

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 2, 2001**

A Regular Meeting was held by the Board of Trustees on Tuesday, October 2, 2001 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Michael Holdstein, Trustee David Walrath, Trustee Bruce Jennings, Trustee Marjorie Apel, Village Manager Neil P. Hess, and Village Clerk Susan Maggiotto.

CITIZENS: Eight (8).

APPOINTMENTS

Mayor Kinnally: The first item of business this evening is to announce a number of appointments. Parks and Recreation Commission: Joe Capuano. Safety Council: Claudia Classon, Fred Wertz, and Bob Schnibbe. Youth Council: Pam Barnes.

I thank each of them for agreeing to serve the Village, and look forward to their service.

APPROVAL OF WARRANTS

On MOTION of Trustee Jennings, SECONDED by Trustee Apel with a voice vote of all in favor, the following Warrant was approved:

Multi-Fund No. 34-2001-02 \$205,878.23

69:01 PROPOSAL - LANDSCAPE ARCHITECTURAL SERVICES

Village Manager Hess: Christina Griffin is with us tonight, along with Donna Gutkin, to answer any questions. The proposal was updated with the corrected totals. In addition, they indicate the construction phase amount of \$1,520, increasing the total from our last meeting to \$9,915.

Christina Griffin, Architect: This is Donna Gutkin who has worked with me on several projects throughout Westchester. She has been noted for a garden that she designed for a library in the Bronx, and I think she would be a great benefit to this project.

Trustee Holdstein: I am very much in favor of the project but I have a big concern. Under design phase it reads, "We will prepare conceptual design drawings indicating proposed paved areas, wall, steps, curbs, grating, patterns of drainage, and general landscape development." Under fees, that portion figures at 34 hours of work spread among several

people. Under the development drawing phases, you fine tune what you spent 34 hours developing, with plant protection removal plans, layout and grading plan, and planning soil specifications, suggesting another 43 hours of work. It seems to me that there is redundant work, albeit the second part is more in detail. But you will have spent 34 hours putting a general picture in place, and then 43 hours tweaking it.

Donna Gutkin, Landscape Architect: Typically, in the design phase, what those hours represent are coming up with different ideas. There may be a meeting where we would present more than one idea so you would have the option of going different routes for the design. Those hours are for our looking in detail to come up with options.

Trustee Holdstein: I assume that those two or three options need to be in relative detail so that all of us can have a good understanding. Having spent 34 hours putting together three options in detail, it escapes me that another 43 hours is required to fine tune the option that we select.

Ms. Gutkin: We would present a different type of drawing in the design phase than for the construction phase. The drawings for the design part would be more visually enhanced so that you could understand the differences between any options. The construction phase is for the contractor, and they show specific construction details about pavings, walls, drainage, etc. The latter would not have been developed in the first phase.

Trustee Holdstein: At first blush, it seems like a lot of time.

Ms. Gutkin: That is the part where in most jobs you would want the bulk of time, because you are looking at it as a fresh project, and you want to be open-minded and discover the best options. It takes a lot of time initially to come up with options that are reasonable that you like. You may come up with things and have to discard them at a certain point.

Trustee Holdstein: We were initially shown a rough idea from Lothrop of what it might look like and that was their vision and not yours. Is there some linkage or communication with Lothrop in terms of putting this together, because it seems as though you are doing this separate from their work. Are you working together, and is that obvious, implied, or not necessary?

Ms. Griffin: I made the assumption that we are taking a fresh look at this. I understand that they have put a lot of time into those site drawings you obtained prices for. But we can only assume that we are looking at it again, unless we know that we can work out something.

Trustee Holdstein: But your feeling is there does not need to be any symmetry between you and Lothrop?

Ms. Griffin: No, I think it is important that we understand the building, and work together somehow. But on the landscaping we looked at in a fresh way, and it is a possibility that the terrace design may change. I spent a few weeks talking to various people to try to understand the project, and I believe that that was the only way we could make sense of it. That is what our fee relates to.

Trustee Holdstein: If there is equipment for major soil removal up there, would these things be done in a timely fashion so it could be used to start prepping the work for the ultimate design?

Ms. Griffin: It would be best to have your plan as soon as possible because the way it is excavated, and how much is excavated, is going to relate to your final plan for the landscaping.

