



KATHY HOCHUL
Governor

SHELTON J. HAYNES
President & CEO

BOARD OF DIRECTORS

RuthAnne Visnauskas, Chair, Commissioner of NYSHCR
Robert F. Mujica Jr., Director of BUDGET
Fay Christian
Conway S. Ekpo
David Kraut
Howard Polivy
Michael Shinozaki

**MINUTES OF THE JUNE 23, 2022 MEETING OF THE
ROOSEVELT ISLAND OPERATING CORPORATION BOARD OF DIRECTORS**

A meeting of the Board of Directors was held via videoconference on June 23, 2022 at 5:30 p.m.

Directors Present:

Alex Valella	Representing RuthAnne Visnauskas, RIOC Chair and Commissioner, the New York State Division of Housing and Community Renewal
Erica Levendosky ¹	Representing Robert F. Mujica, Director, the State of New York Division of Budget
Fay Christian	Director
Conway Ekpo ²	Director
David Kraut	Director
Howard Polivy	Director
Michael Shinozaki	Director

Officers and Staff Attending:

Shelton J. Haynes	President/Chief Executive Officer
John O'Reilly	Vice President/Chief Financial Officer
Kevin Brown	Director of Public Safety Department
Daeman DiStefano	Assistant CFO/Comptroller
Prince Shah	Assistant Director of Capital Planning and Projects
Lada V. Stasko	Assistant General Counsel

¹ Ms. Levendosky left after the new business # 10 discussion.

² Mr. Ekpo left after the new business # 10 discussion.

1 Ms. Lada Stasko, RIOC’s Assistant General Counsel, noted that she was asked to facilitate
2 the Board meeting today. She welcomed Ms. Fay Christian to the Board of Directors.
3

4 Ms. Stasko called the Board meeting to order at 5:35 p.m. The roll was called, and a quorum
5 found to be assembled and present.
6

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8

9 **APPROVAL OF MINUTES**
10

11 The first item of business was the approval of the minutes of the May 19, 2022, meeting of
12 the RIOC Board of Directors. The proposed draft of the May 19, 2022 Board meeting minutes had
13 been previously distributed to all Board members for their consideration.
14

15 Upon a motion duly made, seconded and carried by six votes in favor (Mr. Valella, Ms.
16 Levendosky, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), and one abstention (Ms.
17 Christian), the minutes of the May 19, 2022 Board meeting were APPROVED and ordered filed.
18

19 * * *
20

21 **NEW BUSINESS ITEM #1**
22

23 The first item of new business was the Approval of Procedures for Board Members’
24 Videoconferencing Pursuant to Public Officers Law § 103-a.
25

26 Ms. Stasko stated that recently the New York State Legislature amended Section 103 of the
27 Open Meetings Law (“OML”), permitting Board members of public bodies to attend meetings by
28 videoconferencing under extraordinary circumstances. She explained that Section 103-a(2) allows
29 for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public
30 body’s quorum requirement in the same physical location or locations where the public can attend.”
31 Ms. Stasko also discussed what constitutes “extraordinary circumstances.” She noted that Section
32 103-a(2)(a) of the OML requires RIOC to adopt a resolution authorizing the limited use of
33 videoconferencing under such circumstances; as well as to approve Procedures for Board Members’
34 videoconferencing pursuant to Public Officers Law § 103-a. She noted that the language of the
35 resolution and the proposed procedures was suggested by the Committee on Open Government
36 (“COOG”).
37

38 Ms. Stasko then answered the questions from the Board Members. Mr. Valella asked if RIOC
39 would need to hold a public hearing prior to the adopting this resolution, as it was done in HCR. Ms.
40 Stasko noted that RIOC never held any public hearings, and per the OML training, the understanding
41 was that’s such requirement can be waived. She stated that she would reach out to COOG to confirm
42 compliance. If RIOC would still need to conduct public hearing, we will revisit this. The resolution
43 was presented to the Board subject to further clarification as to whether the public hearing is necessary
44 for RIOC.
45

