

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**JUNE 18, 2002**

A Regular Meeting was held by the Board of Trustees on Tuesday, June 18, 2002 at 8:05 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, Deputy Village Attorney Edward Lammers, and Village Clerk Susan Maggiotto.

**CITIZENS:** Two (2)

**Mayor Kinnally:** A presentation involving the proposed sales tax increase was on the agenda, but that is being withdrawn. Instead, we have a presentation by Fred Hubbard, our Village naturalist, on the trailway.

**Fred Hubbard, Village Naturalist:** Two years ago the Board of Trustees established the Rowley's Bridge trail as the seventh in the Hastings trailway system. Much has been accomplished in two years. A report summarizing the work of many volunteers, supported by Village departments and private firms and institutions, has been prepared for the Board's review and possible approval of the report for distribution to cooperating agencies, institutions, and the public. Special credit goes to the Department of Parks and Recreation and the Department of Public Works. Without the support and assistance of these departments there would be no trail.

The Village has much to be proud of, not only with the results, but with organizations and individuals for their contributions of advice, time, labor, equipment, trees, shrubs, and plants, from that day in November, 2000 when 80 volunteers picked up trash in the former Village dump, to that day in April, 2002 when Brownies of a local Scout troop planted a symbolic sycamore and white pines on Arbor Day. Recognition should be given to the many volunteers and contributors who helped make the trail what it is today.

Some contributors to trail development improvement are as follows: New York State Department of Environmental Conservation for trees and shrubs; Westchester County Department of Planning for an interpretive plaque and advice on trail design; Old Croton Aqueduct State Historic Park for three entrance posts; Metropolitan Transportation Authority for railroad ties and two shovels; Hastings Beautification Committee for trees and shrubs and aid in planting them; Dobbs Ferry Garden Club for trees, shrubs, herbaceous plants, ferns, and hedges; the Hastings High School Environment Club for planting trees and picking up trash; Scout Troop 2 for planting trees and work on the reflecting pool; Graham-Windham Bengals for placing railroad ties, picking up trash, laying gravel, and clearing up the Graham-Windham connecting stairs to the Croton Aqueduct; Community Tree Service for wood chips; Condon Tree Service for wood chips; Ron Paquette & Sons for a wood footbridge and stone steps; Pico & Sons, Contractors for donating gravel, planting a pine plantation, and cutting overhanging limbs;

Morgan Printing & Graphics for bluestone steps; William Lee Kinnally for an andromeda, rhododendron, and rudbeckia; David Walrath for weeding, laying wood chips, and work on the reflecting pool; Bert and Beth Flans for plants and construction of a reflecting pool and protective works; Joanne Trautman for a rose of sharon and three rhododendrons; Serita Eisenstark for donations of shrubs, picking up trash, and laying wood chips; Tom Dunhill for donating and planting flowers and plants; Tom Forbes for planting and steadfast maintenance; Adam Hart, cartographer, for the trailway map; Christina Griffin, architect, for designing the bridge logo; and the many viewers whose expression of appreciation encourages trail workers.

Success in establishment of the trail is clearly evident to even the most casual observer and first-time visitor. What is equally significant is the realization of community services and cooperation to create the trail. To the many who participated in making the trail a reality, the Board may wish to pass a resolution dedicating the trail to those who made it possible and who continue to improve and maintain it, now and in the future. The Board may also wish to declare a trail open house day.

**Mayor Kinnally:** And to that may I add, as far as contributions, Fred Hubbard for your vision, steadfastness, industry, and leadership in having it become a reality. Thank you.

**Trustee Jennings:** I will add my gratitude to Dr. Hubbard and the others who were active in this project and gave a great gift to our community.

**Trustee Holdstein:** I second Bruce's comments.

**Trustee Walrath:** The volunteers and I want to credit Fred because he is the inspiration for all the volunteer work that was done, and is still going on. He has extended the trail to the south into the Graham property, and it will link up across the street from the foot of the Graham steps to provide a very nice connection to the Aqueduct; there are several other possible connections. It needs a little perfection on the uphill end. Extending south he has found a wonderful spot. You can see the Palisades from a knoll on the south side of the street. It is going to keep getting better and better there. Thanks, Fred.