Trustee Holdstein: While the two projects may be designed by two different parties, all the structural and removal work ought to be coordinated because it is more efficient.

Village Manager Hess: I can lay that to rest. If the Board authorizes Christina and Donna tonight, we have a tentative meeting set up for Thursday morning with Lothrop and the low general contractor bidder on the contract. As you know, there were a couple of deduct alternates within the bid. It is our hope to start initial discussion so we can determine where we are going to go. It is going to be much easier to negotiate with the contractor prior to contract signing in terms of price.

Trustee Holdstein: Pending tonight's action, Christina and Donna would, or would not, be invited to that meeting?

Village Manager Hess: They definitely would be invited to that meeting.

Trustee Holdstein: Your estimation of your 12 hours and your 4 hours on the construction phase, was that based on a ball park estimate as to how long this project will take? And if so, how long were you thinking it would take?

Ms. Gutkin: We believe it would take at least six weeks for the landscaping, once the building is finished, to put in some kind of terrace. We have a few hours that are set aside for

us to visit with the nursery tech. We wanted to make sure we covered that time to carefully inspect construction on a weekly basis.

Trustee Jennings: What we have here is \$9,915. This is both the maximum and the minimum: if it takes you more hours than you have estimated we are not going to pay you more, and if it takes you fewer hours we are not going to pay you less. Am I right?

Ms. Griffin: We can feel comfortable with that fee; it does relate to a assumption that we may have to do all the plans and take it all the way through construction.

Trustee Jennings: I am concerned about whether we are making an arrangement prematurely that goes too deeply into the project. There is going to be a lot of discussion about how we ought to configure space around the library. I understand the concern about coordinating with the building construction. But I am worried that the conversation might lead you to considerably revise your view of the landscape development and drawing phase. I wonder if it is wise to come to an agreement about price on both those phases right now.

Ms. Griffin: I am not sure if the scope of the work would change that much, because we have the location of the general area. We assumed that the fee would cover the time for a new plan: the design phase, which very clearly shows a design on paper and sketches, and the construction drawing which shows all the details that you need to construct that design.

Trustee Jennings: My concern is both on the side of the Village and your side as well. The conceptual drawings will give us options that are both minimal and extensive in terms of the excavation, the landscaping, and so forth. I do not see how it can all be the same number of hours in terms of the more specified design drawings after that. We could end up paying you for more hours than you need for the minimal version or you may be underestimating your costs. I wonder if a reasonable estimate on that phase of it can be made at this time before we know what design option the Village wants to choose.

Ms. Griffin: I would like to ask Donna how she feels because most of the work is on her end.

Ms. Gutkin: It is a good point, and it comes up on a lot of projects. I do not know what the review process would be after we submit the design phase. Maybe you could tell me more. I think it is a valid point if you wanted to go that way, keeping in mind the time frame. I would be open to that because, you are right, it works in both of our interests. If you do come up with a simpler design it would be less hours. I do not know how substantial, but it might be less. On the other hand, it could be more. So I have no aversion to doing it that way, just knowing that it would be harder to coordinate as part of the building contract.

Mayor Kinnally: It is hard to quantify at this point, the back end of this, because it is dependent on what happens at the front end.

Trustee Walrath: Do you feel comfortable with the front end?

Ms. Gutkin: Yes.

Trustee Walrath: Everyone has seized on the fact that the back end might be different depending on what is decided on the front end. The problem is this should have been done months ago and it did not get done. We got two extremes that were put into the contract drawings, and the bidding was based on those, and we need something in between. The input that you need from the Village was not sought, and now we are under the gun. How long will it take to do the first phase?

Ms. Gutkin: We would get you something in two weeks if we could get topographic survey material. I do not know if that is available now.

Mayor Kinnally: I think it is available.

Ms. Gutkin: Then two weeks after receiving that would be sufficient.

Village Manager Hess: We could get it to you Thursday morning.

Trustee Walrath: I would be glad to say we split this up and approve the first phase, and talk about the other one after we have your recommendation.

Ms. Gutkin: When is construction supposed to begin? Is there a start date?

Village Manager Hess: The contractor has to file his insurances. We need draft contracts, which have to go to the attorney. October 28, the day of the brunch, was the day they were shooting for for the groundbreaking.

