

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
JANUARY 18, 2011

A Regular Meeting was held by the Board of Trustees on Tuesday, January 18, 2011 at 7:35 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Bruce Jennings, Trustee Meg Walker, Trustee Nicola Armacost, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

ABSENT: Trustee Jeremiah Quinlan

CITIZENS: Twenty-two (22).

Mayor Swiderski: We are going to do things a little out of order, out of respect to the guests here and the swearing-in. We will open the regular meeting, do the swearing-in, close the regular meeting, open the Public Hearing, close that, and then resume the regular meeting.

ADMINISTRATION OF OATH OF OFFICE - Police Officer Michael Pacheco

Mayor Swiderski administered the oath of office to Police Officer Michael Pacheco.

On MOTION of Trustee Armacost, SECONDED Trustee Walker by with a voice vote of all in favor, Mayor Swiderski recessed the Regular Meeting at 7:40 p.m.

(Resume 7:55 p.m.)

APPROVAL OF MINUTES

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of December 21, 2011 were approved as presented.

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Public Hearings #1 and #2 of January 4, 2011 were approved as presented.

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, the Minutes of the Regular Meeting of January 4, 2011 were approved as presented.

APPROVAL OF WARRANTS

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

Multi-Fund No. 43-2010-11 \$261,858.58

PUBLIC COMMENTS

John Gonder, 153 James Street: Every time I want to talk about Trustee Quinlan he is absent. He always says it is complicated. One of the biggest reasons I come here is to hear what is going on at Atlantic Richfield, and it is complicated. Two or three years ago you had the DEC, Joe Sontchi from Atlantic Richfield/BP. It is about time you got him so they could answer some questions. Also bring in Malcolm Pirnie, expensive consultants, tell us what they have been doing for the last year or so.

BP had troubles in Alaska. The pipeline, corrosion. They got fined and they took care of it right away. In Texas, they had a refinery explosion. They took care of that quickly. Some people died, but they took care of it very quickly, got it back online. Then they had the disaster in the Gulf. Thousands of miles of boom were used to absorb the material. How many boats, with things collecting the oil? Five states, and they also capped the leak in several months. Five states, thousands of miles of beaches and everything else. And what happens here? Eighteen to 20 years, and you got a few pumps pumping some high-viscosity PCB. I think you ought to get these people down here so the Village could question them.

Mayor Swiderski: We expect something like that early in the second quarter, once we have received the DEC plan for what they would like to have BP do in terms of a cleanup. That plan is expected at the end of April or so, and at that point we would head into public hearings. It will happen, hopefully, in the next six months. The DEC has a new chairman, who is apparently proactive and decent, and we have high hopes.

Jim Metzger, 427 Warburton Avenue: I know myself and one of my neighbors came before you with this issue. With the recent snows, the problem with people not cleaning up after their dogs is particularly visible. It may not be at the top of anybody's list of serious problems in the Village but if I were to bring photographs of what I see every day walking on Warburton Avenue you would all be pretty upset. We have some other issues going on in the Village at that end, and we have an extended police presence for which all of my neighbors are very thankful. Perhaps if they could keep an eye out, being that they are in the direct line of sight where some of the worst offenses occur. It would be nice if we could enforce that

\$100 for not cleaning up after your dog law. I am sure the Village could use the money, and I would like to not have to do a two-step when I walk down the street.

5:11 APPROVAL OF BY-LAWS OF BOARD OF FIRE WARDENS OF HASTINGS-ON-HUDSON FIRE DEPARTMENT

Mayor Swiderski: I would call one of the chiefs forward to speak to the key things that have changed.

Fire Chief Gagliardi: The bylaws are a guideline that we run the department by. I have previously submitted a draft of the proposed amended bylaws to the Board of Trustees for review. At this time, I would like to read a letter that I wrote to the Board of Trustees on January 14, 2011.

To: The Board of Trustees
From: Fire Department Chief, Ron Gagliardi
Re: Amended and Restated Bylaws of the Board of Fire Wardens

Pursuant to the New York State municipal law Section 10-1000, and in accordance with Article 4, Section 27 of the bylaws of the Board of Fire Wardens, your approval is requested of the amended and restated bylaws adopted by said Board of Fire Wardens on January 11, 2011.

Here is the summary of the changes. The original bylaws of the Board of Fire Wardens date to 1962, and pertain to the overall organization and governance of the fire department. Due to the dynamics of the fire service, and need for regulatory compliance, language has been added within article 4 pertaining to response command. Section 3, the federally-recognized incident command system. Section 4: Designation of Membership Categories. Section 5: Annual physical program compliance. Section 6: Apparatus Driver Standards. Section 14: Membership requirements for EMS and fire police are further delineated in Article 15, Section 2. In addition, the Board of Fire Wardens was granted 501(c)(3) status in February, 1980. However, this status has lapsed, and the process for reapplication is nearing completion. As such, the new application requires the submission of organizational bylaws containing the language in Article 2, Section 7.

What this means is, we are updating our bylaws due to the fact of the changes since 1962. There were not that many changes. It was just the incident command system, the 501(c)(3), and the annual physical program.

Trustee Armacost: Do you have an underlined version of the language you changed? I do not think we got it. It is hard to tell what was changed.

Fire Chief Gagliardi: Did we not send the 1962 bylaws with it?

Trustee Armacost: I do not know. I did not get that, and I did not get a version which showed what language had changed. It is difficult to know what is new and which is old.

Fire Chief Gagliardi: It should have been sent.

Fire Chief Sarfaty: If not, we can make that available. But essentially what Chief Gagliardi described in those sections are the changes.

Trustee Armacost: My main concern is any financial implications to us as a result of the changes that you have made. I want to know what the changes are to be able to access whether there are any financial implications for us. If the changes mandate a whole set of things which will require specific funding commitments by the Board, and we are agreeing to that without understanding what they are, I am not comfortable with that. I would like to know explicitly rather than know that it is in Section 4.

