

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
ORGANIZATIONAL MEETING
APRIL 6, 1999

An Organizational Meeting was held by the Board of Trustees on Tuesday, April 6, 1999 at 8:05 p.m. in the Municipal Offices, 615 Broadway.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee James B. Keaney, Trustee Elsa C. DeVita, Trustee Michael Holdstein, Trustee Anthony Gagliardi, Trustee-elect David Walrath, Village Manager Neil P. Hess, Deputy Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

CITIZENS: Seven (7)

INVOCATION

Rev Andrew Jagow of St. Matthew's Lutheran Church delivered the invocation.

Mayor Kinnally: This is Trustee Gagliardi's last meeting, and it is always tough to say goodbye. When Tony came on board two years ago I had known him from his and his family's activities in town and on the Fire Department. If anyone defined what a team player was, and worked with his colleagues to try to reach a consensus in many difficult decisions, it was Tony. As I worked with him over the past two years I was reminded of someone else who had served on the Board., Ed Murray. Ed served for six years and when he was first elected he said to me, "I may not say very much in the beginning because I just want to sit here and learn." He learned and really did an exceptional job as a Trustee. Tony did the same thing. When Tony spoke up it was because he had something to say. I am reminded of when we were dealing with whether to settle the certiorari proceeding with the owners of the waterfront. He listened; he said his piece in private, not always agreeing with us, raising a number of interesting questions, and making us think through the whole thing. I speak for everyone on the Board that it has been an absolute pleasure to have you working with us. You will be missed, and you have contributed a lot to us.

Trustee Keaney: It has been a great pleasure to work with Tony because I have learned a lot from him. He and his family have been involved in this community for many more years than I have been, as a volunteer fireman, and men's softball, and chairman of the Safety Council. So serving on the Board as a representative of the Village was nothing new to him, nothing out of the ordinary. I know he will continue to serve the Village and to represent it with much experience and much knowledge. I thank you for the opportunity of working with you.

Trustee DeVita: I have known Tony for a long time, long before he was on the Board. But I really got to know him the last two years. We are buddies. We sit next to each other, and we share mints, and we share organization, something that I lack and Tony doesn't. I whisper to Tony, I can't find something, and he pulls it out and shares it with me. He has certainly helped me, and I have enjoyed being with him these last two years. I wish you well.

Trustee Holdstein: It is tough to follow all those kind sentiments, because I share them as well. The Mayor has stated that when Tony spoke we all listened, because when he spoke up we knew he had done his homework and his listening. I am going to miss Tony. I think that Tony has been an outstanding Trustee. He comes from a long line of Gagliardis that have given a great deal of time and energy and passion to this Village. For that, I, and the Village, are very grateful to all the Gagliardis: your wife, and your children on the basketball and sports teams, and your brother as a volunteer fireman with you. While we lose you as a Trustee, over the past two years I have gained a good friend and that won't change. We will miss having you on the Board.

Trustee Gagliardi: It was a wonderful two years. I learned much more in the last two years than I have learned probably in my whole lifetime. I want to thank everyone in the Village for working with me, and the whole Board, and remind everyone in the Village that we have a wonderful staff at Village Hall and all the Village workers. They always make us look good. It is a team effort. I wish David the best of luck, and hope that he can come in and keep steering the Board in the right direction to make some of the tough decisions that have to be made in the next few years. Thank you.

ADMINISTRATION OF OATH OF OFFICE

Trustee Keaney administered the oath of office to Mayor Kinnally.

Mayor Kinnally administered the oath of office to Trustee DeVita and Trustee Walrath.

APPROVAL OF MINUTES

On MOTION of Trustee DeVita, SECONDED by Trustee Holdstein with a voice vote of all in favor, the minutes of the Public Hearing of February 23, 1999 were approved as presented.

On MOTION of Trustee Holdstein, SECONDED by Trustee Keaney with a voice vote of all in favor, the minutes of the Regular Meeting of February 23, 1999 were approved as presented.

On MOTION of Trustee DeVita, SECONDED by Trustee Keaney, with a voice vote of all in favor, the minutes of the Public Hearing of March 2, 1999 were approved as presented.