Trustee Walrath: The key thing would be to be clear, before they break ground, what the broken ground is supposed to look like when they get through breaking it.

Village Manager Hess: If two weeks is possible and you can get the topos by Thursday, we could have a three-way joint meeting with the Library Board, Parks and Recreation

Commission, and the Board of Trustees, or Conservation also, on October 23 which we had scheduled as a night of a work session anyway, to review the alternatives and select one.

Mayor Kinnally: The Board of Trustees does not take action at a work session. I am not looking to hold it off. But if it takes affirmative action by the Board we may want to deal with it as a special meeting. We can deal with that on the 16th.

Trustee Apel: Is the problem that it is difficult to do this because we do not know what the builder is going to do, and not knowing how much soil will be removed, we are not able to come up with designs?

Village Manager Hess: It is really not a problem. There are deduct alternates within the base bid. It is much easier to negotiate with a contractor prior to signing contracts than it is to negotiate with him after the fact and deal with change orders.

Trustee Apel: So if we have the landscape design then we can negotiate with him based upon whether we want to remove this soil here or take soil there?

Village Manager Hess: What I am saying is we may have two contracts with the general contractor pending discussion with our attorney for Thursday. We may not have enough information to know what to negotiate with him, so we may ask for a separate contract that is negotiable. There is at least one deduct element within the contract. Do you remember the details, Thom?

Thom Forbes: Generally, Lothrop assured me that a certain amount of excavation is specified in the contract. That does not have to be done in October. We are trying to dig the foundation in October before the winter sets in so they can get to work on the building. That excavation can take place in the spring. The amount of soil that is removed is the maximum, and probably more than we are going to remove. We can get credit for what we do not remove, so there will not be any money lost that way.

Trustee Apel: Can you just have the builder go ahead and build, and then have the landscaping? Or must you have both together?

Mayor Kinnally: It is more efficient to do it in coordination.

Trustee Walrath: You do a rough grading and then the landscaping finishes it off, but the rough grading should be compatible with the final landscaping plan. The builder may, for his own purposes, want to move dirt around. The base bid is based on taking everything down

and making a big working area. We need to see what his deduct represents, and feed that into the work that the landscape architect is going to do in the next few weeks.

Trustee Apel: Explain why you feel the design phase can be discussed now, and this would be later. I am trying to understand why we are not approving the whole package at once.

Trustee Walrath: These are reasonable numbers in terms of the drawings produced, and it is normal, but we did not get a real comparison of alternatives that we had any input into. The architect and his landscape architect chose to plow ahead and create one thing. It is to scalp the site down a little bit below the elevation of the floor of the addition and have it slope off to the south, and another one absolute minimum, which brackets the work, but does not give us a finished product. Our problem is to make up for the fact that we did not get started on this dialogue months ago.

Mayor Kinnally: We have identified what the problem is, but the components appear to be reasonable. They are estimates and our experience in any construction project is that you have to make adjustments as you go along. Christina is familiar with the site and the design, and this estimate is closer to the mark than if somebody were coming into it cold and did not have a feel for the scope of the project or what the community wishes to get as a final result.

Trustee Walrath: There is no doubt about what you say, Mayor. I am reacting to Bruce's questions. If we sense that there is a need for flexibility we should approve it; before the second amount is spent we should know where we are with the first. But it is not exactly fair. There may be a difference in scope for the landscape development drawing phase depending on what we decide in the first phase.

Trustee Holdstein: Is it possible to restructure this motion to approve the first portion in dollars and cents, but determine the dollars and cents in Part 2 after we have had a chance to see the options and choose one, with an understanding that we have made a commitment for you to do Part 2 as part of the overall project.

Ms. Griffin: If you are more comfortable with breaking it up, at the end of the design phase we can fine tune our fee because we will have a better idea of what is involved.

Mayor Kinnally: This is an estimate, and depending on what we come up with, there still will be development drawings, meetings, etc. And it is a maximum of. I do not think we are locking ourselves in, or that we will spend more than we have to spend.

Trustee Walrath: I am quite happy with the Mayor's suggestion and I think Christina would work with us. The extreme thing of what you are talking about is if we decided that the deduct alternative, which is really minimalist, is what we wanted, and the drawing already in the bid documents would go a long way, and your work would be very minimal.