Fire Chief Sarfaty: There really are no financial implications. It is more procedural and organizational. Your question about funding is the fact that we are renewing our 501(c)(3) status, enabling us to pursue grants and other funds that heretofore have been unavailable to us. For instance, if a corporation feels the need, or wants to grant us some funding for some type of training or equipment, and they will only award it to a 501(c)(3), then this gives us the opportunity to do so. We had this back in the '80s. Unfortunately back then, the 990s were never filed on a repeated basis so we lost the status.

Trustee Armacost: So you have not had the status since the '80s?

Fire Chief Sarfaty: Correct.

Trustee Armacost: What provoked the feeling that it was important now?

Fire Chief Sarfaty: We feel that there may be other funding opportunities out there that we are unable to obtain. We figured that getting this 501 status would allow us the opportunity to pursue further financial donations. But in answer to your original question, the issues the Chief went over are more organizational.

Trustee Armacost: I do like to see exactly what has changed. That is my personal preference. If everyone wants to override that, that is fine.

Mayor Swiderski: We do have the amended and restated bylaws. Before we remand this to the next meeting, the changes you are discussing did not sound terribly major. Could you in walk us through them right now? Would that suffice, if we were directed to the paragraph and told what changed?

Trustee Armacost: Procedurally I would like to see redline documents.

Mayor Swiderski: I entirely agree. I am trying to verbally redline it to identify if there is something that may be of concern. If so, we will wait for a redlined copy.

Trustee Armacost: Sure.

Mayor Swiderski: But it may suffice if it, does indeed, not trigger off any alarm bells in your or any of us. Why do you not walk us through what the changes are, if you can.

Fire Chief Sarfaty: We will go to Article 4, Section 3 beginning with "It shall be the duty." What we added was "in the absence of the four chiefs, the senior ranking deputy chief shall be in charge of a response. In the absence of a deputy chief, the highest-ranking company officer arriving at the incident shall be in charge until relieved by a superior officer, provided that in the event that two or more equally-ranked company officers are participating in a response the officer of the fire company first to arrive at the scene of the incident shall be in charge until relieved by a superior officer." That is a chain of command. "In the absence of the Chief, the three assistant chiefs, the deputy chiefs" who are the ex-chiefs of the department, if they are on the scene they are the senior ranking officers. "In their absence the senior officer of any of the line companies shall assume command of the incident."

Mayor Swiderski: All right. Next change?

Fire Chief Sarfaty: Next line, four, "unless otherwise directed by a chief, the Incident Command System, ICS, standard operating procedures, and pre-planned procedures where applicable, shall be followed at all times." In 1962, the ICS system did not exist. It was developed after September 11 by the federal government in order to coordinate a multi-agency response to incidents. That is the system that we respond to at all calls, not only with the fire department but with the police department and any other agencies involved in the response.

Next line, five, again this was not delineated in the 1962 bylaws. It gives the categories of membership within the department: internal firefighter, external firefighter, administrative EMS, and fire police. "The members' duties and roles shall be dictated by such designation as determined from time to time by the chiefs. Such designation categories may be amended from time to time by the chiefs. The designation of any member may be amended from time to time by the chiefs, with immediate notification of said action to the captain of the member's' company." It gives dynamics as to members' roles within the department.

Next item, six: "Each member shall be required to satisfy the requirements of the department annual physical program. Any member failing to do so will be subject to disciplinary action, including without limitation designation as an administrative member or an inactive member." This fulfills the OSHA requirement that every member has to have a physical on an annual basis.

Trustee Armacost: So is that an external requirement, or an internal requirement?

Fire Chief Sarfaty: It is an internal with the department and an external fulfilling OSHA requirements.

Trustee Armacost: So it is an external requirement.

Fire Chief Sarfaty: Correct. And again, that language was not in the original bylaws from 1962.

Trustee Armacost: That obviously has cost implications.

Fire Chief Sarfaty: Right. The annual physical program is a budgeted item in our budget,

The next item is line 14: "The apparatus shall be driven in connection with a response only by members who have qualified as drivers to the satisfaction of the requirements of the relevant company and approved by the Board of Fire Wardens. Each company shall be responsible for setting the rules and guidelines in connection with training apparatus operators within the company."

That line is from the original bylaws. The addition is as such: "Notwithstanding the foregoing, after June 1, 2011, no member may be approved to drive apparatus unless such member has taken and passed the New York State emergency vehicle operations course. In addition, pump operators are required to have taken and passed the New York State emergency vehicle operator pump operator course, and aerial device operators are required to

have taken and passed the New York State emergency vehicle operator aerial device, as applicable, and any applicable successor courses."

This establishes a baseline and prerequisite in order to become an apparatus operator, whether it be ambulance, pump operator, or aerial device operator. Everybody has to take the same courses, and have passed, in order to get behind the wheel of a pumper, ladder truck, chief vehicle, or ambulance.

Lastly, Article 5, Section 2: "All members shall satisfy the requirements of membership of their relevant company. Notwithstanding the foregoing, a member may join any fire company, the host company, and then apply for membership in the ambulance corps and/or fire police. Upon acceptance by the ambulance corps and fire police, such member may stay an active member by satisfying the requirements of the ambulance corps and/or fire police in any non-firematic requirements of the host company. Such member will remain subject the requirements and entitled to the benefits of Article 4 above."

What this delineates is the fact that if we have a member that wants to join the fire department and be exclusively an EMS member, wanted to join the ambulance corps for example, now they must join one of the line companies: Riverview Manor, Uniontown, Protection, or the Hook and Ladder. They can apply to any one of those companies to become a member of the fire department, and then apply to the ambulance corps to become solely and strictly an EMS member. This was added because we need to boost the roles of the ambulance corps. We need to get members strictly to join the ambulance corps because they are one of our busiest companies. Last year the ambulance corps responded on 560 calls. So we figured we would add this line in there to encourage members to join the ambulance corps, and not necessarily fulfill the full requirements of fire department membership as an active firefighter, but fulfill the membership of the ambulance corps. We want to attract members to the ambulance corps and the fire police so they will become members of the host company, but they must fulfill the requirements of the ambulance.