**Trustee Apel:** I want to thank Fred for his energy and leadership. It is inspiring, and everybody cannot thank you enough for all you have done and, I am sure, will continue to do.

**Mayor Kinnally:** Fred, we will take you up on your suggestions at a later time.

### **APPROVAL OF WARRANTS**

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

Multi-Fund No. 1-2002-03	\$ 35,313.76
Multi-Fund No. 2-2002-03	\$253,659.21
Multi-Fund No. 3-2002-03	\$240,590.00
Multi-Fund No. 6-2002-03	\$ 13,082.82
Multi-Fund No. 7-2002-03	\$ 78,123.00

### **44:02 BUDGET TRANSFERS FY 2001-02**

**Village Manager Hess:** It is necessary at the end of the fiscal year to transfer between accounts to balance the accounts prior to audit. The Deputy Village Treasurer developed these transfers. If you have any questions, he is here to answer those. In general, it is done to balance the books for the year. The Mayor asked a question about Mayor's Travel when he did not travel. That was a charge for a gift from the Board of Trustees to the retiring fire chief, Bob Schnibbe, last year.

**Village Manager's Books:** we do not have books per se anymore. It is all computerized, and we get our disk. But the books to the court were charged into this account.

**Legal special counsel:** those are for items that the Board authorizes during the year for special counsel fees for *certioraries*, environmental special counsel, and bond counsel.

**Trustee Jennings:** The largest transfer was into health insurance. Was that mostly coming from the contingency?

**Village Manager Hess:** Yes, or a combination of accounts. It is one side balancing the other. We were tagged with about a 14% increase in January on health insurance, which was larger than expected.

**Trustee Walrath:** Two other large items: police longevity and holidays. Did that change in some way that it needed additional funds?

**Deputy Village Treasurer Zaratzian:** I would say that it had to do with the fact that we have become full-staff now, and we just settled our agreement with the police department.

**Trustee Walrath:** Snow Removal -- Main Out Equipment: it was not a bad year for snow. What does Main Out Equipment mean?

**Deputy Village Treasurer Zaratian:** Maintenance of equipment. I believe that was something to do with the new plows, welding to the frame.

**Trustee Walrath:** The contingency fund, at this point, will be empty. Is that right?

**Village Manager Hess:** Yes. The longevity and the maintenance of equipment, I am not sure that was just for welding. We had budgeted for at least one angle plow, maybe two. The angle plows are about \$8,000. I do not believe the welding would have cost us \$10,000. We will check on it and get back to you.

**Trustee Walrath:** Shade trees: maybe you can tell us if we had an unusually bad year and they needed more.

**Village Manager Hess:** Actually, that is not too bad compared to the size of that budget. We have been doing a lot of tree trimming around the Village, necessarily, because we have a very mature forest in Hastings. As opposed to cutting down trees, we try to thin them out appropriately. We get requests almost every day from residents about trees to check. We can get you more detail on that.

**Trustee Holdstein:** Is it Village policy to leave fallen trees and stumps, as in Dan Rile Park?

**Village Manager Hess:** To leave trees where they fall has been a policy for at least the last 30 years. If they are blocking a trail that is one thing, but when trees fall in the woods it becomes habitat for certain types of animals.

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

**RESOLVED:** that the Mayor and Board of Trustees authorize the Village Treasurer to make the budget transfers for FY 2001-02 as follows:

Code	Account	To	From
Board of Trustees Other Services	A1010464	\$ 900.00	
Mayor Travel	A1020472	\$ 271.00	
Village Manager -Books	A1230475	\$ 2,165.00	