Village Manager Hess: The fee of \$9,915 is very reasonable, and it is being funded by the Friends of the Library. It is important that we try to start some continuity now, through the entire project from A to Z. This is their best guesstimate of the hours they are going to expend. The Board should authorize the entire project now so we can get it coordinated with the other architect and the contractor.

Trustee Jennings: I am prepared to vote to approve this, and I do not think the fee is unreasonable. But I would like to know what kind of an agreement I am voting for. Is this an estimate and you are going to bill us on real hours at the end of the project, or is this a flat fee regardless of how much time you put into it? If that could be clarified, I would be prepared to vote.

Ms. Griffin: I need to ask Donna's opinion because of all this time she would be putting into it.

Mayor Kinnally: If you want to take a few minutes to discuss this, please do so.

[Conference between Ms. Griffin and Ms. Gutkin.]

Mayor Kinnally: Welcome back.

Ms. Griffin: We think the scope of the drawing is not going to be a big variable, whatever the design. The biggest variable will be the meetings time to present it. If you pull out the amount just to do the drawings, which happens to be \$6,995, that is a lump sum we could work with. The time spent at meetings is a variable, and we can keep that on an hourly basis.

Mayor Kinnally: Let me suggest a middle ground, that the resolution read that the contract shall be no greater than \$9,915. It is incumbent upon us to take a look at the meetings. If the meetings are less, the meetings are less. If the meetings are more we have to authorize it. But we will know where we are in the process because the Village will be at those meetings.

Ms. Griffin: I think it is a great way to proceed.

Trustee Holdstein: I can live with that.

Trustee Jennings: That is fine with me.

Trustee Walrath: Fine with me.

Trustee Apel: Fine.

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

RESOLVED: that the Mayor and Board of Trustees accept the proposal of Christina Griffin, A.I.A., for landscape architectural services for the Hastings Library addition, as incorporated in her revised October 1 proposal, in an amount not to exceed \$9,915 to be appropriated from the general fund.

ROLL CALL VOTE	AYE	NAY
Trustee Marjorie Apel	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Trustee Bruce Jennings	X	
Mayor Wm. Lee Kinnally, Jr.	X	

VILLAGE MANAGER'S REPORT

Village Manager Hess: With the events of the World Trade Center and concerns expressed, staff is re-looking at our Emergency Preparedness Plan and Response Manual adopted in 1993. If there are any items that the Board thinks should be added, or comments, please let me know. The plan has been very workable for the past eight years, but we are looking at certain modifications, so we will need time to prepare a revised draft for the Board's review and consideration.

Trustee Walrath: There is a fairly elaborate plan in place as far as a nuclear accident, is there not? I do not know if we have any other role in it other than to get away.

Village Manager Hess: Their emergency evacuation plan only covers the 10-mile area from Indian Point. We know a 50-mile radius would be affected if someone decided to drop an airliner on that plant.

Trustee Walrath: I have heard mention that various government bodies, local, county, and so forth, might make recommendations as to whether the plant should continue in operation. Are we going to consider that at any point?

Village Manager Hess: Nothing we could do locally would do anything about Indian Point at this point. What we have to do, at least from the staff level, is develop contingency preparations.

Trustee Walrath: I understand that, but I have heard people suggesting that municipalities in the county should weigh in with the Nuclear Regulatory Commission. Are we going to consider that at some point?

Village Manager Hess: That is a political and a legislative decision. I am talking about taking our current emergency management plan, making modifications where we deem it is necessary, and making recommendations to the Board relative to that plan so everybody is on the same page. We are trying to coordinate with other governmental bodies that we would have to rely on in certain instances, and we want to see what their contingency plans are certain situations. We want to define that section of the emergency plan much better than we have in the past.

The plan for the redesign of the Community Center will be presented to the Board on October 16 by Mr. Koch.

I am meeting with Legislator Abinanti and a gentleman from the Department of Public Works to review the condition of Warburton Avenue from Main Street to Broadway. Public Works' indication is that it does not need resurfacing, so I suggested that we get together and walk the site. It does not need milling; it needs a good 2-inch top surface.

The Downtown Partnership is sponsoring a fund-raising event for the Friends of the Library on October 28 at Harvest on Hudson.

Affordable housing on Warburton: the foundations have been poured. Everything is moving along according to schedule. The Building Department is doing inspections on the site. I am awaiting an updated status on Division and Warburton, and what recommendations they are going to make in terms of that site.