Trustee Walker: Is that not the procedure you currently follow? If somebody wants to join the ambulance corps, they do not have to fulfill the requirements of a firefighter?

Fire Chief Sarfaty: Right. If, for instance, they were going to join one of the engine companies, the engine company has specific requirements as a firefighter for that company. So right now if somebody wants to join one of the engine companies as an EMS member, they have to fulfill both the firematic requirements and the ambulance requirements, which is a lot. We want to make sure that they can cover the [non-firematic] requirements of the host company, but yet fully fulfill and have the time to fulfill the requirements for the ambulance.

Trustee Walker: If they are a member of the ambulance corps, why would they then also join an engine company without being a fireman?

Fire Chief Gagliardi: The ambulance corps is made up of the four companies. There are members from each company, and they have already joined the fire department, and then they join the ambulance corps. In 2000 we turned into a certified ambulance. Every BLS or ALS ambulance had to be certified. BLS is basic life support, ALS is advanced life support. We run a BLS ambulance, and the ALS part is from Greenburgh. But as far as when somebody had to join the department, and then the ambulance corps, they were doing double duty. So what we did was waive the requirements of the fire end of it. For a member right now to join an engine company he has to take the firefighter one course, so he fulfills his engine or ladder duties. But if somebody wants to be strictly EMS they are waived of the firefighter one course, but they do have to take the EMT course and become an EMT within their first year.

Trustee Walker: Right, but they also have to be a member of a firehouse is what you are saying.

Fire Chief Gagliardi: Yes. But as long as they fulfill their responses with the ambulance corps, the other companies waive the requirements of the fire end.

Trustee Walker: It is a procedural policy, and you want to make it clear that they do not have to fulfill these other requirements.

Fire Chief Gagliardi: Yes, that is correct.

Fire Chief Sarfaty: As it stands now, the basic New York State-mandated requirements are 92 hours to become an interior firefighter. To become an EMT is 140 hours.

Trustee Walker: I have a question about an item that was not changed. It is in Article 2, Section 7, which is your 501(c)(3) description. As a 501(c)(3), you have a certain degree of independence as an organization to go out and look for grants, as you said, which I think is great and important. But then what is the 501(c)(3)'s relationship the Village? I particularly was questioning the sentence, "No part of the net earnings of the warden shall inure to the benefit of, or to be distributable to, its members, trustees, officers," and so on, "except that the warden shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in paragraph 1 of this Article 2." So do you, as a 501(c)(3), which is also connected legally, I suppose, to the Village, have the power then to separately make payments and authorize compensation for services rendered? Is there a conflict there?

Mayor Swiderski: I did not follow that. Can you say that again?

Trustee Walker: As a 501(c)(3) they can operate like an independent nonprofit.

Trustee Armacost: And independent organization.

Trustee Walker: And as an independent nonprofit they have rights to raise money through grants or donations, probably other means as well. They also have the right, then, to authorize payments for services rendered. So my question is, if they are operating independently, raising money and making payments, how does that go through the Village? How does that connect? Can they do that completely independently?

Mayor Swiderski: The fire companies are all independent companies, self-contained and separate from the Village. This would be a 501(c)(3) supporting those companies. It would be entirely independent. Technically, the fire companies are entirely independent.

Trustee Walker: Right. And so we have no obligations, no legal connection. I do not know what I am asking exactly.

Trustee Armacost: I understand what you are saying.

Trustee Jennings: But the question you are asking does not hinge on the not-for-profit status, tax-exempt status.

Trustee Walker: Right.

Trustee Jennings: If they are already an independent corporation they can receive donations, they can have their internal operations.

Trustee Walker: Right. And authorize payments.

Trustee Jennings: But the question you are asking is not really about 501(c)(3).

Trustee Walker: Well, it is any organization that exists separately, then, from the Village. At the same time as we are compensating them, buying apparatus and paying fees and paying for training and these other things. So the 501(c)(3) monies, or grants and donations and things that you get, do not pass through the Village.

Fire Chief Sarfaty: No.

Trustee Armacost: The question that comes to my mind is, when you have this kind of coexistence happening in a village like ours, how do you ensure that there is an equitable way in which the budget responsibilities are divided between the different interested parties. We are an interested party that is on the Village side, and we have a certain amount of funds that we distribute for things that are important to the Village. And then 501(c)(3)s, they are doing work inside the Village and raising their own money. If the money that they are bringing in is not transparent on the side of the Village, how do you decide who should be paying for which bits at the end of the day.

I think it is moot because you have not been a 501(c)(3) for a long time. But it will become important as these bylaws are passed and the other papers go through that turn you back into that status which you once had. Maybe part of the impetus for this is to enable you, on your part, to be freer to raise money independently of the Village because you see that we are under constraint. You want to have a separate source to bring in income. I do not know whether that is part of your rationale. It is perfectly reasonable, if it is. The important thing is for us to talk about how that money, at a certain point, ends up, which part the Village is responsible for, which part you end up paying when it gets to that stage where you have viable 501(c)(3) that is raising a lot of money.

Trustee Walker: Right. And how are those decisions made, then, as to how the money is going to be allocated. The library has the same kind of status. They are a 501(c)(3). But we have a clearly set out policy as to what they are going to pay for with their monies and what they come to the Village for, right?

Mayor Swiderski: True.