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Treasurer- Bookkeeper Pt	A1325102	\$	13,600.00	
Legal -Special Counsel	A1420464	\$	28,312.00	
Central Communications- Software Upgrade	A1650210	\$	5,000.00	
Unallocated Insurance	A19104	\$	12,861.00	
Judgment & Claims	A19300	\$	17,450.00	
Taxes Village Owned Property	A19504	\$	5,340.00	
Police -Long Overtime & Holidays	A3120105	\$	61,000.00	
Traffic Control - Street Signs	A3310416	\$	35.00	
Street Maintenance- Main of Streets	A5110411	\$	10,400.00	
Central Garage- Fuel for Heat	A5132413	\$	6,260.00	
Snow Removal - Main out Equipment	A5142453	\$	10,080.00	
Sanitary Sewers - Personal Services	A8120100	\$	130.00	
Storm Sewers- Main of Sewers	A8140458	\$	2,450.00	
Refuse and Garbage- Refuse Removal	A8160454	\$	9,700.00	
Shade Trees - Other Services	A8560458	\$	14,920.00	
Senior Outreach - Personal Services	A6610100	\$	1,585.00	
Youth Advocate - Equipment - Van	A4210200	\$	800.00	
Recreation Administration - Park Laborers	A7020104	\$	9,650.00	
Parks - Other Services	A7110464	\$	1,130.00	
Workers Comp	A90408	\$	22,528.00	
Health Insurance	A90608	\$	80,553.00	
Contingency	A19904	\$		117,525.00
Prov Allow for Uncollected Taxes	A19804	\$		25,000.00
Engineer - Other Services	A1440464	\$		17,750.00
Transfer to Capital	A95509	\$		12,081.00
Court - Complus	A1110500	\$		5,000.00
Hook & Ladder - Capital Outlay	A3411300	\$		6,970.00
Hook & Ladder - Fuel for Heat	A3411413	\$		5,000.00
Fire Department - Equipment	A3412200	\$		5,000.00
Fire Department - Main Auto Equipment	A3412453	\$		5,000.00
Fire Department - Special Events	A3412476	\$		4,000.00
Hydrant Rental	A3413457	\$		4,994.00
Highway Administration - Superintendent	A5010100	\$		4,000.00
DPW				
Street Lighting - Light & Power	A5182432	\$		16,500.00
Planning -LWRP	A8020465	\$		8,200.00
Planning - Other Services	A8020464	\$		900.00
Community Recreation - Seasonal Employee	A7140102	\$		12,000.00
NYS Police Retirement	A90108	\$		44,000.00
Social Security	A90308	\$		23,200.00



from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or Title 3 of the Clean Water/Clean Air Bond Act, in an amount not to exceed \$100,000.00, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Hastings-on-Hudson for the acquisition and development of Marinello Cove as a Village park.

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

**46:02 GRANT REQUEST AUTHORIZATION- COMMUNITY CONSERVATION PROGRAM FOR SUGAR POND**

**Village Manager Hess:** The pond is in need of dredging and restoration estimated to be in the neighborhood of \$150,000. The Board appropriated \$5,000 in last year's budget which was encumbered over to this year's budget for preliminary studies. This would help pay for a consulting engineer, laboratory tests, publicity costs, and erosion control materials at the site. The Village's share of \$6,000 of the project will consist of volunteer and professional volunteer labor as well as the \$5,000 the Board already allocated to the project. We are looking for an additional \$18,000 from the state.

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

**RESOLVED:** that Neil P. Hess, as Village Manager of the Village of Hastings-on-Hudson, is hereby authorized and directed to file an application for funds from Hudson River Estuary Program in accordance with the provisions of the Hudson River Estuary Management Act (11-0306 Environmental Conservation Law) in an amount not to exceed \$18,000.00, and upon approval of said request to enter into and execute a project agreement with the Hudson River Estuary Program for such financial assistance to the Village of Hastings-on-Hudson for a Community Conservation Program for Sugar Pond in Hillside Park.

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

**47:02 GRANT REQUEST AUTHORIZATION - RIVER ACCESS AT MARINELLO COVE**

**Village Planner Walker:** In their Hudson River Estuary Grants Program, the New York State DEC has a special category for river access and we fit very neatly into it. The guidelines include on the Hudson River, on the west side of the railroad tracks, access for boating and recreational purposes, and in an area that has been neglected and underutilized. The floating dock boardwalk fits very well, with handicapped access.