On MOTION of Trustee Keaney, SECONDED by Trustee DeVita with a voice vote of all in favor, the minutes of the Regular Meeting of March 2, 1999 were approved as presented.

On MOTION of Trustee Keaney, SECONDED by Trustee Holdstein, with a voice vote of all in favor, the minutes of the Public Hearing of March 9, 1999 were approved as presented.

On MOTION of Trustee DeVita, SECONDED by Trustee Walrath with a voice vote of all in favor, the minutes of the Joint Meeting of March 9, 1999 were approved as presented.

On MOTION of Trustee Holdstein, SECONDED by Trustee Walrath with a voice vote of all in favor, the minutes of the Regular Meeting of March 16, 1999 were approved as amended:

Trustee Holdstein: Page 8, first paragraph: "The kids should be allowed to play 'baseball,' not 'softball'."

APPROVAL OF WARRANTS

On MOTION of Trustee Walrath, SECONDED by Trustee Holdstein with a voice vote of all in favor, the following warrants were approved:

Multi-Fund No. 93-1998-99	\$ 80,644.95
Multi-Fund No. 94-1998-99	\$ 30,987.80
Multi-Fund No. 95-1998-99	\$174,499.96
Multi-Fund No. 97-1998-99	\$ 457.50
Multi-Fund No. 98-1998-99	\$ 23,150.52
Multi-Fund No. 99-1998-99	\$ 21,225.38
Multi-Fund No. 100-1998-99	\$187,670.92

36:99 -- MAYORAL AND BOARD OF TRUSTEES APPOINTMENTS

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

A. VILLAGE TREASURER

RESOLVED: that the Mayor and Board of Trustees appoint **Neil P. Hess**, Village Treasurer, for a term of two (2) official years.

B. VILLAGE CLERK

RESOLVED: that the Mayor and Board of Trustees appoint **Susan Maggiotto**, Village Clerk, for a term of two (2) official years.

C. REGISTRAR

RESOLVED: that the Mayor and Board of Trustees appoint **SUSAN MAGGIOTTO** as Registrar and **MARIE C. OELKERS** as Deputy Registrar for a term of two (2) years through April 30, 2001.

D. ACTING VILLAGE JUSTICE

RESOLVED: that the Mayor and Board of Trustees appoint **Joseph A. DiSalvo** Acting Village Justice for a term of one (1) official year.

E. VILLAGE ATTORNEY AND VILLAGE PROSECUTOR

RESOLVED: that the Mayor and Board of Trustees award a contract for services to **Ponzini, Spencer & Geis** as Village Attorney and Village Prosecutor for a term of one (1) official year.

F. HISTORIAN

RESOLVED: that the Mayor and Board of Trustees appoint **Mary Allison** Historian for a term of one (1) official year.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

ADMINISTRATION OF OATH OF OFFICE

Mayor Kinnally administered the oath of office to Acting Village Justice DiSalvo.

37:99 – MAYORAL AND BOARD OF TRUSTEES DESIGNATIONS

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

A. OFFICIAL NEWSPAPERS

RESOLVED: that the Mayor and Board of Trustees designate *The Rivertowns Enterprise* and the *Journal News* as official newspapers for a term of one (1) official year.

B. OFFICIAL DEPOSITORIES

RESOLVED: that the Mayor and Board of Trustees designate the **Bank of New York, Citibank, N.A., Chase Manhattan Bank,**

Hudson Valley National Bank, and MBIA-Class as official depositories for a term of one (1) official year.

C. VILLAGE AUDITORS

RESOLVED: that the Mayor and Board of Trustees designate the firm of **Bennett Kielson Storch Yablon & DeSantis LLP** as Village Auditors for a term of one (1) official year, to be compensated on a fee or contract basis.