Trustee Walker: Maybe there has got to be some kind of policy, as Niki described very articulately. Then it is very clear what you are going to be paying for and what we are going to be paying for, and how those decisions are made. It is great that you are a 501(c)(3), and I think that is really important. It does take some of the burden off of us, as long as we figure out how it then functions relative to the Village.

Fire Chief Sarfaty: Correct. Again, we had the status a number of years ago and we feel that this certainly would behoove the department. And this revision of the bylaws, again, was done 40-some odd years ago. This is the first time that we have gotten to this point.

We also are anticipating more revisions as a number of the operating procedures of the department are updated within the next year or so. We will probably be back here again with the same type of revision as they are updated a little more. As the Chief said, we are a

dynamic organization, and this is updating our operating procedures. This is the first step, which we feel is very important.

Trustee Walker: Any of you chiefs involved when the 501(c)(3) status was active?

Fire Chief Sarfaty: I was not.

Fire Chief Gagliardi: Yes, I was in the department at the time. I joined in 1979, and we had the 501(c)(3) status in 1980. In 1986, because the paperwork was not filed, it just disappeared.

Trustee Walker: So do you think back then that it was viable, a way that you could, in fact, raise money to offset some of your costs? Was it successful in those days?

Fire Chief Gagliardi: One of the reasons that it came back up in the last couple of years is that about four or five years ago we heard that there was an organization that had extra money at that time and wanted to give it to a 501(c)(3) organization. By rights they had to give it to a 501(c)(3) organization. Our organization was not listed.

Trustee Walker: And they could not give it to an organization associated with a municipality simply before they had this 501(c)(3) regulation. It did not include it. What is a municipality, a 501(c)-something else?

Village Attorney Stecich: They wanted the tax deduction.

Fire Chief Gagliardi: Yes, exactly.

Trustee Walker: But I am on the board of a foundation that is able to give money to municipalities, and it does not have to be necessarily a 501(c)(3). So some organizations are able to do it.

Trustee Armacost: I think it may be a choice. That they chose not to because if you want to give \$100,000 to somebody, and you get \$100,000 of a tax deduction versus none, you are probably going to choose the one where you get the tax deduction versus not, which tends to be why they look for 501(c)(3)s. Some of it also has to do with the fact that 501(c)(3)s are fairly strictly regulated. Their books are publicly available so you can see how they are spending money, whereas a private organization, no one can see how you guys spend your money at the moment. As soon as you become a 501(c)(3) it becomes very easy. Anyone can look you up on GuideStar and see what is happening internally. You have to have much more rigorous processes, you have to be audited. There is a whole set of requirements,

which is a good thing; it keeps everyone on their toes. So I am all for that kind of thing. There is a quid pro quo. You have to do a lot more work in order to get the benefit of potentially having these donations come your way.

Fire Chief Sarfaty: Again, this is the first step in reestablishing the status.

Trustee Armacost: One of the things that I love about what you are doing is that it is showing a commitment to financial sustainability which all the institutions in the Village should be doing. That part I think is fantastic. I just like things to be super-transparent. So I love it when it is underlined so I can see exactly what has changed and what has not changed, and whether there are things that we should think about more carefully. But the spirit of it I think is fantastic. If that is your reasoning, to become more financially sustainable, irrespective of whether it is or not I think you should say it is.

Fire Chief Sarfaty: Going back to your original concern, the items that I read were very procedural and organizational. But this is one of the biggest things, the 501 status. To have the fiscal accountability and transparency that is required under the filing, and then the filing of the annual 990s and everything else.

Mayor Swiderski: Which is a nice segue back to determining whether we want to pass this tonight. I have personally no issue. Is everybody else prepared to vote on it?

Trustee Jennings: I am prepared to vote on it, and I support it. But I do have one further question to do with returning to your 501(c)(3) status. I do not know the answer to my own question. I raise it as a point of something to consider. I have worked with 501(c)(3) organizations my entire career. Since the 1980s there has been an evolution on the part of the IRS and other authorities concerning some of the regulations. They have gotten stricter, and they have gotten stricter about lobbying and about political activity, than they were in the 1980s. So the question I want to raise is, whether, and in what ways, your future 501(c)(3) status would affect your participation in the Village budget process, because I would say, right now, you lobby. Will you be able to do that as a 501(c)(3)?

Fire Chief Sarfaty: Well, we lobby to you, the Board. Is that what the question is?

Trustee Jennings: That is right. We are passing a law. The budget is a law. You're lobbying about a law.

Fire Chief Sarfaty: Well, we lobby for our operating budget, certainly. I am not sure.

Trustee Jennings: It is a lawyer's question.

Fire Chief Sarfaty: It is a lawyer's question, but I do not think it is partisan. I think it is just essentially as the library lobbies for their operating budget and every other department lobbies.

Mayor Swiderski: And the 501(c)(3) is a different thing than the department.

Trustee Armacost: Exactly. These are employees of the Village, when they are talking to us in terms of the budget.

Trustee Jennings: I do not think that is true.

Mayor Swiderski: They are not employees of the Village.

Trustee Armacost: Oh, you are right. You are not. You are different than the library in that respect.

Mayor Swiderski: Well, the library is not an employee of the Village either, is it?

Trustee Armacost: But they are paid. I sign their checks. Maybe I should not be signing their checks.

Mayor Swiderski: I do not think it much matters because the 501(c)(3) would not be the lobbying organization. The 501(c)(3) would be a not-for-profit whose intent, I imagine, would be fund-raising.

Trustee Armacost: Except that if you are running a 501(c)(3) you have conflict of interest policies you have to sign. If you are constantly in a situation where you are in a conflict, you are constantly having to declare your conflict. I think it is an interesting question.

Trustee Walker: I can see that there are other municipalities that have 501(c)(3)s embedded in parks departments and other departments to oversee, maintain, and program parks and that sort of thing. I am aware of those. I think that you just have to be very clear about what is being paid for by the 501(c)(3) and what is being paid for by the municipality. It is a policy that we have to develop.

