

**Village Board Meeting
Tuesday, October 9, 2007**

A regular Village Board meeting was held on the above date at 7:30 p.m. with the following members present:

PRESENT: Mayor John B. Keegan
Trustee Andrew Haggerty
Trustee John Meehan, Trustee Patricia Abato

ALSO PRESENT: Virginia Menschner, Village Clerk
Terry Rice, Village Attorney

ABSENT: Trustee Dagan LaCorte

Set Dates for November Meetings:

The workshop will be held on Thursday, November 1, 2007 at 7:00 p.m. and the regular Board meeting will be held on Monday, November 5 at 7:30 p.m.

FIRE DEPARTMENT:

The Mayor said that the Fire Chief just called and he had a problem and couldn't make it tonight. However, in the report, there are three members that need to be tentatively voted on and they are Randy Ortiz, Robert York and Thomas McGinn, Jr. A motion approving the three members was made by Trustee Meehan, seconded by Trustee Haggerty. Upon vote, the motion was carried.

BUILDING DEPARTMENT:

Code Enforcement Officer John Loniewski said he had a couple of things. He said that there were 78 violations written, 573 for the year. Again, as has been consistent with this administration, to stress the occupancy limitations or overcrowding and misuses of our properties, that leads the way. Secondly, the two month saga of Tall Oaks, which was really the disaster area of the Village for almost two years, will be closed down tomorrow. The orders to board up have been prepared. He will issue them tomorrow and fax it to the attorneys. He said we can expect that to be boarded up if not late tomorrow afternoon then certainly Thursday. And that will only leave eight units on the lower level still open. He said we will have closed 31 units through our efforts. And that was a lot of people involved in that and we will discuss that at length next month. The Mayor thanked him.

7:45 P.M. - PUBLIC HEARING - PARKING ON ESSEX LANE:

The Mayor said that at this time he would like to open up the

public hearing - the parking issue on Essex Lane. Attorney Rice said that the Chief had requested that the Board amend the vehicle and traffic provision with respect to Essex Lane. He said that previously, there had been no parking along the western side from Bon Aire Circle to a point 200 feet to the south. The proposed local law eliminates that provision and in its place only provides for no parking in two locations - at a point starting 60 feet from the south of its intersection to 30 feet north of Revere Court and from the intersection of Bon Aire Circle to a point 125 feet south to a point 265 feet further down the road from that. So it is providing more parking along the western side of Essex. He said that the Chief has reviewed that and presumably the way the local law is written is what he was requesting. Chief Clarke Osborn said that Attorney Rice did a good job. Everything is right on. He said he just wanted to explain to the Board so they don't get confused. He said that on Essex Lane there is no parking at this point on either side. All this is going to do is the one side, which is the western side of Essex Lane, which was actually constructed for a double-wide vehicle to park and a vehicle to pass it safely. And for some reason, he spoke to Mr. Albertson and he has been working with the residents in Bon Aire and they said they can definitely use more parking up there, Mr. Albertson advised and it makes sense, and Chief couldn't figure out when they took it out, that several years ago he had requested that they have no parking in certain areas and the former Board apparently took parking off the whole street which really, at this point in time, with the parking situation, doesn't make sense. He said he does feel that we should implement it. The Chief said that the only part, according to the law which he doesn't feel there should be parking as you come around the bend on Essex Lane where Revere Court comes out and that is why it is broken up the way it is with the footage and the dimensions. And he thinks it is a good idea and he just wants the Board to know that it is not going to cause any problems. It is already made double-wide for two cars.

Since nobody spoke on this, a motion to close the public hearing was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

VILLAGE OF SUFFERN

LOCAL LAW NO. 12 OF 2007

A LOCAL LAW AMENDING SECTION 254-61 OF THE CODE OF THE VILLAGE OF SUFFERN TO PERMIT PARKING ALONG PORTIONS OF THE WEST SIDE OF ESSEX LANE IN THE VILLAGE OF SUFFERN

BE IT ENACTED by the Board of Trustees of the Village as follows:

Section 1. Section 256-61 of the Code of the Village of Suffern, "Schedule XI: Parking Prohibited at All Times," is amended by deleting therefrom the following:

[Name of Street]	[Side]	[Location]
Essex Lane	West	From Bon Aire Circle to a Point 200 Feet to the South

Section 2. Section 256-61 of the Code of the Village of Suffern, "Schedule XI: Parking Prohibited at All Times," is amended by adding thereto after:

[Name of Street]	[Side]	[Location]
Essex Lane	East	60 Feet South and 30 Feet North Of Revere Court

the following:

[Name of Street]	[Side]	[Location]
Essex Lane	West	From Intersection of Bon Aire Circle to a Point 125 Feet South And From a Point 265 Feet South Of Bon Aire Circle to a Point 340 Feet South of Bon Aire Circle

Section 3. This local law shall take effect immediately after filing with the Secretary of State.