46 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
47 Ms. Levendosky, Ms. Christian, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the following
48 resolution was considered for review:
49

1 **PROPOSED RESOLUTION**

2
3 APPROVAL OF PROCEDURES FOR BOARD MEMBERS’
4 VIDEOCONFERENCING PURSUANT TO PUBLIC OFFICERS LAW § 103-A
5

6
7 **WHEREAS**, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State
8 Legislature amended Section 103 of the Open Meetings Law; and

9 **WHEREAS**, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the
10 Roosevelt Island Operating Corporation (“RIOC”) to authorize its members to attend meetings by
11 videoconferencing under extraordinary circumstances; and

12 **WHEREAS**, Section 103-a(2)(a) requires RIOC to adopt a resolution authorizing the
13 limited use of videoconferencing under such circumstances; and

14 **WHEREAS**, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum
15 number of members are present to fulfill the public body’s quorum requirement in the same
16 physical location or locations where the public can attend”; and

17 **WHEREAS**, Section 103-a(2)(c) requires that members be physically present at any such
18 meeting “unless such member is unable to be physically present at any such meeting location due to
19 extraordinary circumstances, “including disability, illness, caregiving responsibilities, or any other
20 significant or unexpected factor or event which precludes the member’s physical attendance at such
21 meeting”; and

22 **WHEREAS**, in accordance with Section 103-a(2)(d), any members attending by
23 videoconference must, excerpt during executive session, be “heard, seen and identified, while the
24 meeting is being conducted, including but not limited to any motions, proposals, resolutions, and
25 any other matter formally discussed or voted upon”; and

26 **WHEREAS**, Section 103-a(2)(g) requires that any meeting where a member attends by
27 videoconference be recorded, posted to the RIOC webpage within five business days, and
28 transcribed upon request; and

29 **WHEREAS**, Section 103-a(2)(h) requires that members of the public be permitted to attend
30 and participate, if authorized, in any meeting by videoconference when a member attends by
31 videoconference.

32 **BE IT RESOLVED**, that RIOC authorizes its members who experience an extraordinary
33 circumstance, as described above and further defined by any rules or written procedures later
34 adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-
35 person at one or more locations open to the public; (ii) as long as the member can be seen, heard,
36 and identified while the open portion of the meeting is being conducted; and (iii) as otherwise
37 permitted under Chapter 56 of the Laws of 2022; and be it further

38 **RESOLVED**, that RIOC shall create written procedures further governing its use of
39 videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.

40
41

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2
3 Mr. Valella noted that new business items #2 through #6 are financial reports for the annual
4 PARIS filing. He suggested discussing and voting on these items as a bulk, as in the previous meeting.

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8 **NEW BUSINESS ITEM #2**

9
10 The second item of new business was the Presentation of Audited Financial Statements for
11 Fiscal Year Ending March 31, 2022.

12
13 Mr. Daeman DiStefano, RIOC's Comptroller, provided a brief overview of the audited
14 financial statements and financial reports for Fiscal Year ending on March 31, 2022. He stated that
15 these items were previously discussed in detail at the Audit Committee meeting, where RIOC's
16 auditors from EFPR Group presented the audited financials piece. Mr. DiStefano noted that the annual
17 audit, and the annual report were considered excellent by the auditors. The auditors are ready to issue
18 an unmodified opinion which is the highest and best audit opinion that you can get. Per Mr. DiStefano,
19 it indicates that the financials were presented fairly and in accordance with GAAP or generally
20 accepted accounting principles.

21
22 Mr. DiStefano noted that the auditors did not have any findings and they also did not propose
23 any adjustments, which is an indication that the financials and the reporting of financial transactions
24 is "capped off," and kept well, and is done neatly. He stated that the deadline for PARIS filing, and
25 all of these financial items included in the annual report, is June 30, 2022. Mr. DiStefano noted that
26 he is seeking Board approval for all of these materials so that RIOC can meet that statutory deadline.

