby authorize the Village

Manager to execute on behalf of the Village the Developer/

Municipality Agreement between Village of Hastings-on-Hudson and 422 Warburton, LLC to Construct Certain Infrastructure Improvements

("DMA").

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

# 100:07 INTERMUNICIPAL AGREEMENT BETWEEN VILLAGE AND COUNTY OF WESTCHESTER RE HOUSING IMPLEMENTATION FUND RENTAL CONTRACT FOR 422 WARBURTON

**Village Attorney Stecich:** This is the agreement that requires the Village to bid out the infrastructure improvements for 422 Warburton. The only thing I should add is that in the resolution you approve both the IMA and attached easement. There are a couple of easements to give the county permission to come on to the property. After the word "contract" in the third line, "and attached easements." Well, easement; there is only one for you. The other one is for the developer.

**Trustee Quinlan:** Marianne, what exactly are those easements for?

**Village Attorney Stecich:** The easement says because this work is being done on Village property, if the county wants to come onto the property to inspect that the money is being spent properly, that they can come onto the property.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -7 -

**Trustee Quinlan:** What is the easement for the developer?

**Village Attorney Stecich:** Same thing. Because some of the improvements are on the developer's property, and the developer has to give the county an easement permitting the county to come onto their property. The easements are just for the length of the construction contracts.

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

**RESOLVED:** that the Mayor and Board of Trustees hereby authorizes the Village

Manager to execute on behalf of the Village the Intermunicipal

Agreement Housing Implementation Fund Rental Contract and attached

easement with the County of Westchester.

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

## 1:08 COMMERCIAL TRASH COLLECTION FEE SCHEDULE REVISION

Village Manager Frobel: We had the public hearing on commercial trash collection fees at our last meeting. We have had several work sessions. Now it would be appropriate for the Board to consider amending the fees. Our fees are nearly 18 years out of date. We believe these fees closely reflect the cost to provide this very specialized, reliable service to our commercial businesses in the Village. The policy from the beginning has been that the fees should cover a large portion of that expense. With the passage of time they have been allowed to get out of true. We are looking now to have it more closely reflect the cost to provide the service. I think we have gone about it the right way. We have researched neighboring communities, we have costed out our service. We feel comfortable with these fees and are looking forward to implementing them, effective the first of this month.

**Trustee Quinlan:** I would like to thank the Village Manager. I believe that this resolution was on his initiative. It was long overdue, it is fair, it will help our tax base, and it is the

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -8 -

right thing to do. I wanted to thank you, Fran, for conceiving of it, carrying it through, and doing all the necessary work so we can get this done tonight.

**Trustee McLaughlin:** I would also add my thanks. I know you have done an immense amount of work on this. We heard last week from a business owner who asked that his fees be mitigated. Unfortunately for him, he owns a business that is like other businesses in the Village. There would really be no way that we could create a hardship exemption that would be acceptable to us. So I am happy to accept these terms.

We have to educate the businesses in town about the changes in recycling. That will come soon. We are also going to have to begin to reeducate the residents of Hastings about recycling. That is not a part of the motion, but it is part of our future: thinking of new ways to explain the policy on both garbage collection and recycling.

**Deputy Mayor Swiderski:** I agree with what was said. There is always a distinction between taxes and user fees, and what you get for paying taxes versus when it is appropriate to implement user fees. While the commercial establishments in the Village enjoy the benefits of public services like the provision of roadways and parking spaces, and holiday decorations and all of that, it does not seem unreasonable to ask them to cover the expense of waste removal, especially when there is not an effort made on recycling that would mitigate that cost to some degree. This is a sensible user fee. I do not think it reflects necessarily a philosophy of imposing more user fees on individuals or commercial establishments, but rather a typical, standard one. I think it enjoys support on the Board as it would if there were five of us here.

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

**RESOLVED:** that the Mayor and Board of Trustees revise the Commercial Trash Collection Fee Schedule as follows:

008 DEC. 1, 2008
narge No add'l charge
\$ 40
\$ 100
\$ 200
\$ 300

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -9 -

AYE	NAY
X	
X	
X	
	Absent
	Absent
	X X

## 2:08 DESIGNATE GENERAL VILLAGE ELECTION DAY

**Deputy Mayor Swiderski:** This is an annual ritual. We are facing a Village election on March 18, and this is the formal resolution that establishes that day.

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

**RESOLVED:** that the Mayor and Board of Trustees designate Tuesday, March 18,

2008 as General Village Election Day, for the purpose of electing two (2) Trustees for a term of two (2) official years each, and one (1) Village Justice for a term of four (4) official years, and be it further

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

p.m.

