

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
ORGANIZATIONAL MEETING
APRIL 8, 2014

An Organizational Meeting was held by the Board of Trustees on Tuesday, Apr. 8, 2014 at 7:07 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Peter Swiderski, Trustee Meg Walker, Trustee Nicola Armacost, Trustee Bruce Jennings (7:30 p.m.) Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Deputy Village Clerk Linda Loeb.

ABSENT: Trustee Marjorie Apel

CITIZENS: Sixteen (16).

Mayor Swiderski: As part of our organizational meeting we have an invocation for the organizational year from Rabbi Edward Schechter.

Rabbi Schechter: Our God, creator of Heaven and Earth, we pray for your blessings upon our community, and especially tonight on the leadership of our community and our Mayor and the Board of Trustees, and those who work in our community, with special prayers for those who risk their lives every day, the members of our Fire Department and Police Department.

We come to you tonight with deep gratitude and a deep sense of humility. Deep gratitude for having given us Mayor Julius Chemka as a citizen and a leader of our community for so many years. He was always a gentleman and always brought a positive spirit to our community. His memory will always be a blessing. And deep humility because, during this past year, unfortunately we all witnessed some raw emotion and unseemly behavior throughout our community over the issue of one of our sports fields. May our deep gratitude and deep humility guide us and help us refine our behavior in the year ahead. Amen.

ADMINISTRATION OF OATH OF OFFICE

Mayor Swiderski administered the oath of office to Trustee Nicola Armacost.

Mayor Swiderski: Congratulations.

27:14 MAYORAL AND BOARD OF TRUSTEES APPOINTMENTS

Mayor Swiderski: I would like to introduce the new Village Attorney, who will be sitting with us up here on the podium for the next number of years. Linda Whitehead was born and raised in Hastings and, in many ways, this is a return for her back to home. We went through

a process, interviewing four different firms and one individual, for this position. Linda was unanimously chosen. We felt she would be a great addition on this board as well as the two others, and we look forward to working with her. It is a nice coincidence that many of the hot topics we are dealing with now she is also dealing with in the other villages she serves, so there is a nice transition here. Do you want to say a couple of words?

Attorney Linda Whitehead: Thank you very much, Mr. Mayor and the Board. I am very much looking forward to serving the Village of Hastings. It is my hometown, it will be a pleasure to be working for the Village and I look forward to it.

Mayor Swiderski: Welcome. That is always the easy part, the happy part, greeting somebody. The good-byes are more difficult. Marianne has served three times longer than I have, maybe four times longer, for 30 years, and has seen the mayors and trustees come and go. It is like those old movies with the calendar leaves coming off the wall over this career. One thing was steady, and that was her presence and her guidance and her goodwill for this village. Our village would not be the same were it not for her influence and her guidance. I would like to read a letter from the Board to you, and present a gift, and give a chance to the Board to thank you.

This is a letter the Board has composed:

"Dear Marianne,

For three decades you have served our village faithfully in the truest spirit of public service, starting on the Planning Board and then expanding to the Board of Trustees and Zoning Board. You've assumed more responsibility, and eventually were responsible for all the Village's boards. You have kept us out of legal jeopardy, guiding us through endless applications, proposals, personnel matters and other issues. Through your wise and sensible counsel you have guided us over the years and ensured we represented our village well and within the confines of the law.

"You provided deft legal counsel through endless meetings that, more often than not, ran late. You've apparently memorized the vast tracts of our dense village code. And somehow, we're almost always able to retrieve what we needed to explain a point of law on the spot. You were always available for a phone call, a quick check on issues of counsel, a response to an e-mail or letter. You crafted endless legal documents, changes to our zoning and Village codes, as well as an entire new law from whole cloth, like the Green Building Code completed last year. You always exercised a light and clear touch to your legal drafting.

"It is hard to summarize 30 years of service, 30 years of dedication, 30 years of good and practical counsel. It is even harder to thank you for the time, the effort, the devotion spent on our behalf. You went beyond your charter and showed us passion and pride for your craft on our behalf. You have had a profound influence on our village that will not be forgotten. On behalf of the boards you served and on behalf of the Village, we thank you."

Village Attorney Stecich: Thank you so much for the kind words. It is a beautiful letter. It is hard to follow such silver-tongued speaking. But I want to thank, especially, Peter and Lee Kinnally for giving me the opportunity to serve the Village. These past 30 years have been usually fun, sometimes challenging, always interesting. Being a Village Attorney is a really satisfying job. I read in a recent edition of the New York State Bar Association Municipal Lawyer that, according to their surveys, the lawyers most satisfied with their work are government attorneys, especially municipal attorneys.