A motion to adopt Local Law No. 12, 2007 was made by Trustee Meehan, seconded by Trustee Haggerty.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

CULTURE & RECREATION:

Gail Curtin said that this is just the updated report that you had the other night. She said the Recreation update, for use at the Village Board meeting in October, is that since the last Village Board meeting, the Senior Citizen picnic was held at the Mahwah Elks Lodge. A great time was had by all. The Suffern Midget Mounties BonFire and Parade was held down at the ballfield and the 2007 Suffern Day and Fireworks display were held. The post-committee meeting will be held this Thursday, October 11, at 6:00 p.m. in this building. Events coming up: Suffern Midget Mounties

Dinner Dance, and this is one change on the update since the other night. Unfortunately, that organization has canceled the dinner dance that was scheduled for October 13. So again, that is canceled. The Lions Club Blood Drive will be held at the Community Center on Tuesday, October 16, from 5:00 to 9:00 p.m. The Chamber of Commerce and Recreation Halloween Window Painting will take place this year on Saturday, October 20. She said we will gather here at Village Hall at 8:30 a.m. and the children will finish painting at 12:00 noon. The first DARE Dance of this school year will be held on Friday, October 26. The American Legion Road Drive will be held on Saturday, October 27 and at the Board's request, the Community Center will be open for use of the rest rooms only between 10:00 a.m. and 2:00 p.m. that day. The traditional Village of Suffern Halloween Parade will be held on Sunday, October 28, at 2:00 p.m. And the final item on this report is the flu shots to be dispensed by Good Samaritan Hospital in this room for senior citizens on Thursday, November 1, between 11:00 a.m. and 1:00 p.m.

The Mayor said he would like to say that he thinks the Recreation Department as well as the Suffern Day Committee and everybody involved made a tremendous effort and made Suffern Day this year a really great success and he thanked everybody.

The Mayor said he wants to revert back for one second to read a letter he had regarding John Loniewski, which says:

Dear Mayor,

I would like to let you know how effective I think John Loniewski has been in keeping the town looking good. Whenever I alert John of a problem in my neighborhood, a few days later it is fixed or a pink violation notice has been posted. Thank him for me.

Sincerely,

Charles Barone

5 Mansfield Place

VILLAGE ATTORNEY:

Attorney Terry Rice said that the one thing that he wanted to do is to bring the Board up to date on the Tall Oaks litigation. He said that they normally discuss this at the workshop meeting but they ran late and he didn't have an opportunity to do so. He said just to give a quick background, when the Code Enforcement Officer issued the process that required that a number of the units be vacated in Tall Oaks because of the lack of electricity and the danger with respect to the footings, Legal Aid Society, representing a number of the tenants, brought an action against the Village. They also went into State Supreme Court to ask for a temporary restraining order and a preliminary injunction enjoining the Village's action. We, of course, opposed that and ultimately Judge Berliner denied their motion for preliminary injunction and they filed an appeal with the Appellate Division and moved for a stay and a preliminary injunction with the Appellate Division and we received the decision last week that the Appellate Division denied the request for preliminary injunction. He said that their

attorney did mention to him that they may try to go to the Court of Appeals, which Attorney Rice thinks is a highly unlikely event that they would get involved in that. Judge Berliner, when he denied the preliminary injunction, also said that he was converting the motion for preliminary injunction into a motion for summary judgement and he gave us until tomorrow to put in papers in support of the summary judgement motion. Attorney Rice said we had put in affidavits from the Fire Inspector, Code Enforcement Officer, the property management person for Tall Oaks as well as the affidavit from the receiver for the property that demonstrate the facts. And we will rely on those affidavits again. Summary judgement basically being that there are no significant factual disputes and based on the law we are entitled to dismissal of the underlying lawsuit. The underlying lawsuit alleges that we violated the tenants procedure to due process rights. So those papers will be submitted and hopefully the court will agree that the underlying lawsuit as well is completely baseless and at which point, hopefully, the action will be dismissed. In the meantime, there is no stay, there is no preliminary injunction, and as John indicated, the few families that are left, they are continuing to ensure that they are out because of the health and safety issues involved.

