

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
REGULAR MEETING
MARCH 4, 2003

A Regular Meeting and was held by the Board of Trustees on Tuesday, March 4, 2003 at 8:07 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).

PRESENTATION - 2003 - 2004 Village Budget

Village Manager Hess: The budget I present tonight is very disappointing, because I have had to recommend a proposed property tax rate of \$155.82 per thousand. That is an increase of \$25.66 per thousand, or 19.71%. I have never, in the 21 budgets that I presented to the Village, had to request such an increase. For the average property taxpayer that would mean an increase of \$433.65 per year, or approximately \$8.33 per week. The all-fund budget is \$10,801,649, made up of general fund, \$9,863,399; pool fund, \$275,100; library fund, \$637,150; and Draper Park fund, \$26,000. With a proposed tax increase of this magnitude, alternatives must be considered very carefully by the Board. I indicated in the budget message several areas that the Board and the community could discuss in the budget review process. I rejected those items because of the magnitude of the problems it would create with services. To eliminate the increase would require over one million dollars in budget cuts. Each percentage point reduction from the 19.7% would require a reduction of \$56,352.

Why such a large increase? The first factor is reduced revenues. Our sales tax receipts in 2000-2001 were \$790,900. Based on previous years' increases, we should be in the neighborhood of \$872,000 for the coming year. We budgeted \$760,000, a \$112,000 loss from where we should be. Our interest income, \$80,000 in receipts two years ago, we are projecting at \$10,000. The rates in 2000-2001 were over 5%. The rates are currently at 1% or less. We should be in the neighborhood of \$85,000. That is \$75,000 I consider a loss, a total of \$187,000 less in revenue for the coming year. But probably the biggest factor is the available surplus. In 2000-2001 we had available surplus of \$962,800, which amounted to 11% of the general fund. At the end of 2002, we only had \$308,000 of undesignated surplus; that is only 3%. The Board's financial policies call for us to maintain a surplus in the neighborhood of 7% to 10%. So it should be \$690,000. We basically have zero to appropriate for next year's budget, with \$300,000 left in that account. It does not look at this point that we are going to produce any surplus in the current year's budget. In November we did about \$180,000 of cuts in transfers. We put that in contingency. Every department cut

their budget at least 5%. So this is a very large question mark at this point in terms of what that surplus is going to be.

Expenses: In 2000-2001 our cost to the state for police retirement was \$564. The reason the budget is a week late to you is that I got a letter three weeks ago from the state comptroller saying that our pension cost for police retirement is going to be 15% of payroll. It should be in the neighborhood of \$50,000, or about 4%. That was an additional expense of \$135,000 in the budget. In 2000-2001, \$1,114 was the cost for employees retirement. They are telling us \$210,000 for the coming year. This should be in the neighborhood of \$76,500; I had to add another \$133,500 into the budget. Workers' Compensation: \$99,248 two years ago, \$200,000 in the coming year, a 13% increase.

What does this all relate back to? Sales tax, interest income, police retirement, employees retirement, Workers' Compensation? It all relates back to 9-11. It has been a two-year hit for us and for most of the municipalities in the county. The City of Rye had a 25% tax increase. The County of Westchester had almost a 15% increase, and has had severe cuts in their budget in terms of services.

Trustee Walrath: Workers Compensation, particularly, relates to financial markets?

Village Manager Hess: Financial markets and what they had to pay out in terms of Workers' Compensation in New York, the experience rating. Our experience has been very good. Our charged losses last year were only \$20,000.

Trustee Jennings: The logic of your "should be" column makes sense to me in all but two categories. Why should it have gone from \$500 to \$50,000?

Village Manager Hess: Because actuarially they lost over \$30 billion in the state retirement fund in the stock market. He is trying to recoup it in one year. The governor has come through with a proposal to have it 4% for this upcoming year, and then spread the balance, either 7% or 11%, over a five-year period. The school districts, under the state teachers' retirement fund, are not having that same problem. I do not know what the situation is there because that is not administered by the comptroller; they are looking at only 2% of payroll.

Over the last several years the state legislature has adopted changes to the retirement where they no longer require 3% contributions. They changed from a 10-year vesting system to a five-year vesting system. They added on benefits for tiers 3 and 4. Police only have tiers 1 and 2. The state added a number of benefits over the years which played very well with the unions. But now it is coming back to haunt everybody in terms of the cost.