27
28 Director Polivy noted that the Audit Committee met on June 8th, 2022 and reviewed these
29 items #2 through #6 of the agenda in a little bit more detail. He noted that all of the reports are
30 consistent over the years because they are meant to meet the format necessary for PARIS, which is
31 the Public Authority Reporting Information System. This filing includes the annual report, the
32 bylaws, all the financials, the procurement report, and the investment report. Mr. Polivy stated that
33 the Committee Members were pleased with the quality of the audit and the materials presented. He
34 noted that the Committee recommended these items for Board's approval.

35
36 Mr. Valella noted that Homes and Community Renewal does the same filing. In addition to
37 the documents that Mr. Polivy mentioned, the PARIS filing also includes the mission statement, the
38 performance measures, as well as the Board Members' evaluations.

39
40 Mr. Haynes, RIOC's President/CEO, thanked the auditors and the Audit Committee for their
41 due diligence, and commended Mr. DiStefano and the Finance Department for their thorough
42 preparation of the PARIS reports.

43 * * *

44
45
46 **NEW BUSINESS ITEM #3**

47
48 The third item of new business was Approval of Annual Report for Fiscal Year Ending March
49 31, 2022.

1 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
2 Ms. Levendosky, Ms. Christian, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the following
3 resolution was ADOPTED:
4

5 **RESOLUTION**

6
7 APPROVAL OF ANNUAL REPORT
8 FOR FISCAL YEAR ENDING MARCH 31, 2022
9

10
11 **RESOLVED** by the Board of Directors of the Roosevelt Island Operating Corporation of the State
12 of New York, as follows:
13

14 Section 1. that the Annual Report for fiscal year ending March 31, 2022, annexed hereto,
15 is hereby approved and may be submitted to the Governor, the chairman and
16 ranking minority member of the Senate Finance Committee, the chairman and
17 ranking minority member of the Assembly Ways and Means Committee, the
18 State Comptroller, the Authorities Budget Office, and any other governmental
19 entity as required by law;
20

21 Section 2. that the President/Chief Executive Officer or President’s designee is hereby
22 authorized to take such actions and execute such instruments as deemed
23 necessary to effectuate the foregoing;
24

25 Section 3. that this resolution shall take effect immediately.
26

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28
29 **NEW BUSINESS ITEM #4**
30

31 The fourth item of new business was the Approval of Report on Procurement Contracts for
32 Fiscal Year Ending March 31, 2022.
33

34 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
35 Ms. Levendosky, Ms. Christian, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the following
36 resolution was ADOPTED:
37

38 **RESOLUTION**

39
40 APPROVAL OF REPORT ON PROCUREMENT
41 CONTRACTS FOR FISCAL YEAR ENDING MARCH 31, 2022
42

43
44 **RESOLVED** by the Board of Directors of the Roosevelt Island Operating Corporation of the State
45 of New York, as follows:
46

47 Section 1. that the report of procurement contracts for fiscal year ending March 31, 2022
48 (the “Procurement Contract Report”) and the Guidelines Regarding the Use,
49 Awarding, Monitoring and Reporting of Procurement Contracts, annexed
50 hereto, are hereby approved, and the Procurement Contract Report may be

1 submitted to the Division of the Budget, the Department of Audit and Control,
2 the Senate Finance Committee, the Assembly Ways and Means Committee,
3 and the Department of Economic Development, and any other governmental
4 entity as required by law;

5
6 Section 2. that the President/Chief Executive Officer or President’s designee is hereby
7 authorized to take such actions and execute such instruments as deemed
8 necessary to effectuate the foregoing;

9
10 Section 3. that this resolution shall take effect immediately.

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12 * * *

13
14 **NEW BUSINESS ITEM #5**

15
16 The fifth item of new business was the Approval of Report on Investments for Fiscal Year
17 Ending March 31, 2022.