**Trustee Apel:** Your memo mentioned that the match will be met by the acquisition cost. Must we have a match in order to get the grant, and what happens if we do not get the other grant and we get this one?

**Village Planner Walker:** We have already acquired it, so we can use the appraised value. Until we use it all up, we can keep using it against grants. So we have \$150,000 of match to spend. If we use some of it in the first grant, we are still not going to use all of it. Let us say we are reimbursed for part of it from OPRHP, but I did not ask for complete reimbursement because we want to continue to use some of it as match. So we have to watch that. We are going to be drawing it down over time until it is all gone. But as long as we have it, we can use it as a match.

**Trustee Apel:** So that was the original acquisition we are talking about, not the one that we are asking for.

**Village Planner Walker:** That is right. We would be asking for partial reimbursement in the OPRHP grant. It is very confusing. It took me a long time to sort this out.

**Mayor Kinnally:** Since 1998 we have received \$892,700; in this year alone, we have gotten about \$140,000. It really is remarkable. A lot of credit goes to the LWRP, the volunteers in the committee, the commitment the community has to our waterfront, the strength we have in grant



writing—Mr. Hess, Meg—and the track record of credibility that we have established with Albany; it all plays in our favor.

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

**RESOLVED:** that Neil P. Hess, as Village Manager of the Village of Hastings-on-Hudson, is hereby authorized and directed to file an application for funds from Hudson River Estuary Program in accordance with the provisions of the Hudson River Estuary Management Act (11-0306 Environmental Conservation Law) in an amount not to exceed \$40,000.00, and upon approval of said request to enter into and execute a project agreement with the Hudson River Estuary Program for such financial assistance to the Village of Hastings-on-Hudson for a River Access Project in Marinello Cove.

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

#### **48:02 GRANT REQUEST AUTHORIZATION - IMPLEMENTATION OF LWRP**

**Village Planner Walker:** We just learned that we received a grant from the Department of State for \$60,000 for LWRP implementation to go toward writing zoning text for the waterfront and working on setting up a development entity that would be managed by the Village. I was ready to resubmit that grant application for this next round, so we had to rethink what to submit in a very short period of time.

Paula Marshman, our liaison at the Department of State, suggested that the next logical thing is to look at design of infrastructure on the waterfront. After the zoning is in place, and a development mechanism is set up, and design guidelines have been done, and you are looking at how the Village can acquire certain pieces of waterfront property, and the cleanup is resolved, then the next step is to look at how you will implement the public components of the waterfront plan: the open space around parks, the esplanade, access roads to the parks, and anything that would, or could, be built by the Village or other entities.

At the LWRP presentation Phil Karmel talked about how, when you are in the process of remediating a property, it is very cost effective to install a lot of your infrastructure and landscaping at that point, especially if you are putting an impermeable cap over and then fill on top of that. To come back and excavate for trees, to put roadways and utility lines in is very expensive because you have to puncture the cap and replace it. If you can do some of that while you are in the remediation process, it is a lot cheaper. And you could pay for a lot of it with the remediation. This is what Irvington did when they put their park in.

I am asking you to think way ahead, beyond resolution of the cleanup, to the point where you are remediating: could the Village at the same time look at a design for parks and open space and landscaping that could go in at the same time as the remediation. I used an estimate that RPA did of the cost of the open space and the public amenities to come up with an estimate of the design and engineering cost. The estimate was about \$600,000, and I am asking for half of it.

We may find other sources of funding to match this, so I am not saying that the Village is going to have to come up with this full match. But we have to think creatively here.

**Village Manager Hess:** It depends on the future mechanism for the development of the waterfront. If there is separate authority, then maybe we will turn the grant over to the authority. We do not know at this point. The time line provided in the grant gives you an idea that it is going to take several years.

**Mayor Kinnally:** A dollar spent while remediation is ongoing is cheaper today for inflation purposes than it would be 10 years from now. From an efficiency standpoint, we are way ahead of the game. This is timely and right on the mark, and fits in with our comprehensive approach to remediate that site, and develop it, without segmenting it up.