Trustee Apel: Is it prudent to borrow? And if you are allowed to borrow money at a lower rate than what the governor wants us to pay, to pay it off?

Village Manager Hess: You can only borrow on a budget note, and it would have to be repaid the following year. So you are just shifting it for one year. If they approve legislation which will allow the payout over six years, 4% next year, and then the balance of 7% over five years, or 11% over five years for the police, it could be beneficial. But that may be deferring the paying and hoping that the stock market makes a drastic increase of something like 50%. Even if the governor's proposal were approved, I am not sure I would suggest going back to the point of 50,000 and 76.5. I would drop it. I am not sure what that amount would be. I would want to check with people who could do actuarial studies and see what legitimate amounts would be. Maybe we would put these amounts in the budget, and a portion of this could be put in contingency so in future years the Village would not be hit with another significant increase.

Trustee Apel: When is this decision going to be made?

Village Manager Hess: The governor made the proposal the other day. I am hoping the comptroller will do something with it rather quickly, or the legislature.

Trustee Apel: Are we going to know this before we have to vote on it?

Village Manager Hess: I do not know. Pension bills do not come out until December for payment in mid-December. But everybody is in the same boat. Anybody that is on a calendar fiscal year never dreamed they were going to have this type of increase. The county is something like \$10 million short.

Trustee Holdstein: In sales tax, I understand the net loss based on what it should be if you take the approach of a flat budget, then our real loss is really \$30,000, the difference between \$790,000 and \$760,000. That is the real loss, not a \$112,000 loss. That is, to me, the number that you have to work with in terms of saying we have a budget to develop.

Village Manager Hess: I will buy your argument. We are projecting \$760,000. We have \$780,000 in the '02-'03 budget, but we probably will not bring in more than \$760,000.

Trustee Holdstein: I understand what you are showing us, to say in a normal growth mode and expectation mode. But in terms of dealing with a tough budgeting process this year, we need to look at the real loss, which is the \$30,000 plus the \$20,000.

Village Manager Hess: The biggest area of loss is in the surplus. We were able to appropriate \$600,000 in '02-'03 towards the expenses. We do not have more than \$300,000 available right now. Because of the Board's financial policies, if I do not have an excess of 7% I cannot even put that in the budget as a proposal. If you look at the added expenses here, and the lack of the \$600,000, there is almost your million dollars. As you get into the detailed line item budgets, you will see how much money I cut out of the budget. But then when you get to employee benefits, you will see I had to add money back.

Trustee Holdstein: The expense in retirement is the most startling. As recently as 2001 we were paying \$500 a year.

Mayor Kinnally: That was an aberration, but you can always build in small increases. But this is a whopper.

Village Manager Hess: I would not even say it is an aberration. There was a point back in the early nineties or late eighties where you could borrow against the retirement system and pay less to the system, and then pay them back at 8-3/4% over a number of years. We chose not to do that. We paid our full share for those years, and our contributions have been much less because we had paid all those previous years. That is why I want to see the final outcome of discussions between the comptroller and the governor. Borrowing against the future may look good in the first year, but it will affect the next five.

Trustee Holdstein: Workers' Comp is what was forcing that increase?

Mayor Kinnally: September 11. The experience rating, the payouts of the fund over that period of time.

Trustee Apel: Is there going to be any federal assistance to help pay off Workers' Comp?

Mayor Kinnally: Not that we would put in a budget. They have not come up with some of the aid that they said that they would give us a year-and-a-half ago. They told us that they were going to pay for the emergency vehicle. We still have not got that.

Trustee Holdstein: What do you use as an average for the assessment?

Village Manager Hess: Sixteen thousand nine hundred. In the general fund from 1994 to the proposal, we are looking at an increase of approximately 55% over the past 10 years. On the expenditure side, public safety, police, fire, ambulance make up 25.2% of the budget, or \$2,484,500. The second-largest object of expenditure is employee benefits, at 18%,

\$1,775,000, made up of Workers' Compensation, the retirement system, and health insurance.