18
19 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
20 Ms. Levendosky, Ms. Christian, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the following
21 resolution was ADOPTED:
22

23
24 **RESOLUTION**

25
26 **APPROVAL OF REPORT ON INVESTMENTS**
27 **FOR FISCAL YEAR ENDING MARCH 31, 2022**

28
29
30 **RESOLVED** by the Board of Directors of the Roosevelt Island Operating Corporation of the State
31 of New York, as follows:

32
33 Section 1. that the report of the corporation’s investments for fiscal year ending March
34 31, 2022 (the “Investment Report”), and the Investment Guidelines, annexed
35 hereto, are hereby approved, and the Investment Report may be submitted to
36 the NYS Division of the Budget, the Department of Audit and Control, the
37 Senate Finance Committee and Assembly Ways and Means Committee, and
38 any other governmental entity as required by law;

39
40 Section 2. that the President/Chief Executive Officer or President’s designee is hereby
41 authorized to take such actions and execute such instruments as deemed
42 necessary to effectuate the foregoing;

43
44 Section 3. that this resolution shall take effect immediately.

45
46 * * *

1 **NEW BUSINESS ITEM #6**

2
3 The sixth item of new business was the Approval of Property Report for Fiscal Year Ending
4 March 31, 2022.

5
6 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
7 Ms. Levendosky, Ms. Christian, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the following
8 resolution was ADOPTED:

9
10 **RESOLUTION**

11
12 **APPROVAL OF PROPERTY REPORT**
13 **FOR FISCAL YEAR ENDING MARCH 31, 2022**

14
15
16 **RESOLVED** by the Board of Directors of the Roosevelt Island Operating Corporation of the State
17 of New York, as follows:

18
19 Section 1. that the Property Report for fiscal year ending March 31, 2022, and the
20 Guidelines Regarding Acquisition and Disposal of Property, annexed hereto,
21 are hereby approved and may be furnished to the State Comptroller, the
22 Director of the Budget, the Commissioner of General Services, the Majority
23 Leader of the Senate, the Speaker of the Assembly, the Authorities Budget
24 Office, and any other governmental entity as required by law;

25
26 Section 2. that the President/Chief Executive Officer or President’s designee is hereby
27 authorized to take such actions and execute such instruments as deemed
28 necessary to effectuate the foregoing;

29
30 Section 3. that this resolution shall take effect immediately.

31
32 * * *

33
34 **NEW BUSINESS ITEM #7**

35
36 The seventh item of new business was the Approval of Insurance Binder for Public
37 Officials/Employment Practices Policy.

38
39 Mr. John O’Reilly, RIOC’s Chief Financial Officer, stated that prior to the April 1, 2022
40 insurance renewal, the Public Officials carrier (XL Insurance Group) had requested a 60-day
41 extension through May 31, 2022 to further evaluate and market the coverage. RIOC had accepted the
42 extension at the existing premium rate. RIOC had also expected premium and/or retention increases
43 for the policy upon renewal, however, XL Insurance Group did not offer renewal terms due to loss
44 history.

45
46 According to Mr. O’ Reilly, following extensive marketing of the policy, RIOC’s brokers
47 bound a policy with Chubb at a premium increase of approximately 1.5% year over year. Mr.
48 O’Reilly noted that although the premium increase was modest, the terms of the new policy are less
49 favorable than the expiring policy with respect to the Employment Practices Liability retention,
50 although the Public Officials’ retention remains the same. Mr. O’Reilly noted that management

1 anticipates a reduction in future claims which should make next year’s renewal easier. Additionally,
2 Chubb is open to further discussions on the retention terms and any measures being taken by RIOC
3 to mitigate future claims.
4

5 He recommended that the Board of Directors approve the insurance binder with Chubb for
6 the period from June 1, 2022, through May 31, 2023 at a \$64,942 premium with a \$1 million retention
7 for employment liability claims.
8

9 Mr. Polivy noted that this item was also discussed at the June 8, 2022 Audit Committee
10 meeting, and that the Committee recommended that the Board approve this policy. He thanked Mr.
11 O’Reilly and his team for getting to this conclusion in a currently, tough market.
12