Fire Chief Sarfaty: The bottom line, the whole reason, is for the betterment and safety of the residents of the Village. Any lobbying we are doing is toward that goal and, ultimately, that is what you are responsible for in allowing for. Maybe if you read the language it is more political. You are right, it is an interesting question. But ultimately our goals and

responsibilities and interests are the same. This is for the pursuit and furtherance of the safety of the residents of the Village and those that transverse its borders.

Trustee Jennings: I will not pursue it further. I just raise the question.

Trustee Walker: We will be able to straighten it out, and it does not stand in the way of my supporting the changes here. The fact that they want to be a 501(c)(3) again is good, but there are some questions that need to be answered going forward. But it is done all the time. This is not unusual.

Mayor Swiderski: No, it is not.

Trustee Armacost: There are more procedures, though. I think you will be with us more often than you probably want in this coming year to get some of these procedures.

Fire Chief Sarfaty: That is fine. Again, this is the start so we can get the application in and we are complying all applicable rules and regulations as it pertains to the filing status.

Trustee Armacost: Who prepared these for you?

Fire Chief Sarfaty: This was done in-house. We have a wealth of talent within the fire department in many ways, shapes, and forms.

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

RESOLVED: that the Mayor and Board of Trustees approve the By-Laws of the Fire Wardens of the Hastings-on-Hudson Fire Department adopted January 11, 2011 as attached.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	Absent	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

6:11 ADOPTION OF LOCAL LAW NO. 1 OF 2011 TO CREATE ADDITIONAL NO PARKING ZONES ON FARRAGUT PARKWAY, WASHINGTON AVENUE, AND FULTON STREET

Village Manager Frobel: This comes as a recommendation from the Safety Council, through the Chief of Police.

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 hereby adopt Local Law No. 1 of 2011 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 282 Vehicles and Traffic to create additional No Parking zones on Farragut Avenue, Washington Avenue, and Fulton Street as follows:

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section 1: Section 282-25 (Parking prohibited in designated locations) of the Code of the Village of Hastings-on-Hudson is hereby amended by adding the following paragraphs, to read as follows:

- (90) No parking on the west side of Farragut Parkway beginning at a point 59 feet south of the intersection with Green Street and extending southbound for 70 feet.
- (91) No parking on the south side of Washington Avenue beginning at the Draper Park driveway and extending eastbound for 260 feet.
- (92) No parking on the south side of Fulton Street between Summit Street and Pine Street.
- (93) No parking on the north side of Fulton Street between Summit Street and Brandt Street.

Section 2: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 3: This local law shall take effect immediately upon filing in the office of the New York Secretary of State.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	Absent	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

7:11 ADOPTION OF LOCAL LAW NO. 2 OF 2011 REGARDING STORMWATER MANAGEMENT, EROSION, AND WATER POLLUTION CONTROL

Village Manager Frobel: Since this law was first adopted by the Board a few short years ago, in 2009, technology has changed, the best management practices have changed. The shorthand definition is, this is a way to green the code to address some of those concerns. Marianne, did you want to add anything?

Village Attorney Stecich: There are only a couple of changes to add more what they call green infrastructure practices, and define the term. That is the main thing. Then also to require that trained contractors be on-site to supervise the construction of the stormwater facilities. This is a slightly heightened inspection requirement.

Village Clerk Maggiotto: I just have an e-mail from the chair of the Planning Board, and I am sorry I neglected to share it with you. She says that these changes are completely in agreement with the types of practices we have been encouraging applicants to use when they make changes to their properties, and the Planning Board has no issues with this.

Trustee Jennings: I would t add that they are completely consistent with the work of the Conservation Commission and our sustainability initiatives. As far as I can tell, they are completely consistent with the impending Comprehensive Plan goals and values. This is in step with many things the Village is now doing.

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 hereby adopt Local Law No. 2 of 2011 amending the Code of the Village of Hastings-on-Hudson, Westchester County, New York, Chapter 250 Stormwater Management, Erosion, and Water Pollution Control:

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section 1: Amend ' 250-2 (Legislative intent) to add the following new paragraph:

G. Encourage the use of green infrastructure practices to control stormwater runoff, such as protecting natural areas, reducing impervious cover, and using runoff reduction techniques, to the maximum extent practicable.

Section 2: Amend ' 250-5 (Definitions) to add the following new definitions:

GREEN INFRASTRUCTURE B Green infrastructure approaches infiltrate, evapotranspire or reuse stormwater, using soils and vegetation rather than hardscape collection, conveyance and storage structures. Common green infrastructure approaches include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, vegetated median strips, reforestation, and protection and enhancement of riparian buffers and floodplains.

QUALIFIED INSPECTOR B A person who is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed professional engineer, Certified Professional in Erosion and Sediment Control (CPESC), or registered landscape architect, or someone working under the direct supervision of, and at the same company as, the licensed professional engineer or registered landscape architect, provided that person has training in the principles and practices of erosion and sediment control.

TRAINED CONTRACTOR B An employee from the contracting (construction) company, who has received four hours of Department endorsed training in proper erosion and sediment control principles. After receiving the initial training, the trained contractor shall receive four hours of training every three years. It can also mean an employee from the contracting (construction) company that meets the qualified inspector qualifications.