**Trustee Holdstein:** I am concerned that some of these infrastructure things are stuff that would come out of the developer's pockets on portions of that site that are community, and not developed spaces. So we are potentially spending money on something that I thought we were going to use as a bargaining chip with a future developer.

**Village Manager Hess:** We will get it back eventually, and it is a bargaining chip. Whatever we put into the site, whether through grants or through some future development authority, will all be taken into the mix. If every cost becomes a developer's cost, then you talk about more units instead of less units, higher buildings instead of lower buildings. If the Department of State is suggesting that the money is available for this implementation, we ought to go ahead and do it now. It is looking two, three, four years down the road. The more outside funds we can bring into this site, the better for the site, the better for the community.

**Trustee Walrath:** We hope ARCO has already recognized the problems of tailoring their work on sealing the site up with the utilities. This grant is limited to the part that we designate as park. If we get a grant that would cover that, I think we have a better chance in negotiating with ARCO about the development utilities, the main trunk, water line and sewer lines, and so forth. We may want to barter with ARCO to depress their cover at that point so we avoid just the problem you pointed out: digging it up in the future. It is great to have this as an additional bargaining chip.

**Trustee Apel:** Is there any reason we only asked for \$300,000?

**Village Planner Walker:** Department of State said that was the maximum we could expect. Haverstraw was awarded \$300,000 for just this sort of thing, for design and engineering of infrastructure. They have a developer that they are working with and this is to supplement what the developer is putting in.

**Trustee Walrath:** Meg is to be complimented on sensing what is going to fly and what will not.

**Trustee Jennings:** The fact that we are looking ahead toward taking advantage of economies of scale with the infrastructure does not foreshorten, or preclude, our community planning process and what kinds of developments we want to see where. I did not want anyone to get the impression that is going to truncate our involvement, or our planning process. Quite the contrary. This is an example of the fact that, at long last, instead of waiting and being reactive, the Village is being proactive and getting engaged in an ongoing process that is like a game of chess: you have to think several moves in advance, and a lot of things are happening simultaneously to come together. I commend you for the involvement in that spirit with this. I think it bodes well. I hope we get this money, but even if we do not we are setting a pattern of our own community planning here that is very beneficial.

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

**RESOLVED:** that Neil P. Hess, as Village Manager of the Village of Hastings-on-Hudson, is hereby authorized and directed to file an application for funds from New York State Department of State in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or Title 3 of the Clean Water/Clean Air Bond Act, in an amount not to exceed \$300,000.00, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Hastings-on-Hudson for implementation of the Village's Local Waterfront Revitalization Program.

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

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

**Village Manager Hess:** The large land tracts the Board has asked the Planning Board to review have been referred to a subcommittee of the Planning Board; they will have recommendations to the Planning Board and Board of Trustees by early fall.

Regarding emergency management, we had two siren tests during the winter; one in January was approximately 60% effective, and one in late February was about 90% effective. We are awaiting finalization of WHoH Radio at the water tower. Raf is working with United Water to finalize the agreement and get the installation approval. We hope to have our siren and radio running this summer. We will have a third test when the radio is ready to go. We will have a full emergency management drill on Thursday, June 27 at 7 o'clock at the Chemka Pool. We will notify the neighborhood, but it will be a full emergency drill with all first responders.

### **BOARD DISCUSSION AND COMMENTS**

#### **1. Update on the Waterfront**

**Mayor Kinnally:** We are still trying to press the DEC to give us a realistic timetable for the FS, the PRAP, and the ROD.

#### **2. Other**

**Trustee Walrath:** The group of citizens that is concerned about the quarry is having a meeting tonight, which I attended a portion of, and Marge also. They had knowledge that a DEC representative was going to visit us. Have we any official notice of their coming here?

**Village Manager Hess:** I mentioned at the June 4 meeting or in my memo that I had been in contact with the DEC, and their solid waste person is going to come down. I am not sure I

understand Chris' concern. On one hand she is congratulating us for getting it cleaned up, and on the other hand she is calling me and saying we should not touch the landfill until the DEC comes in. We have gotten our organic transfer agreement with Yonkers for moving all the logs and tree stumps we have taken out of that landfill, approximately 160 truckloads of material.