The last thing I will call bad news. Karen Gunther is going to be leaving us as Rec leader. She is going to be going to Briarcliff. It is a good opportunity for her, but we are really sorry to see her leave. She has been a great employee in the last two and a half years.

Mayor Kinnally: I wish her the best of luck. It is too bad because she has been a great asset to the community and contributor to the programs.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: I have reached out to both ARCO and to George Heitzman of the DEC for updates. Sandy Stash has indicated that they were putting together the information and a time line for the demolition of some of the buildings opposite Building 15. I hope to receive the application in time so the work can be done before the end of the year. Although it will not open up the vista in the same fashion as demolition of the buildings last year, it will clear out buildings that are not going to remain on the site and is one more step toward getting a viable and revived site. I hope to have an update on where DEC is on OU-1 and OU-2 on the timetable for the ROD, etc. by the end of the week.

I have had continuing discussions with two of the three owners of Marinello Cove that moved things considerably. I am hoping to have a report by the next meeting on either the acquisition of Marinello Cove or moving forward with condemnation of the site.

2. Ridge Street

Mayor Kinnally: Where are we on a timetable in getting a report?

Trustee Holdstein: I hope to have an answer after another meeting Thursday evening.

Mayor Kinnally: We will have that for the next meeting also.

3. Fenwick Drainage

Mayor Kinnally: Michael and David, are we going to have something for the 16th?

Village Manager Hess: Both those items are on the work session for the 9th.

Mayor Kinnally: Have you reached out to people from the community to be there?

Trustee Walrath: I have not.

Mayor Kinnally: Can you do that?

Trustee Holdstein: David, you last indicated that you needed to frame out the scope of a project. Once you create a scope of what you feel we need an engineer to look at, that is when we can go back to the public and let them weigh in on it before it actually goes to an engineer. That seems to be the logical process.

Trustee Walrath: We should talk about to the scope on the 9th, and the public after.

Trustee Holdstein: For clarification, the next step is for David to prepare, after he and I had a meeting with all the neighbors and he and I spent three hours on a Sunday walking through the site, an initial proposal for an engineer to look at and bid on. Once David has the proposal, which we can discuss at the next work session, then we can go to the public.

Mayor Kinnally: Will we be ready for that on Tuesday?

Trustee Walrath: Yes.

4. Joint Meeting with School Board

We have talked about a joint meeting with the School Board, and Neil is going to be in touch with the superintendent. It is the School Board's turn to host the meeting.

[Discussion: Possible dates Nov. 13 or 14]

5. Andrus

Mayor Kinnally: Marge and I are meeting Thursday with the attorney for Andrus, Henny Cole from Beth Abraham, and a member of the Andrus board. They are coming to us with a revised proposal. There is a possibility that we might have either a work session or a special meeting to consider it next week. My suggestion is that we have a special meeting dealing with Andrus on Tuesday and the work session on Thursday.

WORK SESSION

On MOTION of Trustee Walrath, SECONDED by Trustee Apel with a voice vote of all in favor, the Board scheduled a Work Session for Thursday, October 11, 2001 at 8:00 p.m..

SPECIAL MEETING

On MOTION of Trustee Apel, SECONDED by Trustee Holdstein with a voice vote of all in favor, the Board scheduled a Special Meeting for Tuesday, October 9, 2001 at 8 p.m. to discuss the Andrus application.

Trustee Apel: Could we discuss the findings at this special meeting?

Mayor Kinnally: The discussion of the findings could come under the umbrella of the Andrus application, but I do not know if they will be ready.

6. Trailways

Trustee Walrath: I have mentioned several times wanting to get a permanent volunteer organization for the trailways modeled after the Friends of the Library. There will be a meeting at the Community Center on October 17 to try to kick off such a volunteer organization. We will continue working with the Parks and Recreation Commission once all the trails are built.

Village Manager Hess: Is the Friends a not-for-profit corporation?

Trustee Walrath: I believe they are, and I hope this would become a not-for-profit.

Village Manager Hess: We could sponsor them, so they could make their applications.

7. Other

Trustee Holdstein: A question for Neil with regard to the train station, and my ongoing dialogue about the final cleanup.

Village Manager Hess: We have the final inspection next Wednesday.