Section 3: Amend paragraph A(18) of ' 250-7 (Contents of stormwater pollution prevention plans) to read as follows (new language in *italics*):

- (18) Description of each post-construction stormwater management practice, *including documentation of the five step planning process for stormwater management using green infrastructure as outlined in the Design Manual using the practices in Schedules A1, A2 and A3.*

Section 4: Amend paragraph B(1) of ' 250-7 (Contents of stormwater pollution prevention plans) to read as follows (new language in *italics*):

- (18) Description of each post-construction stormwater management practice, *including documentation of the five step planning process for stormwater management using green infrastructure as outlined in the Design Manual using the practices in Schedules A1, A2 and A3.*

Section 5: Amend paragraph B of ' 250-14 (Maintenance of stormwater facilities during construction) to read as follows (new language in *italics*):

- B. The owner, applicant or developer or their representative, *one of which must be a trained contractor*, shall be on site at all times when construction or grading activity takes place and shall inspect and *document* the effectiveness of all erosion and sediment control practices. Inspection shall be conducted and inspection reports shall be completed by a landscape architect, certified professional in erosion and sediment control, professional engineer, or other professional deemed qualified by the NYSDEC every seven days and within 24 hours of any storm event producing 0.5 inch of precipitation or more. The reports shall be maintained in a site log book and delivered to the Stormwater Management Officer. *Construction activities disturbing five acres or more at any one time shall be inspected by a qualified inspector every seven days.*

Section 6: Insert the annexed Schedules A1, A2, and A3 at the end of the chapter.

Section 7: Rename Schedule A (Sample Stormwater Control Facility Maintenance Agreement) to Schedule *B*.

Section 8: Revise paragraph 2 of the ASample Stormwater Control Facility Maintenance Agreement@ included as Schedule B to read as follows (deleted language ~~stricken~~; new language in *italics*):

2. The facility owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted in Schedule A as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices, ~~and retention stormwater ponds and wetlands, bioretention and rain gardens, tree boxes, green roofs, stormwater planters, rain tanks and cisterns, and porous pavement.~~

Section 9: Revise paragraph 4 of the ASample Stormwater Control Facility Maintenance Agreement@ included as Schedule B to read as follows (deleted language ~~stricken~~; new language in *italics*):

4. The facility owner shall provide for the periodic inspection of the stormwater control measures, ~~not less than once in every five year period,~~ *at the frequency recommended in the Design Manual,* to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

Section 10: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 11: This local law shall take effect immediately upon filing in the office of the New York Secretary of State.

ROLL CALL VOTE

AYE

NAY

Trustee Bruce Jennings

X

Trustee Jeremiah Quinlan

Absent

Trustee Meg Walker	X
Trustee Nicola Armacost	X
Mayor Peter Swiderski	X

**8:11 APPROVAL OF INTERMUNICIPAL AGREEMENT – MS4 PHASE II
STORMWATER MANAGEMENT PROJECT**

Village Manager Frobel: The Village joined with 14 other municipalities and secured a grant from the state Department of Environmental Conservation to map out our stormwater infrastructure, the catchbasins and the manholes. This allows us to enter into that agreement. They have made a selection of an engineering firm that will do the work for us. Our obligation is to provide the staff and the expertise to point the technicians in the right direction as to where the catchbasins are so we can bring ourselves into compliance with the phase two stormwater regulations. It is clearly the best way to approach this kind of requirement, to join with other communities.

Mayor Swiderski: And in line, again, with the Comprehensive Plan that asks for mapping.

On MOTION of Trustee Jennings, 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 between the Village of Sleepy Hollow and Participating Municipalities, including Hastings-on-Hudson, to address “Municipal Separate Storm Sewer Systems (MS4) Phase II Stormwater Implementation” mapping of sewer systems, with a project share of \$5,941.00 to be paid with in-kind services.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	Absent	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

9:11 NECESSITY OF MANDATE RELIEF IN ANY PROPERTY TAX CAP

Mayor Swiderski: The next item is a little different than what we usually vote on here. I philosophically tend to believe the business of the Village should be the Village and rarely stray into external affairs like this. However, with the election in Albany, and the new governor, one campaign plank dear to the new administration has a direct impact on us: to set a property tax increase cap in Albany that would apply to municipalities. Numbers have been bandied around like 2 percent, 3 percent. But whatever it would be would thoroughly constrain our ability to manage our own finances, which would be tolerable only if our largest increases in our budget line items were not coming out of Albany as well; whether it is increases in pension benefit payments, or health insurance payments, or a number of other line items, all of which are passed down as mandates from Albany and which we have to meet and address. As we know heading into this budget cycle, the largest ones in terms of increases are those state-mandated items. Susan Maggiotto and I saw a request from NYCOM, which is leading the charge on this issue, urging communities to state to Albany that if you go ahead and cap our increases you have got to cap the mandates. You cannot have one and not have the other. Municipalities have been asked to submit letters or resolutions indicating that to Albany.

A majority of the villages in Greenburgh and the Town of Greenburgh have done that. NYCOM has had greater success with this particular appeal than they have had with almost anything else they have asked villages to do. It has been quite popular, and with good reason. Susan asked me about three weeks ago why do we not look at this and think about it. and she was entirely right. I usually do not go for these sort of things, but this is something we should send a message on. It is fairly straightforward: if you want to cap us, do not inflict mandates on us. That is what this resolution does. The wording is out of NYCOM.

Trustee Walker: This is extremely important. This is going to become a bigger and bigger issues as we go on. We know that it has been in the last two budgets. Pension and insurance increases are going up at an extremely high rate and revenues are decreasing. Just the pension and insurance payments alone would exceed our budget with a 2 percent cap going forward. The entire budget. That is just extraordinary. So something has got to be done. We also have been feeling the pinch of the other mandates, like the restrictions on our ability to negotiate, the Taylor Law and so on, with the unions. So if we are going to have any independence in determining our budgets going forward, and determining our hiring, firing, and procedures and salaries, we have got to do something. But unfortunately, we cannot do it. The state has to do it. All we can do is ask them. We can also ask our taxpayers to write letters to the state legislature and to our representatives.