Next comes general government services, 14.2%, or \$1.4 million. Public Works is next, at \$1,590,298, or 16.1% of the budget. General government, \$1.4 million, or 14.2% of the budget. Interfund transfers, 11.3%, or \$1.1 million. The interfund transfers cover the transfer to the library to cover their funding operations. That is \$613,000. There is a \$75,000 transfer to capital fund for street resurfacing, or resurfacing the parking lots.

There is an item of \$423,201, a transfer in from the debt service fund, and then transferred out to the capital fund to pay off a number of old projects so they do not have to be bonded or borrowed for. This is a one-time expenditure. We have a one-time revenue of \$576,000. That is a one-time transfer in. The balance of \$152,000 is paying down on debt. So it is \$665,195; \$152,000 of that is being paid by the debt service fund. We are avoiding borrowing \$423,000 in projects, and we are helping to pay off \$152,000 of outstanding debt.

In terms of revenues, the largest revenue is 68.5%, property tax. Sales tax is \$60,000, or 7.7%. Recreation programs bring in about 2%, or \$194,000. Our only unconditional state aid is \$57,000. The balance is made up of mortgage tax receipts, which the state considers state aid, and the grants we get on the youth advocate program. The utility tax, \$115,000, or 1.2%. Intergovernmental charges, 2.3% or \$228,000. That covers payments to us from other governments either through the Town of Greenburgh under the Donald Park fire district contract or from Westchester County or New York State for roads. Miscellaneous covers day camp fees, police fees, clerk fees, parking meters, parking charges.

Trustee Apel: What has been the difference between the property tax and all the rest?

Village Manager Hess: I can get that information for you. I can give it to you in graphic form over the next week or so. Assessments from '94 were \$44,165,000. We are looking at \$43,300,000 for the coming year. That is an \$800,000 decrease. We are looking at about a \$200,000 decrease in the coming year; \$156,000 of that is special franchise assessments from the state. The state does the assessments on all the utilities, and then notifies what those assessments will be. Property tax in 1994, \$100.52; proposed, \$155.82, for an increase of \$55.30 or approximately \$5 per year increase, if you like to look at it that way. If you look over the years we have had a fairly stable tax increase, minor in nature. As I said, I was disappointed to have to bring this budget to the Board and the community with such a spike in the increase. You are going to have some tough decisions to make in the weeks ahead and staff and I will work with you in every way possible to try and reduce the burden.

Mayor Kinnally: Some very tough choices are to be made, and I do not know if any of them are going to be palatable. That is one reason that every year we encourage the community to come out to work through this with us because a lot of the decisions that we are going to make are going to affect people directly over the next few years.

APPROVAL OF MINUTES

On MOTION of Trustee Apel, SECONDED by Trustee Walrath with a voice vote of all in favor, the Minutes of the Public Hearing of February 18, 2003 were approved as presented.

On MOTION of Trustee Walrath, SECONDED by Trustee Jennings with a voice vote of all in favor, the Minutes of the Regular Meeting of February 18, 2003 were approved as presented.

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. 63-2002-03 \$125,399.57

Multi-Fund No. 64-2002-03 \$ 18,718.01

Multi-Fund No. 65-2002-03 \$ 25,754.18

15:03 AUDIT AGREEMENT

Mayor Kinnally: Bennett Kielson has been our auditor for practically as long as Neil has been here. Bennett Kielson has recently been acquired by a firm called O'Connor Davies. O'Connor Davies is a client of my law firm, so I will not participate in the consideration of this item, and I will turn it over to the acting mayor, Trustee Apel.

Village Manager Hess: We asked Bennett Kielson to provide a multi-year proposal to us since we have GASB 34 coming in 2005. Their proposal calls for their auditing services, which include basic fees starting at \$29,150 in 2003, through 2007 when they reach \$32,800. Note that their auditing fee for this past year was \$38,000, so they have reduced their basic fee based on the proposal, and also provided us with proposals for the work they need to do to implement GASB 34. They are spreading the implementation fee of GASB 34 out over a three-year period. Although the work will be done and completed in 2005, they are billing us over a three-year period of \$2,500 per year.

GASB 34 is a new requirement that local governments have to provide balance sheets and financials similar to corporate entities. I am not sure that is a great idea, considering what is happening in the corporate world. It will require us, in the coming year, to do a complete fixed asset inventory throughout the Village. Fixed assets will include anything of value in excess of \$5,000. Everything will be tagged and marked, and has to be updated each year.