D. POLICE AND FIRE SURGEONS

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

E. REGULAR MEETING DAYS

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

F. AUTHORIZATION TO SIGN CHECKS AND INSTRUMENTS

RESOLVED: that the Mayor and Board of Trustees authorize the following to sign checks and instruments of the Village of Hastings-on-Hudson, when countersigned by the Mayor or one (1) Trustee:
Neil P. Hess, Susan Maggiotto, and Linda M. Knies

ROLL CALL VOTE

	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

MAYORAL LIAISON APPOINTMENTS

- A. Fire Department - Lee Kinnally
- B. Police Commission - Lee Kinnally

- C. Safety Council - Michael Holdstein
- D. Newsletter - Elsa DeVita
- E. Beautification - David Walrath
- F. Draper Review Board - Elsa DeVita and David Walrath
- G. Affordable Housing - Jim Keaney
- H. Youth Council - Elsa DeVita
- I. School Board - Elsa DeVita
- J. Library Board - Michael Holdstein
- K. Parks & Rec - David Walrath and Michael Holdstein
- L. Senior Council - Michael Holdstein
- M. Conservation - Lee Kinnally
- N. Finance Committee - Michael Holdstein and David Walrath
- O. Planning Board - Michael Holdstein and David Walrath
- P. ARB - Lee Kinnally
- Q. Deputy Mayor: Trustees Keaney, DeVita, Holdstein, and Walrath for three (3) months each, in order of seniority.

38:99 – EXECUTIVE SESSION POLICY

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

RESOLVED: that the Mayor and Board of Trustees approve the Executive Session Policy as follows:

It is the policy of the Board of Trustees of the Village of Hastings-on-Hudson to conduct Village business in an open fashion and to make available as much information as may legally and practically be disseminated.

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

1. matters which will imperil the public safety if disclosed;
2. matters which may disclose the identity of a law enforcement agent or informer;
3. information relating to criminal investigations;
4. discussions relating to proposed, pending or current litigation;
5. collective bargaining negotiations;

6. personnel matters; and
7. the proposed acquisition, sale or lease of real property or securities.

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

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

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

Adopted by the Board of Trustees on September 28, 1993

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

39:99 – RULES OF PROCEDURE

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

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

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	

On MOTION of Trustee Keaney, SECONDED by Trustee Holdstein, 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 contract for the Westchester Urban County Community Development project for architectural services in the amount of \$10,000.00.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

42:99 – PRISONER TRANSPORTATION AGREEMENT

Village Manager Hess: We receive reimbursement from Westchester County for transporting prisoners between our jail and the county jail. The rate been increased for 1999; it is \$100 for each round-trip. In 2000 it will be \$105 for each round-trip.

On MOTION of Trustee DeVita, SECONDED by Trustee Holdstein, 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 zone rate agreement with Westchester County for reimbursement for prisoner transportation.

ROLL CALL VOTE	AYE	NAY
Trustee James B. Keaney	X	
Trustee Elsa C. DeVita	X	
Trustee Michael Holdstein	X	
Trustee David Walrath	X	
Mayor Wm. Lee Kinnally, Jr.	X	

EXECUTIVE SESSIONS

On MOTION of Trustee Holdstein, SECONDED by Trustee Walrath with a voice vote of all in favor, the Board scheduled an Executive Session for Thursday, April 8, 1999 at 8 o'clock to discuss personnel items.

On MOTION of Trustee DeVita, SECONDED by Trustee Keaney with a voice vote of all in favor, the Board scheduled an Executive Session for Tuesday, April 13, 1999, following the Public Hearing on the budget and work session to discuss personnel items.

VILLAGE MANAGER'S REPORT

Village Manager Hess: Hastings 1999 is sponsoring a volunteer organization recognition day at the Community Center on April 18, and there will be an auction at the Southside Club, sponsored by St. Stanislaus on April 24. Hastings 1999 is also sponsoring a Village-wide tag sale at the train station on June 19.

The budget hearing is April 13. We encourage everybody to make their feelings known to the Board about the proposed 1999-2000 budget.

We are losing two very good members of our recreation staff. Dana Mayclim has gone to the Town of Lewisboro as a recreation leader, and Anthony Giaccio, assistant superintendent of recreation, has accepted a position as superintendent of recreation with the Village of Dobbs Ferry. Anthony has been an outstanding employee for the Village and has done a wonderful job at the pool, and Dobbs Ferry is getting an outstanding person. We wish Anthony and Dana well.