DOLL CALL MODE

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

## 3:08 DESIGNATE ELECTION DISTRICT

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

**RESOLVED:** that the Mayor and Board of Trustees designate one Election District to

be located at the Hastings-on-Hudson Public Library in Fulton Park for the General Village Election to be held on Tuesday, March 18, 2008. BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -10 -

AYE	NAY
X	
X	
X	
	Absent
	Absent
	X X

## 4:08 GRIEVANCE DAY

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

**RESOLVED:** that the Mayor and Board of Trustees designate Tuesday, February 19,

2008 as Grievance Day, from 5:00 p.m. to 9:00 p.m. in the Conference Room, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson,

New York, and be it further

**RESOLVED:** that the Board of Assessment Review will meet at such designated time

and place for the purpose of completing the Assessment Roll and of

hearing and determining complaints in relation thereto.

AYE	NAY
X	
X	
X	
	Absent
	Absent
	X X

## 5:08 TAX LIEN SALE

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

**RESOLVED:** that the Mayor and Board of Trustees designate Tuesday, March 18,

2008 as the Tax Lien Sale date at 10:00 a.m. in the Village Clerk's Office, Municipal Building, 7 Maple Avenue, Hastings-on-Hudson,

New York.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -11 -

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

**Deputy Mayor Swiderski:** In selling a lien, is there an interest rate charged, or an assumed interest rate? Why would somebody buy this lien?

**Village Clerk Maggiotto:** When the lien is bought the Village is made whole for the amount of the tax and the penalties due up to that date. From that month forward the person who holds the lien can collect 1% per month, up to 12% for the year. So it is an investment. We started selling them when the interest rates on other investments started going down. The 12% a year looked very good to people, and still looks very good.

**Deputy Mayor Swiderski:** Is it purchased at face value of the money due?

**Village Clerk Maggiotto:** Yes. So if you own a house, and you do not pay your taxes and someone buys the lien on your house, then you must pay whoever is holding the lien. We always get these panicky phone calls, you are selling my house. We are not selling your house. We are simply collecting the taxes that are due to us. Eventually, of course, if it went on for three years or more your house could be sold in a foreclosure.

**Trustee Quinlan:** It would be just one year's taxes?

**Village Clerk Maggiotto:** Yes, we only sell the current year.

**Trustee Quinlan:** Let us say it is for \$10,000. Who gives the Village the \$10,000?

**Village Clerk Maggiotto:** Whoever wants to buy it. They are small business people, generally.

**Trustee Quinlan:** So I buy the lien and I give the Village \$10,000. And then I have to collect from the homeowner that, plus 1% a month in interest.

**Village Clerk Maggiotto:** Plus reasonable fees that you can tack on.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -12 -

#### **VILLAGE MANAGER'S REPORT**

**Village Manager Frobel:** Everyone should have received in the mail their calendar from the Village. Comments thus far have been very positive. We hope everyone finds it very informative. If people would like another copy they can stop by Village Hall or call and we will mail one to them.

## **BOARD DISCUSSION AND COMMENTS**

## 1. Update on the Comprehensive Plan Committee

**Trustee Quinlan:** The Comprehensive Plan Committee is seeking volunteers for their subcommittees. They are hoping to form at least nine subcommittees, maybe starting with as few as three. They have a Web site that will be up and running in the next few days if is not already. I am asking everyone to consider that. It is a worthwhile volunteer activity that you can give to the Village that will have lasting, long-term, and beneficial effects.

**Trustee McLaughlin:** What subcommittees are they forming first?

**Trustee Quinlan:** I do not know. They are going to rate the categories they selected, and do an analysis of what they think are the top three or four or five. They are in the process of doing that now. Would that be fair, Jim, to say that that is how it is going? We have a member of the Comprehensive Plan Committee here tonight.

Mr. Metzger: Yes, I would say that is a very fair assessment. After our last meeting the members of the committee were asked to rate the nine categories that we had broken down, things like looking at economic development, or land use in zoning, or the history of the Village. Each of the 11 members of the committee submitted their ratings from 1 to 9. Interestingly, nobody on the committee asked for the same item as their number one priority. So the members of the committee now have our areas to start looking at, and we are going to ask the subcommittees to start assisting us in looking at those thing. I invite everybody to come to our meeting tomorrow night. Thee future of the Village is being discussed here, and we are looking for all the input we can get.

## 2. Village Arts Committee - Establishment of Non-Profit Corporation

**Village Manager Frobel:** At the last meeting I had mentioned that the Arts Committee has taken the lead in seeking out alternative funding sources to help them offset some of the very creative programs that they have on the drawing board. I felt it was valuable and worthwhile, so I asked them to come this evening and talk with you about their concept.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -13 -

Bruce Levy, Chairperson, Village Arts Commission: We are not looking for an approval of a non-profit. We are looking for an approval to explore the nature of a non-profit, and how that could benefit the Village if the Arts Committee is a non-profit organization. In our letter to you we reiterated some of the programs and events that we created over this past year: we initiated the poetry reading program at the library, we did a photography exhibition at the library, we had an unusually successful music exhibition at Draper Park, and we recently created a holiday art show at the Community Center. We hope to do many more of these programs, some of them occurring annually. But there are a number of costs associated with many of these events.