Trustee Armacost: I agree with everything that Meg has said. We are struggling with these issues right now, and it is important in terms of the legacies that we give to future Boards of Trustees, and to our children ultimately, because they are the ones who are going to bear

these burdens in the future. We have an obligation to stop something which is spinning wildly out of control, or at least signal that we would like action on it because we are not empowered to stop it. I have a practical question, which is, is this language that everyone is using, for example, the example of firefighters, which does not apply to us. I am wondering whether we should be tailoring this to our specific situation, or whether the goal is to have everyone send in exactly the same language. The resolution is not as strong as it might be. It is a little passive. I am wondering there is a reasoning behind this specific language.

Village Manager Frobel: There was a template.

Mayor Swiderski: So it is no more than that. Some communities have submitted letters, others exactly the wording you see here. We can choose to modify it. I am not sure it is as important as the fact that we pass it and submit it, and that yet another village is participating. I do not think anyone is going to pore through it and cross-correlate. It will be more like, there are 14,000 of these and we have to take that into some account.

Village Manager Frobel: As it relates to our firemen, the only thing that impacts us is the fire service awards. That is something we have taken on. That is not a state mandate. But some of the regulations: upgrading the equipment, the standards that are continuously coming out that require you to buy a new ladder truck, if you could get relief on some of that, or a moratorium would be helpful.

Trustee Jennings: I will support this. I do think it is appropriate for us. This is not something that is out there; this is something that will affect the lives of our constituents and our residents here in Hastings so it is absolutely part of our responsibility to speak out on this. Two quick points. Number one, a property tax cap without some other kind of fiscal reforms is a disaster. We found out what happened in the 1980s in California with Proposition 13. It is a recipe for vastly increasing the power of state government. So I support this only because it says do not do a cap on property tax without doing other things at the same time. That is a big mistake, and I agree with that entirely.

My second observation is that I am troubled by some of the emphasis in the report and in the way this is being discussed. I do not think that the blame for our fiscal crisis falls entirely on the back of public employees and their salaries and their benefits. I think that is false. The numbers do not suggest that they are out of line with what similarly educated and qualified people in the private sector are making. I do not think the solution will lie entirely in violating the promise we have made to them in terms of their pensions or trying to cost-shift their health care costs over into their own pocket. Those may be expedient measures to take, but I do not think they will get to the heart of our problem. Nor do I think they would necessarily all be fair. There certainly are reforms that should be made: double dipping

pensions and other things are abuses, and should be corrected. But in general, I do not think that we should be blaming public servants and public employees for our fiscal crisis. We should also be talking about increasing income taxes and other taxes at the state level, and revenue-sharing as a way of dealing with the local government fiscal crises. I am troubled by the one-sided emphasis that I detect in this language. Nevertheless, it is an important statement. We should join with others in communicating to Albany that this is something that should be done very carefully. The example of Proposition 13 in California is absolutely not what we in New York State in 2011 need, or should have.

Trustee Walker: But, in fact, it is not necessarily affecting wages and salaries, but more the way that the pension is structured and the way the insurance, and ongoing insurance into retirement, is funded. The entire state could come into better alignment with the private sector and there would be some cost savings then.

Trustee Jennings: Perhaps a better approach would be to get comprehensive universal health care taken out of the local government and also out of the private businesses, and deal with it in a different way.

Mayor Swiderski: And this is why I get leery about these sort of things. I would love to talk about this, but probably in the bar after the meeting and not now just for the sake of keeping to business. I agree with what you are saying, Bruce, but another way to state what a cap like this does is that it is Proposition 13 because it hits at our schools. It would cap their increases, as well. And for us, if it is imposed without a cap on mandates, it ensures the ultimate consolidation and death of local government, because the only way you will provide services is by consolidating at a state or county level. There are a number of people in the new administration who believe that would be a fine outcome. There may be larger-picture motives here that are not at all conspiratorial but are, in fact, the stated objective of getting rid of layers of government that cap would force. I would argue that, indeed, there are efficiencies and cuts that can be implemented locally, but the most important services are delivered locally and appreciated locally and the oversight is done locally. It would be a shame if there was a Greenburgh police force or a county police force or, worse yet, a state police force that provided for our safety.

Trustee Walker: In fact, NYCOM pointed out that there are state laws and procedures that are getting in the way of our ability to share services and costs.

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

WHEREAS, the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS, New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS, two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS, in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS, state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

WHEREAS, as a solution to New York’s property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS, a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS, a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees; now therefore be it

RESOLVED: by the Village of Hastings-on-Hudson that the Governor of the State of New York and the members of the New York State Senate and New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to

provide overdue property tax relief to the residents and businesses of New York, and be it further

RESOLVED: that a copy of this resolution be forwarded to the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, Senator Stuart-Cousins, Member of Assembly Abinanti, and the New York State Conference of Mayors.

ROLL CALL VOTE	AYE	NAY
Trustee Bruce Jennings	X	
Trustee Jeremiah Quinlan	Absent	
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

VILLAGE MANAGER'S REPORT

Village Manager Frobel: Mayor, I will yield my time and offer comments on the waterfront because Jerry is not here.

BOARD DISCUSSION AND COMMENTS

1. Update on Waterfront

Village Manager Frobel: The weather has played a factor in slowing down the progress that we would like to see on the waterfront. At the Exxon Mobil site, they report that most of the work last week involved the continuation of the dewatering effort. A lot of time was spent by the work crews just keeping the treatment system components from freezing. This week, crews will continue to do the dewatering system. But given the fact of the storm that arrived last night into today, and more bad weather towards the weekend, I suspect not much is going to get accomplished at the Exxon Mobil site over the next several days.

At the Chevron site they are having better luck. Today they started to do some additional excavation. They anticipate removing upwards of 15 loads of material tomorrow and into the next day. Following that, they are going to be conducting some extensive topographical work on the site. So they continue to move out truckloads of soil that is ready to go for processing, and bringing in some clean material, as well. They also are continuing with some dewatering processes on the site over the next several days.

Trustee Armacost: Do we have any update on what is happening with the building?