POLICE DEPARTMENT:

Chief Clarke Osborn said that he had a couple of informational items to keep the Board up to date. He said they have no items to vote on tonight. He said just to give an update for September, 2007, they issued 225 vehicle and traffic summonses. They made 39 arrests in the past month. And in regards to their police Harley Davidson motorcycle which they are going to use primarily for traffic enforcement, the motorcycle is in. It is in Newburgh at this time being done up with the lights, sirens and we should have it next week. So it should be in next week. Two officers, Sgt. John Gloede and Officer Glen Wilson, will be going to motorcycle training to Northwestern University, which works in conjunction with Harley Davidson and the training will be in Port Smith, Virginia. So they will come back certified to ride the motorcycle immediately. And they also plan on having Sgt. Gloede become an instructor which means that he will be able to train our other officers at no cost, which is great. He said that they did a commercial vehicle enforcement check on September 18 and in a 5 to 5 ½ hour period, they issued 88 summonses, they impounded 10 unsafe vehicles and they made numerous arrests one morning over on Hallet Place. He said it was a very big success. They did it along with the NYS Department of Transportation. They sent down a safety team and the NYS Environmental Conservation Police came down with a team as well. He said that we took some trucks out of service that should not have been on the road. So it went very well.

The Chief said he just wanted to give the accreditation update so the Board knows what is going on. He said we are about 80-90% complete with the policies for accreditation, which means we are getting ready to go to Stage 2, which would be to start putting the policies in place and start making what we call folders for each

policy. Sgt. Bonkoski has been working on that and he has been doing a good job with it and he just wants the Board to know that we are right on target with the accreditation and it is going very well. And that is all he has to report. And he thanked the Board for their support.

PUBLIC PARTICIPATION:

The Mayor said he is now opening the floor to public participation and, as always, anybody that comes up to the podium, please, for the record, state your name and address.

Cliff Albertson of 52 Bon Aire Circle, and also president of Bon Aire Condominium I, said that he just wanted to thank Chief Osborn for his help in getting the parking restored to Essex Lane and for the Board for helping them to see this through. It has been a couple of years that they have been working on it. They are very happy that it has been done. He said he thinks it is an indication of the improved cooperation that they have between Bon Aire and the Village Board now with this Village Board and he just wants to say thanks to everybody.

DEPARTMENT OF PUBLIC WORKS:

A) Authorization for Frank Abato to Attend Training Center, Morrisville State College, January 7, 2008 (\$100):

Carl Rossi said that he had a few items on the agenda tonight. The first item is authorization for Frank Abato to attend the training center in Morrisville State College on January 7, 2008. A motion approving the request was made by Trustee Meehan. Trustee Haggerty said that he had a question on that. He asked where Morrisville State College was. Mr. Rossi said it is upstate New York - approximately 4 hours away. Trustee Haggerty said because he sees the allowance. Mr. Rossi said that is the \$100 for the course. Next month he will come for the allowance for the hotel. Trustee Haggerty asked if that was for the tuition. Mr. Rossi said that is just tuition for the course. Trustee Haggerty said what about living expenses. Mr. Rossi said the expenses will be next month, once we get the schedule from the hotel. He said he is getting the schedule for the hotel room from the hotel that Mr. Abato stayed at the last time. The motion was seconded by Trustee Haggerty.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan

ABSTAIN: Trustee Patricia Abato

ABSENT: Trustee Dagan LaCorte

B) Hire Eric Andresen and James Breen as Full-Time Laborers in the Street and Refuse Department:

Mr. Rossi said he would like authorization to hire Eric Andresen

and James Breen as full-time laborers in the Street and Refuse Department. He said that right now they are temporary laborers. Trustee Abato asked if these were the same two that we have had working for quite some time. Mr. Rossi said yes, since June. Trustee Abato asked if they have worked out really well. Mr. Rossi said yes. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Abato. Trustee Haggerty asked what the starting salary is. Mr. Rossi said \$13.39 an hour. Trustee Haggerty asked if that was the starting salary. Mr. Rossi said yes.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

C) Transfer Steve Cottiers from the Water Department to the Street and Refuse Department as Mechanic I at \$24.08/hr.:

Mr. Rossi said this request is to transfer Steve Cottiers from the Water Department to the Street and Refuse Department as Mechanic I at \$24.08/hr. A motion authorizing the request was made by Trustee Haggerty, seconded by Trustee Abato.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

Trustee Abato asked Mr. Rossi when that will be, when he will be moved. Mr. Rossi said it will be effective tomorrow, but what they would like to do is to keep him in the Water Department for two more weeks so that we can keep going with the meter readings. Trustee Abato asked if we had something in the works to replace him. Mr. Rossi said no, we don't. He has to post it, according to the Union contract, he has to post the position for five days to see if there is anyone who is interested in the department. Trustee Abato said you haven't done that yet, right? Mr. Rossi said no, he needed to get him transferred first before he could open up the position.