Once we have the base information, we will input through our computer programs new acquisitions and deletions. All the information that is provided will be depreciated as part of our balance sheets. In recognition of what they expect in terms of the cost of the fixed asset appraisal, that is why they reduced their fee by such a significant amount. They reduced it by \$9,000 for next year. It is estimated that the fixed asset appraisal will cost us \$8,000 in the coming year. I believe it is a good proposal, and recommend its approval.

Trustee Walrath: I did not understand the rationale. Why are their fees lower at the beginning than they were last year? They are not doing more work?

Village Manager Hess: Not initially. We have a quarterly review: one of their audit staff comes in quarterly and reviews our books to make sure everything is working well. And it is a recognition of the fine work they are doing in how much less the number of hours are going to be for them to do their audits over the next several years.

Trustee Walrath: That is because we have shaped up according to things they have said?

Village Manager Hess: Right. That is why I asked them for a multi-year proposal, to address that. And it is being done within the realm of us not paying any more than we did last year. In fact, our fees will go down over the next several years.

Trustee Jennings: Given the important accounting developments and changes that are coming at us the next few years, continuity is important. However, the mayor just mentioned the purchase of this firm by a larger company. Have you talked with them? How will that affect us? Will we have different people, more junior people?

Village Manager Hess: No. The firm that is doing the acquisition does not deal in municipal. That is why they are acquiring Bennett Kielson, because Bennett Kielson concentrates in municipal school districts, counties, etc. I believe they only have one municipal client. When I came here in '81, one of the problems we discovered was that there appeared to be a coziness between the auditors and some of the staff. I have always required that the head auditor has to change every three years and the junior auditors have to change every year. That avoids that coziness or even a perception of coziness. They are here to be

independent and take a look at what we are doing, make suggestions, issue a management letter, and tell us where we may be wrong or we can do things better.

Trustee Jennings: So the new company, the new management, will accommodate us.

Village Manager Hess: In my discussions with Les Storch, the senior partner, he said yes.

Trustee Jennings: I remember hearing commentators talking about the auditing scandals in the private sector and the importance of not having a cozy relationship between a client and an accounting firm. I am glad to hear that you already have a rotation plan so that even though we are keeping the same firm that we have had for many years, we, in fact, have a safeguard against that potential problem.

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 Manager to sign the agreement with Bennett Kielson Storch DeSantis & Company LLP for audit services and implementation of GASB 34 for years 2003 - 2007.

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

19:03 STORMWATER PHASE II NOTICE OF INTENT

Village Manager Hess: This is a requirement that was adopted in 1999 at the federal level and pushed through the state, and the state has pushed it back to individual municipalities, to provide certain goals over a five-year period to reduce pollutants in water bodies. We are applying under what is called a notice of intent for coverage under the stormwater discharge from small municipal separate storm sewer systems. This was developed over the past two

weeks with the assistance of Trustee Walrath, and it is due to the state on March 10. I am recommending that I be authorized to sign it.

Trustee Walrath: I had started typing my scribble scrabble, and Neil came in on Wednesday and presented me with a very finished job. He and I had some back and forth. Once the budget was clear, he had dug in to what the state required and used his knowledge of how things work in the Village and put together a very good program. I would like to run through a few details with Neil before it goes out. I have dug into the stuff in a great deal of detail and I hope it will be helpful in the future. I would like to be involved on the board, or off, in the implementation of this. I would like the Board to say it is fine to go ahead and sign it, and wait to talk with Neil about some minor changes.

Trustee Apel: I think it is fine. I thought it was quite thorough. It certainly hit all the bases as far as I could tell. If there are some little pieces missing, it is hard to tell.

Village Manager Hess: The important thing is, we were able to save \$7,500 in outside engineering fees. David and I worked on it together, and he certainly deserves credit for it.

Mayor Kinnally: Thank you, David, for your time and for your dedication and expertise in helping us with us, and continuing to help Neil in monitoring this situation as it goes along.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to submit the Stormwater Phase II Notice of Intent to the New York State Department of Environmental Conservation as attached.