BOARD DISCUSSION AND COMMENTS

1. Update on the Waterfront

Mayor Kinnally: BP/AMOCO has announced that they are acquiring ARCO, so we will have a new set of players to deal with. Indications are that the head of BP is very bottom line-conscious. I do not see him throwing any more money at this site than ARCO was going to do, and that was little indeed. I think we are in for a long fight with BP.

I am meeting with DEC Commissioner Cahill to discuss the most recent developments. We will also meet with Malcolm Pirnie and with our environmental counsel. There may be a shrinkage of the ARCO force on the West Coast, and I do not know what presence BP has in the United States or if they have an environmental component to it. Nothing is likely to happen over the next six months. I am very concerned about this, and we will try to determine how to proceed.

Trustee Holdstein: Do you think everything will freeze for six months in terms of moving forward: the DEC, PRAP's, ARCO, bulkheads, etc?

Mayor Kinnally: I do not think the DEC is going to allow that just to stay the way it is. The sampling will go forward. I have received commitments that they were going to go forward with the environmental assessment of the buildings and that they would be coming up with some design for tearing down some of the derelict buildings. The six-month reference was to the restructuring of ARCO.

Trustee Keaney: I think I share your concern about the BP takeover. The fear is that they may view Hastings-on-Hudson as very small potatoes and not be interested in living up to what ARCO has said they were going to do. That is the danger, but there is an opportunity here also. They have to get regulatory approval to do this. This is an avenue for us to make a position to the antitrust authorities. We might ask for making it a condition of the merger that they live up to their environmental responsibilities or to what ARCO said they wanted to do. This will at least get a response from BP in a public hearing.

The pitch should be that the Hudson River has just been designated as an American Heritage River and it has the most PCB's in New York State. Do you really want a foreign corporation owning this in this state of dilapidation without adequate safeguards for cleaning up? I am not saying we could stop the merger, but I am asking for a recognition by those authorities that we need help in getting them to live up to their safety responsibility. They may also have other sites throughout the country where they are remiss.

Mayor Kinnally: We should reach out to John Cronin and Scenic Hudson, and coordinate with the Conservation Commission and the LWRP to make sure we will be heard.

Trustee Keaney: We should also contact Congressman Gilman because we are talking about a federal agency, and he is very conscious about the Hudson Valley.

Mayor Kinnally: I am in receipt of a letter from Malcolm Pirnie confirming discussions about their providing supplemental sampling work for us in connection with the plan that is being generated by ARCO with the DEC.

Trustee Walrath: Will we have comments on the proposed additional samplings?

Mayor Kinnally: I am sure we will. I have to find out where Malcolm Pirnie is on it, and if Pirnie needs more time we will give them time. It was everybody's understanding that there would be a joint effort.

2. Other

Mayor Kinnally: Let me talk briefly about my visit to Hastings, England. It is a seaside area with a rocky coast and a population of 80,000. Parts of it are very beautiful. I met with Godfrey Daniel, the Mayor of Hastings for about an hour. There is a 34-person council with the Mayor elected by the council. We exchanged some gifts. There is some tourism, but all of the seaside areas have lost tourism because of the inexpensive airfares to the continent. It is an hour by car from Hastings to the tunnel at Dover, and you can be in France by car in a couple of hours after that on the train. Hastings from London by train is about an hour and 20 minutes. We could not get a car there, so we took a train from Dover and drove over to Hastings.

Finally, Charlie Hoffman is retiring this evening as chief of the department. He has served 16 years, and I would like to thank him for all of his work. It is not easy being chief and their

commitment, eight-year terms, is often tough, and he has gone around twice, just like his father, in serving so long, but my congratulations.

ADJOURNMENT

On MOTION of Trustee Holdstein, SECONDED by Trustee DeVita with a voice vote of all in favor, Mayor Kinnally adjourned the Regular Meeting at 9:00 p.m.