What we have discovered over this past year is that as an appointed committee of the Board we are very limited in obtaining funding. We have been to the Westchester Arts Council and some of their grant workshops. We have received grant applications. There are municipal challenge grants, arts partners challenge grants, and other Westchester Arts Council grants. But we do not qualify for many of these. We have had to apply through individuals, not as the commission itself. We believe that the intent of the Board is that part of the mission of the Commission is to seek out funding resources. There is plenty of precedent for this, as we have learned from the Westchester Arts Council. In other municipalities the committees have become non-profits. We are looking for your approval to proceed with researching this, to establish what the structure would be: who would be on it; is it the members of the committee; are you on the commission, are you also on the non-profit; is there a separate group? A non-profit would generally be independent, but the intent is that the mission is clearly the same mission as the committee has today.

**Trustee Quinlan:** I think it is a good idea. Your letter is excellent. I think the mission is a good idea not only to obtain funds but, perhaps, contributors could talk with their accountants and see whether their contributions might be tax deductible. But I would like you to think about the long-term. You are going to need an attorney to form it. Who is going to pay for that, or is it going to be done pro bono? The Board is going to have to fill out forms every year for the state and have to keep a separate set of books, especially if you are getting considerable grants, for how that money is spent. An accounting is going to have to be done. That is quite an undertaking. You may feel that you have the people to do it now, but five or ten years from now are you going to get the same commitment? I ask you to think about those things because it is a yearly, complicated situation that needs oversight.

In terms of the difference between public and private, my only question would be that at this point the Village Arts Commission comes under the umbrella of the Village government and the people on the Arts Commission are appointed. Are the members of the Arts Commission going to be members of the not-for-profit, and who is going to control those members, and

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -14 -

how are they going to be controlled if they go rogue or go off-base? There is not going to be any control by the Village of the not-for-profit. Those are real concerns.

There are a lot of benefits. I think it is a really good idea. But it is a more complicated than just the benefits. I wish there was another way to do it. I am certainly willing and happy to have you explore it, but we have to be very careful for the future generations to have that accounting and the paperwork done. And then the mix between public and private. So just think about those things.

**Mr. Levy:** Those are all valid questions, and we are asking the same questions. That is part of what we will explore and research.

Trustee McLaughlin: I am happy to have you here tonight because, in a sense, the Arts Commission was my baby and I have been your liaison since you were formed. In your year of existence you have made a visible contribution to the community. People know who you are, people want to do the things that you bring to us, and what you can continue to offer is so special. If ever there was a community that had cried for a village arts commission it was ours. So you guys done good. I am grateful to Jerry for bringing up the points that he has. I have a real concern about transparency and the self-perpetuating nature of a non-profit. But you are just beginning your research, and since counsel is going to give us a memo on how the affordable housing non-profit works and answering some of the same questions, these two quests for information will be working together.

**Deputy Mayor Swiderski:** There is rarely anything new under the sun. I have to imagine this has been done elsewhere, and probably locally. My sense as to the easiest way to resolve the issues is to find somebody who has done it and see what is involved. I am less worried about those issues because I suspect this has been done a lot elsewhere. So you just have to follow a good example.

#### 3. Other

**Deputy Mayor Swiderski:** There is a request from the Conservation Commission to add two members. The Commission has five members, and an agenda of issues they are working on that stretches longer than a page. We have an abbreviated Board tonight and this is worth a discussion, so I would rather hold off until next week to get some input from the missing Board members.

The Village continues to need volunteer camera operators for Village meetings. It is not difficult, and it is a great service to your neighbors. Interested residents are urged to contact WHoH for more information either by telephoning the Village or on the Village Web site.

BOARD OF TRUSTEES REGULAR MEETING JANUARY 8, 2008 Page -15 -

We are beginning to accept letters and résumés from residents interested in service on a Village board or commission. Right now there is a vacancy on the Economic Development Committee, and soon there will probably be two additional spots on the Conservation Commission. In addition, in April the Trustees begin the annual task of appointing and reappointing members of the various boards. If you are interested, please send a letter expressing your interest to a Board member or to the Village Manager's office. Make sure you let us know which board or boards you are especially interested in. We now have more than 100 slots that are currently filled. People lose interest, or leave the Village or whatever at an annual rate of probably 10 or 15 people. So there is an ongoing need for interested and engaged volunteers, and we are always interested in hearing from you.

## **EXECUTIVE SESSION**

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

## **ADJOURNMENT**

On MOTION of Trustee McLaughlin, SECONDED by Trustee Quinlan with a voice vote of all in favor, Deputy Mayor Swiderski adjourned the Regular Meeting at 9:00 p.m.