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

20:03 PRISONER TRANSPORTATION AGREEMENT

Village Manager Hess: This is negotiated on a countywide basis with the various chiefs around the county. This would provide the Village \$121.55 for every round trip to the county jail and back for the county's '03 fiscal year, which is a calendar year, and \$127.65 in the '04 year. We normally do at least one round trip on Wednesdays and Thursdays, bringing prisoners over for court. There is a requirement in state law that if a municipality does not do it, the county sheriff has to transport the prisoners back and forth. That is why we were able to negotiate fairly good agreements with the county, because they needed us more than we needed them. I recommend its approval.

Mayor Kinnally: How does this compare to our previous contract?

Village Manager Hess: It is a little bit higher, but not in excess. It is a reasonable figure.

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

RESOLVED: that the Mayor and Board of Trustees authorize the Village Manager to sign the Prisoner Transportation Agreement with Westchester County for the period January 1, 2003 to December 31, 2004.

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

21:03 FIRE MUTUAL AID PLAN

Mayor Kinnally: We have two chiefs from the department here tonight, Chief Pecylak and Chief Bannon. Welcome, gentlemen.

Second Asst. Fire Chief Pecylak, Hastings: The mutual aid plan has been in effect for quite a few years. Some changes have been made to it, such as defining the technical, tactical rescue unit, and how to deal with, and request mutual aid from, New York City. It has

worked in Hastings for numerous fires. We call the county, request the number and type of apparatus, and they oblige by sending what is available and what we need from the neighboring communities. We work well with the Dobbs Ferry, Ardsley, and Irvington fire departments under this mutual aid plan.

Trustee Holdstein: The fire that we had on that cold winter night on Warburton, was that a case where this was in effect?

Chief Pecylak: Yes, mutual aid was activated practically immediately. Dobbs Ferry came down, and it expanded out to Ardsley, Irvington, Sleepy Hollow, and Elmsford. It worked very well that evening. The cooperation between all departments was, as has been, excellent.

Trustee Holdstein: In a case like that particular fire, do we have all of our vehicles on-site fighting that fire? And if there is a second ring in the Village, what happens?

Chief Pecylak: Under the mutual aid plan the units are relocated to back up the units that are operating in our community. In the January fire, one of the mutual aid's engines was on standby.

Trustee Holdstein: So all of ours were fighting this fire. We had the mutual aid of another community backing up in case we had a second call.

Chief Pecylak: Exactly. And we also had our spare engine operating at that fire.

Trustee Holdstein: How is this implemented? Is it up to chiefs who arrive on the scene to make the call that you need this mutual aid set-up to be implemented?

Chief Pecylak: Yes, we are also fortunate to have in Hastings Battalion 14, which is a southern Westchester mutual aid coordinator for the Rivertowns. Bob Schnibbe is currently southern Westchester. He responds to requests by us to have the county coordinator come down. He can be requested on any type of call. It does not necessarily have to be fire calls. He works as a liaison with the fire chief to assist in any fashion that the county can.

Trustee Walrath: Those are all volunteer departments. Yonkers is a paid department. Do we have similar arrangements with Yonkers?

Chief Pecylak: Yonkers can be called upon if circumstances arise. In the early eighties we had a major fire at the waterfront. The equivalent of a full first alarm assignment came up

from Yonkers to assist Hastings. We also went extremely far north. They can be called upon, if needed, in a major disaster.

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

RESOLVED: that the Mayor and Board of Trustees of the Village of Hastings-on-Hudson approve participation by the Hastings-on-Hudson Volunteer Fire Department in the Westchester County Fire Mutual Aid Plan as it is now in effect and as amended from time to time, and certifies to Westchester County, through its Commissioner of Emergency Services, that no restriction exists against "outside services" by such fire department within the meaning of Section 209 of the General Municipal Law which would affect the power of such fire department to participate in such plan, and be it further

RESOLVED: that a copy of this resolution be filed with the Westchester County Commissioner of Emergency Services.

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

22:03 COLLATERAL SOURCE BILL

Deputy Village Attorney Lammers: CPLR 4545 allows where an outside insurance company has paid certain monies towards the medical benefits or the medical treatment that the defendant be given a credit, or offset, towards that amount. This proposal is to allow municipalities to participate at that same level that a private individual or a corporation could. It could only benefit a participating municipality.