Village Manager Frobel: All I know about the building is that they are preparing an asbestos removal plan, and Deven has been working with the engineers on the site as they go through that process.

Mayor Swiderski: They hired a very respected independent engineering firm to take a look first at the superstructure above ground of the building; a report on that will be in March.

Trustee Armacost: And when you say "they," do you mean BP/ARCO, or do you mean members of the Village?

Mayor Swiderski: The engineer will issue a report.

Trustee Armacost: Who hired him?

Mayor Swiderski: BP/ARCO, and the brief for the engineer was modified by our team, which almost daily works with that engineering firm, by coincidence, in his line of work, and is providing input on what they should be looking at and how they should be looking at it. Regardless of whether the building is saved or not, the asbestos has to come out and that will occur as described. We will have an indication if the above-ground structure is fantastically expensive to save or not in the first quarter. If it looks like it is in worthwhile shape they will then look below ground. There are piles and other structures that support this building, and some of them will be disrupted in the remediation that is going to occur to the direct west. So they are going to be examining the implications, whether that is going to be a problem, and issue the second half of the report. There is no point in proceeding with that study if the top half of the building is a goner.

The engineering work cost, in total, in something in the line of \$35,000, which is coming out of the \$2 million commitment that BP indicated they would make for the building. There is a possibility that the cost of saving the building would be tens of millions of dollars, and the \$2 million that BP has set aside will be trivial at that point. We will all look at each other, and that will be that. If it is substantially less, if mothballing the building can be done for that \$2 million, the engineer will indicate that.

Trustee Walker: This is an engineering firm that specializes in historic preservation, so if anybody could figure out a way to mothball in a cost-effective way they could.

2. 2011 Village Elections

Village Clerk Maggiotto: I want to apprise you of some problems that we may have with the conduct of the upcoming Village elections. We do not yet have access to the new electronic voting machines. The position of the state Board of Elections is that the counties, which have control of the machines, are not allowed under existing contracts to share them with us. The machines cannot be used apart from the direct conduct of the election by the respective counties.

Let me back up a little. Since the electronic machines came into existence for the primaries and the general election the village clerks have been trying to get the Westchester County Board of Elections to focus on our upcoming elections, with no success. They say we know you have issues, we will wait until after the primaries, we will wait until after the general elections; nothing has happened. We had our annual clerks' election meeting with NYCOM last week and invited the assistant commissioners of the county Board of Elections along with the county attorney. That is when we were informed that this is the position of the state. We had not realized what the problem was, why we could not get them to focus on how we are going to get the machines, how they are going to be programmed, what it is going to cost, any number of questions that we had.

Today I followed up with a phone call to Jeannie Palazola, the deputy Democratic commissioner for the county. She told me that by the end of the week they want to have a letter from the state Board of Elections either saying yes, you may share the machines with villages, or no, you may not. They are not willing to act until the state board gives them some indication. If it is yes, fine, or it may be fine, because there are a lot of issues with these new machines in terms of us using them. If not, then we only have the option of using paper ballots, which we might have to do. The law requires, however, if we use paper ballots that they be in the form of the ballots that would have been scanned into the machine.

The way the law was rewritten, we are not allowed to use the lever machines. Twelve villages in Westchester County are affected by this. In the several other villages, the county runs their elections either in November or March. You were talking about the state wanting to push consolidation; you can get quite paranoid about this. The election law was rewritten without regard to needs of the villages in these elections.

If we do get the machines there are issues: programming issues, security issues, issues with how we get the write-in ballots out of the machines if we have write-ins. It would be simpler to use paper ballots, something our election inspectors have not had to do. But I am sure we can come up with some kind of method and make it expeditious to count them. I just wanted this to be out there so it is not going to be a big surprise if we have to change gears.

Trustee Walker: How did the villages who held their elections in November conduct them?

Village Clerk Maggiotto: Those elections are conducted by the county.

Trustee Walker: By the county, and they used the machines then.

Village Clerk Maggiotto: And then the village officials are part of the big ballot. Some villages, for whatever reasons, did go to November elections. One of the reasons many villages did not want to was because they felt their own election would get buried under the bigger election. But we could ask the county to conduct our elections and we could still have them in March. We cannot do it for this election. You need four or six months' lead time. But it may be something to think about because another issue is the cost. We have no idea what they are going to charge us. We have budgeted what we budgeted for our election last year, and we may be hit with a bigger bill. The county is not trying to stonewall us, but they just are not willing to act unless the state is going to give their OK.

Mayor Swiderski: So what is the punch line?

Village Clerk Maggiotto: At the end of this week we will know whether we can get the machines or not. If we do get the machines, I am hopeful that we will be able to use them the way we need to use them. If not, Jeannie Palazola told me either we are going to sue the state or we are going to ask the villages together to sue the state to get use of these machines. It sounds ridiculous, I know.

Mayor Swiderski: I will bet on paper ballots.

Village Clerk Maggiotto: For this election anyway, I think that is what it will be. I am sure we can manage it.

Mayor Swiderski: But there is some irony, in that stepping forward we step back 200 years. We got rid of the clunkers that worked beautifully, and now we go back to technology that preceded the clunkers. There is some irony somewhere there.

Village Clerk Maggiotto: It is interesting that in all the discussions about switching to electronic voting machines no one ever asked the clerks who conduct the elections what they thought. If they had asked, the clerks would have said stay with the lever machines. Part of it was driven by handicapped-accessibility, but a lot of it was simply driven by money. There was enormous lobbying going on by these companies, and it was a tide that we were not going to hold back.

Mayor Swiderski: But New York State was one of the last ones using it, and the rest of the country had a mess of other things.

Village Clerk Maggiotto: Right. And you would think we would have learned from everyone's experiences and had a smooth transition, but it has not been smooth so far.

EXECUTIVE SESSION

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

ADJOURNMENT

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