**Mayor Kinnally:** And that removal is at their behest.

**Trustee Walrath:** They seem to be shocked at how many truckloads it made. I told them this started slowly and it has accelerated more recently.

**Village Manager Hess:** They raised the issue last October or September. We took out over 60 truckloads last fall. We have taken out another 100 truckloads this spring and this past week.

**Trustee Walrath:** The number of truckloads overwhelmed them. Maybe they need warning the next time we are going to have a large onslaught.

**Village Manager Hess:** Last week was the major cleanup. I had talked to Chris the week before and told her we were starting. That is when she indicated that perhaps we ought to wait. I told her we had already geared up to get the stuff out and down to Yonkers, so I would just as soon get it done.

**Trustee Apel:** Their concern was what was in the stuff that was going out; they wanted to determine if it needed testing before it went out.

**Village Manager Hess:** The waste that comes from your neighbors and us does not need testing.

**Mayor Kinnally:** They were here when we authorized the agreements. We identified the type of material. We are not hiding anything. If it were dangerous, the transfer station would not take it.

**Trustee Walrath:** Do the tree trunks go to the transfer station?

**Village Manager Hess:** Rogan Brothers in Yonkers does the large log grinding and recycling.

**Trustee Holdstein:** David, the comment that we started slow: was that your words or their words?

**Trustee Walrath:** It was my words because they were saying that so much happened. I said this has been going on since last fall. Yes, we are moving faster, and some people saw something sinister in that. I was trying to deal as best I could with the idea that we are hiding something up there. We cannot guarantee the gate has always been closed and somebody could not have come in. But we know very well the materials the Village has put in there.

**Trustee Holdstein:** Slow or fast, you and I are both involved with a site where there is a letter from 1965 about a drainage problem. Meg and I have been involved in a site called Ridge Street that has been a problem for many years. We have an obligation as a Board to point out to these people, first, they are coming here with a problem. This Board has done a fabulous job, and Neil has done a great job, in figuring out where we can find alternatives. We are moving very quickly on this quarry. Now we hear that they are concerned that we are moving too quickly. At a certain point, we have to assert our leadership as a Board that a) we are not doing anything behind anybody's back, b) there is nothing wrong with the stuff we are hauling. As the Mayor pointed out, several people in the community came to thank us two or three weeks ago for moving the process along so quickly. To hear that there are further meetings with individuals of the Board, and conversations back and forth, it muddies the water. This Board is doing a great job as it relates to the quarry and I think we are on a full steam ahead. Far better than a lot of other projects that have been sitting around, not addressed for 20 or 30 years.

**Mayor Kinnally:** If people in the community want to meet with us, they can meet with us.

**Trustee Holdstein:** Of course they can.

**Mayor Kinnally:** But the frustration here is that they come with a request, we respond rather quickly, and they think we are trying to secret this stuff out of there so the DEC will not find out what is in there. We have to try to dispel some of this, but the Board is committed to doing something, we are doing it, and it may be just another example of you cannot please everybody. We are responding as best we can to a situation that has been brought to our attention.

**Trustee Jennings:** Mr. Hess, what do you expect the DEC representative to do?

**Village Manager Hess:** He will tell us what are the requirements for closure, which is what I have provided the Board previously. I have already talked to him about it. I have told him who our environmental counsel is. They will want to do some test pits. He will make a determination from there whether we have to do anything else beyond the test beds. I did talk to him about what we were going to be doing, about removing the logs, etc. I told him that we were working on an agreement with the City of Yonkers on their transfer station on all the organic waste. He is aware of what has been stored up there. He has been in Village before and, in fact, had worked relative to Building 15 on the solid waste there. So he is very familiar with the Village.

What is going out of there is organic only. The only thing that has ever been going in there is organic only, since I have been here. But they will do their due diligence and we will do ours.

**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 personnel items.

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 upcoming work session to discuss personnel items.

**ADJOURNMENT**

On MOTION of Trustee Jennings SECONDED by Trustee Holdstein with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:20 p.m.