I have been lucky, and what has made my service even more satisfying is that Hastings is such a great village. There are three sets of people that have made such a special place for people to live and for me to work. First, the boards, the mayors and boards of trustees. In 30 years, I have only worked for three mayors, which is pretty incredible: Peter, Lee and Fran MacEachron. The ZBAs, chaired over the years by David Harrison, Jerry Quinlan, Arthur Magun, Brian Murphy and, currently, the highly qualified Matt Collins. And the first board I worked for, the Planning Board, which was chaired at the time by Louise Leaf, then Rhoda Barr and then Patty Speranza, and now the very dynamic Jamie Cameron.

That is not much turnover for 30 years. I think it is important to the strength of Hastings and why it is such a professional community, and why people can always feel they got a fair shake here. To a person, the boards have been intelligent, dedicated, thoughtful and respectful to the residents who appear before them. While I was not counsel to the Affordable Housing Committee, I also want to point them out because I did work a lot with them, and especially Sue Smith and Jim Keaney who are models of selflessness and dedication.

The second set of people that make the Village so great are the village management and staff. Thanks to Fran, who has been a pleasure to work and always a gentleman. And to Neil Hess before him, who was also a pleasure to work and always a gentleman. It has always been great working with the rest of the staff, especially the Building Department, whom I worked with the most: Deven Sharma, Buddy Minozzi and Mary Ellen Ballantine, until recently Marie Oelkers. And above all, and I am sorry she is not here tonight, Susan Maggiotto. I have worked with Susan more than anybody else in the Village, and I expect you realize what a treasure she is.

Finally, I have been really impressed by the residents of Hastings. It is a remarkably intelligent, civil even when people are opposing an application or a piece of legislation, and well-spoken population. This last comment might seem odd, but it has always been striking to me, and not only to me but to other attorneys who have come before the Board, how articulate the people in Hastings are. But most importantly what stands out about Hastings is how much the people of Hastings love their village.

I thank you for letting me share in that experience. You have made a good choice in Linda Whitehead. Linda, I wish you the best of luck and hope you enjoy it as much as I have.

Trustee Walker: I wanted to thank Marianne especially because I have not only served with her over the past five years as Trustee, but also when I was the Village Planner for five years I worked very closely with Marianne. So I have spent 10 years working with you in the betterment of this village and I have always found you so responsive and pleasant to work with, and really delightful to have as a colleague and an advisor and counselor. I am really going to miss you. Thank you so much for everything.

Trustee Armacost: I am the newest of the Trustees that you have had to deal with. But I want to say that you have been incredibly helpful in getting me up to speed on what is important to focus on, to clear out what is relevant, what is not relevant. Everyone I speak to who has been on the Zoning Board or on the Planning Board talks about you as if you really are the supreme oracle, the most wise person and most helpful person. I think you have a huge group of fans out there who work with you in ways that we do not even see, on a direct basis, who really, really admire you. So thanks for everything.

Lee Kinnally: I had talked to Marianne today. I am not going to say we said our good-byes, but my observation over the years with Marianne and with the other people at the firm with whom she has worked and with whom we have worked is that the Village certainly was well served over the years. As far as Marianne is concerned, there are few words that encapsulate what she has been and what she has meant to the Village.

First of all, she is a very practical attorney. I approach the practice of law as solving problems. And it is not necessarily going to the highest court in the land, because you do not serve your client very well. But she comes up with practical solutions. And she works well and plays well with everybody. But more importantly, she is just a wonderful person and a consummate professional. I know I was blessed working with her, and I know the Village benefited from her sage advice, her practical advice and her common sense.

Marianne, thank you for everything you have done for us.

Village Attorney Stecich: It has been a pleasure, Lee. Thank you.

Mayor Swiderski: And one final thing. You mentioned Susan Maggiotto. She is down in Belize, but sent a note she wanted read to your on her behalf.

"When I heard that Chief Bloomer was retiring, I said to him first Derek Jeter, and now you. And so to Marianne, I say first the Chief and now you. Both of these people, in their own way, have been linchpins of our organization. Not a day goes by that Marianne isn't doing something for Hastings, whether it's talking and guiding one of us, Fran or the Mayor or a Board Chair or, on one of my luckier days, me, or researching a thorny topic, or writing with perfect clarity an enormously complicated findings statement, or any one of the innumerable things a Village Attorney does, and doing them all superbly.