13 In response to a question from Director Shinozaki, Mr. O’Reilly confirmed that he is satisfied
14 with the quality of the service RIOC is getting from our insurance broker. He noted that Gallagher
15 provides coverage to a number of different state agencies within the State of New York, and they are
16 very well regarded. Mr. O’Reilly stated that they have done a very good job at marketing this
17 program, and the other programs that RIOC is dealing with, to a number of different underwriters, to
18 RIOC’s satisfaction.
19

20 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
21 Ms. Levendosky, Ms. Christian, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the following
22 resolution was ADOPTED:
23

24 **RESOLUTION**

25
26 APPROVAL OF INSURANCE BINDER FOR
27 PUBLIC OFFICIALS/EMPLOYMENT PRACTICES POLICY
28
29

30 **RESOLVED** by the Board of Directors of the Roosevelt Island Operating Corporation of the State
31 of New York (“RIOC”), as follows:
32

33 Section 1. that the Public Officials/Employment Practices Insurance Binder for the
34 period from June 1, 2022 through May 31, 2023, upon such terms and
35 conditions substantially similar to those outlined in the Memorandum from
36 John O’Reilly to Shelton J. Haynes/Board of Directors, dated June 7, 2022,
37 attached hereto, are hereby approved;
38

39 Section 2. that the President/Chief Executive Officer or President’s designee is hereby
40 authorized to take such actions and execute such instruments as deemed
41 necessary to effectuate the foregoing; and
42

43 Section 3. that this resolution shall take effect immediately.
44

45 * * *
46

1 **NEW BUSINESS ITEM #8**

2
3 The seventh item of new business was the Authorization to Enter into Contract with Cameron
4 Engineering & Associates for Design Services in Connection with the Roadway and Paved Surfaces
5 Rehabilitation Design Project.

6
7 Mr. Valella noted that this item is being tabled.

8
9 * * *

10
11 **NEW BUSINESS ITEM #9**

12
13 The ninth item of new business was the Authorization to Amend the License and Operating
14 Agreement with Main Street Theatre & Dance Alliance.

15
16 Ms. Stasko stated that MSTDA is a well-regarded community-based non-profit organization
17 that has been serving the residents of Roosevelt Island for over thirty-five years. MSTDA provides
18 high quality performance and dance training opportunities for all members of the Roosevelt Island
19 community. MSTDA has been operating out of the Cultural Center Theater since 2015, per the
20 License and Operating Agreement with RIOC. The license is renewed annually and is expiring at the
21 end of June.

22
23 Ms. Stasko noted that on June 7, 2022, MSTDA’s Board of Directors, by its letter to RIOC’s
24 Board of Directors and RIOC’s President, requested an approval to extend their license for five (5)
25 years with renewal options to make the organization eligible for certain art grants. The terms of the
26 original license will remain the same.

27
28 Ms. Stasko recommended that the Board of Directors approve the amendment of the License
29 and Operating Agreement with MSTDA, thereby extending the non-exclusive license to last until
30 June 30, 2027; with an option to renew.

31
32 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
33 Ms. Levendosky, Ms. Christian, Mr. Ekpo, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the following
34 resolution was ADOPTED:

35
36 **RESOLUTION**

37
38 **AUTHORIZATION TO AMEND THE LICENSE AND OPERATING AGREEMENT WITH**
39 **MAIN STREET THEATRE & DANCE ALLIANCE**

40
41
42 **RESOLVED** by the Board of Directors of the Roosevelt Island Operating Corporation of the State
43 of New York (“RIOC”), as follows:

44
45 Section 1. that RIOC is hereby authorized to amend the License and Operating
46 Agreement with Main Street Theatre & Dance Alliance, upon such terms and
47 conditions substantially similar to those outlined in the Memorandum from
48 Gretchen Robinson to Shelton J. Haynes/Board of Directors dated June 17,
49 2022, attached hereto;

1 Gretchen Robinson to Shelton J. Haynes/Board of Directors dated June 17,
2 2022, attached hereto;

3
4 Section 2. that the President/Chief Executive Officer or President’s designee is hereby
5 authorized to take such actions and execute such instruments as deemed
6 necessary to effectuate the foregoing; and

7
8 Section 3. that this resolution shall take effect immediately.
9

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11 * * *

12
13 **PRESIDENT’S REPORT**

14
15 Mr. Shelton Haynes welcomed Director Fay Christian back to the Board. He stated that the
16 Board and the community appreciate her presence.