Mayor Kinnally: I have been getting monthly FAX's from the corporation counsel's office in New York lobbying us to sign on to this. This is also something that NYCOM is pushing

for. It puts us on the same footing as any other defendant, where we get the benefit of payment by a collateral source. The defendant does not get it twice, in other words. We get the offset, the credit for it, and it lowers our expenses in a judgment. I would recommend it. It will save us money.

Trustee Jennings: The resolution mentions disability, pension, etc. How does this relate to someone who is injured and their health insurance, or their healthcare costs?

Deputy Village Attorney Lammers: If health care picks up the expense of medicals, then the defendant would be given a credit, an offset, before that expense that was picked up by that collateral source.

Trustee Jennings: In other words, the defendant would not have to pay the plaintiff a cash award because it would be offset by the plaintiff's health insurance?

Mayor Kinnally: Let us assume there is a \$1 million judgment, and our carrier has paid out \$200,000. Today, we could not offset that \$200,000 against the million. Under this law we get a credit of that \$200,000, and the defendant would only get \$800,000. We would not both pay to the plaintiff, and then pay in increased fees to the carrier.

Trustee Jennings: I am not so much questioning the wisdom of getting rid of the inequity between a public and a private defendant. That makes sense to me. I am not so sure I agree with the overall law. I do not think it is double-dipping. I think it might actually hurt plaintiffs who will have greater out-of-pocket burdens because the law allows the defendant to have this offset question. But I do not think it should be inequitable. So if it is going to be that way for the private defendants, it should be that way for public defendants as well.

Trustee Walrath: But any un-reimbursed portion of the medical would automatically flow over. It would only be the un-reimbursed portion that they would be entitled to, not the reimbursed portion.

Mayor Kinnally: That is right.

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

WHEREAS, Senate Bill S.611 and Assembly Bill A.3438 would eliminate the current unintended inequity in CPLR 4545 in which the public

employer, when sued by one of its employees, is the only defendant which is not entitled in tort actions to a reduction in future lost earnings awards for disability pension, etc., that are meant to serve the purpose of such awards, and

WHEREAS, this inequity allows a windfall against public employers and in effect costs taxpayers additional money, now therefore be it

RESOLVED: that the Mayor and Board of Trustees supports passage of S.611 and A. 3438, and be it further

RESOLVED: that a certified copy of this resolution be forwarded to the Governor and appropriate legislators.

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

23:03 RECREATION FEES

Village Manager Hess: I apologize that I forgot to put this on the agenda. We had the hearing on February 18. We have registration starting April 1, so I would like to get these approved tonight, if possible. The recommended increases amount to approximately a 10% increase in the camps. Our camps costs will be significant this year because of all the busing we have to do. We are still attempting to find a location for the sports camp. With all the school construction going on around the county, all departments are hurting in terms of availability of space: Dobbs Ferry, Irvington, Ardsley, some have given up their camps altogether. But we think it is appropriate that we try to maintain the camps the best we can. There was comment last night that 125 kids are squeezed into two small rooms. That is not true. St. Matthew's Lutheran has a very large room upstairs and two other rooms downstairs. So they will have a split-up of activities at St. Matthew's for the Hillside Camp. I recommend that these fees be approved for this year.

Trustee Jennings: Do you see this as an increase in fees that might be rolled back once we return to a normal situation?

Village Manager Hess: Yes. I see them rolling back. I will have to look at the point prior to our busing of last summer also. Our costs went up over \$20,000 because of all the busing we had to do, and it is a little higher in this coming year. We may be able to reduce our costs next year, and reduce the fees, which would be a nice thing to do if we could.

Trustee Jennings: We are not proposing a permanent increase in fees justified by a one-time cost. That is not the situation. I would like to acknowledge that whereas our costs are higher because of the special arrangements this summer, to many parents' children it may appear as though the quality of the experience has decreased. I hope that will not be the case. But there will be, probably, some inconvenience. There will be some differences of perception about whether or not there are enough facilities. We certainly are trying not to reduce the quality of the program in any way, but the fees are being increased because our true costs are increased and we need to offset that.

Village Manager Hess: We will still probably lose money on the program this year, as much as \$20,000. It is not going to be a self-sustaining program.

Trustee Jennings: But we want to try to keep that loss as minimal as possible.