"It's hard not to use superlatives when you talk about Marianne. Smart as they come, careful and thorough to a fault, always there for us, even willing to get up from a sick bed, as she did a month ago, to resolve some problem. But above all, deeply caring about the well-being of this community.

"To say she will be missed is one of the greater understatements. Thank you for everything, Marianne. I hope this gives you more time to enjoy your wonderful family and your beloved Wellfleet. And I hope that on one of my luckier days I'll pick up the phone and you'll be on the other end."

[presentation of gift]

Village Attorney Stecich: Oh, Hastings art. Oh, is this beautiful. Was this out there?

Mayor Swiderski: It is.

Village Attorney Stecich: I thought I recognized it. It is so lovely. Terrific.

Mayor Swiderski: It is Hastings from Andrus, and that is the Municipal Building there.

Village Attorney Stecich: Oh, that is beautiful. Thank you so much. I still am on a couple of projects, so you will see me around. Thank you, everybody. Thanks, Lee.

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

A. ACTING VILLAGE JUSTICE

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

B. VILLAGE ATTORNEY AND VILLAGE PROSECUTOR

RESOLVED: that the Mayor and Board of Trustees award a contract for services to McCullough, Goldberger & Staudt, LLP as Village Attorney and Village Prosecutor for a term of two years, for an annual fee of \$70,000.

C. HISTORIAN

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

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

28:14 MAYORAL AND BOARD OF TRUSTEES DESIGNATIONS

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

A. OFFICIAL NEWSPAPERS

RESOLVED: that the Mayor and Board of Trustees designate the **Rivertowns Enterprise** and the **Journal News** as

official newspapers for a term of one (1) official year.

B. OFFICIAL DEPOSITORIES

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

C. POLICE AND FIRE SURGEONS

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

D. REGULAR MEETING DAYS

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

E. AUTHORIZATION TO SIGN CHECKS AND INSTRUMENTS

RESOLVED: that the Mayor and Board of Trustees authorize the following to sign checks and instruments of the Village of Hastings-on-Hudson, when countersigned by the Mayor or one (1) Trustee:

Francis A. Frobel, Susan Maggiotto

except individual payroll checks which shall require one (1) of the following signatures:

Francis A. Frobel, Susan Maggiotto

ROLL CALL VOTE

AYE

NAY

Trustee Bruce Jennings		Absent
Trustee Marjorie Apel		Absent
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Mayor Peter Swiderski	X	

29:14 EXECUTIVE SESSION POLICY

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

RESOLVED: that the Mayor and Board of Trustees approve the Executive Session Policy as follows: It is the policy of the Board of Trustees of the Village of Hastings-on-Hudson to conduct Village business in an open fashion and to make available as much information as may legally and practically be disseminated.

The New York Open Meetings Law authorizes the Board to conduct business in executive session in a number of areas. These include:

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

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

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

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

The Village Clerk (or designee) shall take minutes of each executive session, such minutes to consist only of the following:

1. Date of resolution calling for the executive session;
2. Date, place, and time of executive session;
3. Names of persons present;
4. Broad description of subjects discussed (e.g. personnel, pending litigation); and
5. If any action is taken by formal vote, a summary of the final determination of such action and a record of the vote, in accordance with Public Officers Law § 106.

Minutes shall be approved at the next regular meeting of the Board of Trustees.

Adopted by the Board of Trustees on September 28, 1993.

Revised November 20, 2007.

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

30:14 RULES OF PROCEDURE

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

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

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

APPOINTMENTS

Mayor Swiderski: We have two new appointments: Safety Council, Robert Wilt to a three-year term, and to the Tree Board, Tim Downey to fill a term expiring in 2015.

We have reappointments to announce, as well. The Advisory Committee for the Disabled, Danielle Goodman and Joan Walsh. The Architectural Review Board, Bennett Fradkin and Mitch Koch. Conservation Commission, Ron Cascone, Haven Colgate, Jean Hamerman and Andrew Ratzkin. Board of Police Commissioners, George Gevas. Senior Citizen Advisory Committee, Marjorie Hollingsworth Mitchell and Vivian Pronin. Tree Preservation Board, Jennifer Lee and Brett Schneiderman. Youth Council, Karen Sokol and Kimberly Janeway. Zoning Board of Appeals as an alternate, Adam Anuskiewicz.

We thank everybody for the work they have done, and for the new members the work they will be doing. And everybody reappointed, for yet more service to the community.

ADJOURNMENT

Mayor Swiderski: We end in memory of Mayor Chemka with a moment of silence in his memory. We lost a real citizen of Hastings.

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski adjourned the Organizational Meeting at 7:35 p.m.