Trustee Jennings: There is going to be a community forum on October 4 sponsored by the Hastings Democratic Party, the purpose of which is to share thoughts and reactions to the events of September 11 and the aftermath, with particular emphasis on the way in which terrorism, and our response to it as a nation, affects our lives here in Hastings.

PUBLIC COMMENTS

David Shapiro, 6 Amherst Drive: Thursday's meeting is not being sponsored by the Democratic Party but we have organized it.

With reference to the Andrus proposal, in July I asked what the purpose of the submissions to Mark Chertok were with reference to his drafting the findings. Neil said there was a legal obligation to respond in 60 days, and that has not happened. Why has there not been a vote?

Mayor Kinnally: It is not ripe for a vote at this point. We do not have the findings. We closed off the public comment period right before the Jewish holiday, Rosh Hashanah. Counsel is now pulling it together; he was stuck in Europe as a result of the terrorist attack.

Mr. Shapiro: If a modified application is proposed, what steps would have to occur for their proposal to be presented to the Board in light of the fact that there already is a pending proposal?

Mayor Kinnally: That depends on what the proposal is. It could be that they would withdraw the current proposal and submit this one in lieu of it. I do not know. The answer to that question will have to await the event and our discussion with counsel.

Mr. Shapiro: Theoretically, if that is what happened, what would be the first step in considering the new proposal?

Mayor Kinnally: We will talk to counsel. I do not know if it would have to go back to the Planning Board or would require additional public hearings. It is premature at this point because we do not know what form that proposal will take.

Barbara Merling, 9 Hudson Street: It troubles me that we do not have an established procedure, and it seems that it is being made up as we go along depending on the advice of counsel. The public wants clarification. If they submit another proposal and it does have to go back to the Planning Board or back here, what happened to the vote on the other proposal?

Mayor Kinnally: If the proposal is withdrawn, then there is no vote.

Ms. Merling: It seems to me that this is dragging on a very long time. Last meeting we were very close to an end in sight, and I would like a time frame of how long this process will go. Does this open it up for another month, two months, another year? The public deserves to have (maybe you do not know right now) some clarification on the process.

Mayor Kinnally: I do not disagree with you, and the Board would like clarification, but it is the nature of the process and it is not unusual. This happens all the time in front of the Planning Board, the Zoning Board, where things get modified and people go back to the drawing board.

Ms. Merling: Will you have an answer by next Tuesday's special meeting as to what the process is from Mark Chertok?

Mayor Kinnally: I do not know. It depends upon what happens at the meeting Thursday.

Ms. Merling: If the findings are available for next Tuesday's meeting, will that be available for us to look at?

Mayor Kinnally: Once it is available, it will be available.

Trustee Holdstein: When Mark finishes the findings, is it still a document for us till we dissect it, or does it become a public document whenever we get it?

Mayor Kinnally: . It depends upon whether it is still a draft for the Board. I do not know where Mark stands on it. He is as anxious as we are to move it along, but it is a big document. I am interested in what is going to happen at the meeting. What we are looking for at the meeting is to address the items that were most prevalent in the discussions: height, density, affordable housing, and the PILOT.

Ms. Merling: If they do not withdraw the CCRC application, then it is not a moot point whether it should be voted upon, because the sense of the Board at the last meeting was that two Board members felt that a CCRC was not an appropriate use of this land. So it is a very critical point that should be clearly understood before even going into this that the CCRC is the first question.

Mr. Shapiro: In regard to Mr. Chertok, my request is that we ask him to give a greater priority to this. I do not mean to make light of what his personal situation was, but we have all been affected.

Mayor Kinnally: I will pass that along to him. I do not mean to use the World Trade Center as an excuse. Everybody has other pressures.

EXECUTIVE SESSION

On MOTION of Trustee Holdstein, SECONDED by Trustee Apel with a voice vote of all in favor, the Board scheduled an Executive Session immediately following the Regular Meeting to discuss litigation, land acquisition, and personnel items.

Mayor Kinnally: If there is no further business coming before the Board, I would like to stand in adjournment with a moment of silence in memory of Terry Ryan, who passed away this past Saturday.

ADJOURNMENT

On MOTION of Trustee Walrath, SECONDED by Trustee Apel with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting in memory of Terry Ryan at 9:35 p.m.