Village Manager Hess: Exactly. The other point has to do with the quality. I know Ray and his staff are going to work very hard to make sure it is a very good summer for the kids. There are a number of camps around Westchester that offer varieties of programs, even as close as Mercy College, which offers a very good sports camp. If people feel that what we are offering is not to their liking this year, they do have some other options.

Trustee Apel: There is nothing in this resolution which deals with the concept that this is only for this year. There is no sunset. There is nothing to say that it will be reviewed.

Village Manager Hess: Our fees are reviewed every year. Every February all Parks and Recreation fees are reviewed by the Board, and recommendations are made. I will make you a guarantee right now that these fees for the following year, assuming we are back where we are supposed to be, will decrease. Our costs will go down significantly in terms of busing. We will recommend to the Board that those fees be decreased.

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

RESOLVED: that the Mayor and Board of Trustees approve the increase in Parks and Recreation Fees as follows:

<u>PROGRAM</u>	<u>CURRENT FEE</u>	<u>PROPOSED FEE</u>
Hillside Camp Early Bird		
Full Season	\$350	\$385
Weekly	65	72
Hillside Camp Regular		
Full Season	\$375	\$413
Weekly	70	77
Early Learning Camp Early Bird		
Full Season	\$270	\$297
Weekly	65	72
Early Learning Camp Regular		
Full Season	\$285	\$314
Weekly	70	77
Tiny Tots Early Bird		
Full Season	\$250	\$275
Weekly	65	72
Tiny Tots Regular		
Full Season	\$265	\$291
Weekly	70	72
Youth Tackle Football	\$100	\$125
Flag Football	\$ 0	\$ 50
Cheerleading	\$ 0	\$ 90

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

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: Negotiations continue with ARCO and the Riverkeeper on the Riverkeeper's suit. I have attempted to contact with Sandy Stash to have a conversation with her this week. In connection with litigation, I would like to have a motion for a brief executive session immediately following this meeting.

EXECUTIVE SESSION

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

VILLAGE MANAGER'S REPORT

Village Manager Hess: I have received the specifics from Uniontown on the Uniontown pumper. I will be meeting with the chiefs in the next several weeks to discuss that, as well as the replacement schedule for all our equipment, and then we will come back to the Board with some recommendations.

We have applied through our new congresswoman, Nita Lowey, for \$564,000 in funding for various grants, including extending the hours of the Community Center, to be open nights during the summer, and funds for the reconstruction of the Community Center. We have gotten indications of \$380,00 from the county, and \$50,000 from the state. We applied for an additional \$300,000 from the congresswoman. Hopefully, she can discuss this with the other half of our congressional district in the Village, Mr. Engel, and be able to get us some funds. We applied for hazmat equipment for the fire department, \$126,000; for the emergency bus, \$34,000; for replacement Scott airpaks and bunker gear, in addition to what is already budgeted, to complete the three-year replacement program we were developing; a program called We Care, to provide additional funding for scholarships for youth to get involved in recreation programs, pool, and day camp; and funding for eligible senior citizens to help with utility bills, hopefully to tie in as part of our program with a 911 phone distribution. Funding would also provide jobs for disadvantaged youth over the summer. In total it came to about \$564,000. I have heard very good things about the congresswoman in terms of her ability to get funding to her district.

BOARD DISCUSSION (cont'd.)

2. Other

Trustee Apel: In February, the new Department of Homeland Security launched a national public awareness campaign. One of the recommendations is that a local citizens' corps council be put together. I have been approached by one of our citizens who wishes to do that, and I am putting this out for the public if they are interested in becoming part of a local citizens' corps. This particular group is supposed to provide education, training, and support coming from volunteers in the community, which is not necessarily what we have been doing. We have a lot of things that we are doing, but this would provide an opportunity for people that want to participate in this to come forward and to form this council. Anyone who is interested should contact the Village.

Trustee Walrath: This would limit itself to homeland security issues, or look for volunteers in a broader area?

Trustee Apel: This is initially how it is put out by the Homeland Security Department. This is the recommendation.

Trustee Walrath: I was concerned about the volunteers for this stormwater thing. They could use a lot of coordinating on all the volunteering.

ADJOURNMENT

On MOTION of Trustee Apel, SECONDED by Trustee Walrath with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:45 p.m.