17
18 Mr. Haynes first provided the Capital Planning and Projects updates. He noted that the Tram
19 overhaul - rope replacement work is nearing completion for the southern cabin. Mr. Haynes stated
20 that Pomagalski has done a great job with facilitating this work. He also noted that RIOC will be
21 doing road painting and stripping. With regards to the Sportspark renovation, it is scheduled to be
22 completed in the fall of 2022. Mr. Haynes noted that the facility will be closed until the fall, including
23 the pool.

24
25 RIOC is also working on the Island’s beautification. Mr. Haynes credited RIOC’s horticulture
26 and grounds team, and the Department’s Director, Matthew Kibby. Mr. Haynes noted that there has
27 been improvement with beautification of our public spaces. Examples of these improvements include
28 the turnaround near Blackwell House, and the area by Blue Dragon sculpture, among other spaces.

29
30 As for Island events, Mr. Haynes noted that we had a very successful Roosevelt Island Day
31 on June 11, 2022. He thanked the staff that volunteered their time and all the community groups that
32 came together for this event. Mr. Haynes noted that, currently, RIOC is actively planning the Fourth
33 of July event. The event team is coordinating among various agencies; looking at the health and safety
34 components, while also making sure that it will be an enjoyable event for all participants. He thanked
35 the entire team that stepped up to help facilitate this. Mr. Haynes noted that RIOC will also run the
36 Summer Movie Series from June 24 through August 19, 2022.

37
38 Mr. Haynes stated that the summer youth camp program is slated to begin very soon. He
39 thanked Anna Medina, Assistant Director of the Youth Center Program, and her team who have done
40 an amazing job with helping build the program. The camp program will last from July 11th through
41 August 26th. Some of the activities are noted on RIOC’s website and include photography, gardening,
42 basketball, outdoor sports, dance step, yoga and chess, and so forth. Mr. Haynes invited parents to
43 register their kids for the Youth Center programs, noting that there is limited space right now as we
44 have a student to counselor ratio.

45
46 Mr. Haynes also announced that Mr. Gerrald Ellis, RIOC’s new Deputy General Counsel, will
47 be joining Legal Department on June 28, 2022. Mr. Haynes noted that Mr. Ellis would bring a wealth
48 of experience and that we are looking forward to him being an addition to our RIOC team. Mr. Valella
49 added that Gerrald Ellis has been working with DHCR for several years and that he is a terrific
50 attorney.

1
2 Finally, Mr. Haynes thanked the Board Members for their support, feedback and insight
3 throughout the year and wished everyone a good summer.

4
5 * * *

6
7 **COMMITTEE REPORTS**

8
9 **AUDIT COMMITTEE**

10
11 The Audit Committee met on June 8, 2022 to discuss the audit and the financial reports
12 approved at this Board meeting.

13
14 **GOVERNANCE COMMITTEE**

15
16 The Governance Committee did not meet.

17
18 **OPERATIONS ADVISORY COMMITTEE**

19
20 The Operations Advisory Committee did not meet.

21
22 **REAL ESTATE DEVELOPMENT ADVISORY COMMITTEE**

23
24 The Real Estate Development Advisory Committee did not meet.

25
26 **PUBLIC SAFETY REPORT**

27
28 Ms. Stasko noted that the Public Safety Report was included in the Board package.

29
30 * * *

31
32 Upon a motion duly made, seconded and carried by unanimous vote in favor (Mr. Valella,
33 Ms. Christian, Mr. Kraut, Mr. Polivy, and Mr. Shinozaki), the meeting was adjourned at 7:32 p.m.

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Gretchen K. Robinson, Secretary
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