D) Payment to West-Con Contractors in the Amount of \$56,331 Payment #2 and Final for the Memorial Park Renovations:

Mr. Rossi said this is a request for payment to West-Con Contractors in the amount of \$56,331. This is payment #2 and final for the Memorial Park renovations. A motion approving the request was made by Trustee Abato, seconded by Trustee Haggerty.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

E) Award Bid to All Bright Electric in the Amount of \$69,799 for the Suffern Community Center Generator:

Mr. Rossi said this is to award the bid to All Bright Electric in the amount of \$69,799 for the Suffern Community Center generator. He said they were the lowest bidder. The high bidder was Fanshawe Inc. at \$88,000. A motion awarding the bid to All Bright Electric was made by Trustee Meehan, seconded by Trustee Abato.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

F) Request Approval for Engineering Services for Water Meters in the Amount of \$25,820 to Riddick Associates:

Mr. Rossi asked for approval for engineering services for the water meters in the amount of \$25,820 to Riddick Associates. A motion approving the request was made by Trustee Meehan, seconded by Trustee Haggerty.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

G) Request Approval for Pump Repairs in the Amount of \$17,540 to Metro Pumps and Systems, Inc.

Mr. Rossi said this next item is to request approval for pump repairs for well #4 in the amount of \$17,540 to Metro Pumps and Systems, Inc. A motion approving the request was made by Trustee Abato, seconded by Trustee Meehan.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

Mr. Rossi said that he would like to remind the Village residents that leaf season is upon us and if the residents can to separate leaves, grass clippings and brush and branches. That way it makes it easier for our men to pick up and also for the Solid Waste Authority to compost for us. And also, we have mulch and topsoil that will be available to Village residents - up to one cubic yard. And landscapers can also purchase the topsoil at the Street Department for \$25 per cubic yard and mulch for \$15 per cubic yard. Trustee Abato said that, although Mr. Rossi is very diligent in sending out the information to the Village, she constantly gets questions from residents on whether we bag them, do we put them in pails, do we put them on the road. What are we doing this year. Mr. Rossi said that we would prefer that they bag them, because it makes it easier for them. Trustee Abato said with the leaf bags that we have available here. Mr. Rossi said yes, we have leaf bags available at the Street Department. But there are cases where we understand that senior citizens can't bag the leaves and if they can just have them put out to the side of the road. We have a leaf vac machine now. It was on display at Suffern Day. And we will pick them up for them. Trustee Meehan asked if the topsoil is at the Highway Department. Mr. Rossi said yes, at the Street Department garage. Trustee Meehan said he will take him up on that.

VILLAGE CLERK:

A) Approval of Minutes of Village Board Meeting - February 5, 2007:

Village Clerk Virginia Menschner said she would like approval of the minutes of the Village Board meeting of February 5, 2007. A motion approving the minutes was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

B) Approval of Minutes of Village Board Meeting - July 9, 2007:

A motion approving the minutes of the Village Board meeting of July 9, 2007 was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried, with Trustee Meehan abstaining since he was not there.

C) Approval of Minutes of Village Board Meeting - August 6, 2007:

A motion approving the minutes of the Village Board meeting of August 6, 2007 was made by Trustee Meehan, seconded by Trustee Haggerty. Upon vote, the motion was carried, with Trustee Abato abstaining since she was not present at that meeting.

D) Approval of Minutes of Village Board Meeting - September 10, 2007:

A motion approving the minutes of the Village Board meeting of September 10, 2007 was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

E) Resolution No. 21, 2007: Authorization for Mayor to Sign 2009/10 Snow and Ice Agreement:

Village Clerk Virginia Menschner said this next item is for authorization for the Mayor to sign the 2009/10 Snow and Ice Agreement. This would be Resolution No. 21, 2007.

Resolution No. 21, 2007

RESOLVED, authorize Mayor John B. Keegan to sign 2009/2010 Municipal Snow and Ice Agreement Extensions with the New York State Department of Transportation.

A motion authorizing the Mayor to sign the 2009/10 Snow and Ice Agreement was made by Trustee Abato, seconded by Trustee Meehan.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

Trustee Abato said that she just wanted to mention and wanted to commend and thank Kathy Van Sickle for getting all of our minutes up to date and she assures her that they have all been approved that the website will reflect that and all our minutes will be up to date on the website. So we will be going month to month. Trustee Abato said she wanted to thank Kathy for a great job. The Mayor and Board also thanked her.

F) Resolution No. 22, 2007: Authorization for Mayor to Sign County of Rockland and Village of Suffern Agreement to Reimburse the Village for Overtime for Counter-Terrorism Training:

Virginia Menschner said this is for Resolution No. 22 which is authorization for the Mayor to sign the 2007 agreement between the County of Rockland and the Village of Suffern to reimburse the Village for overtime for counter-terrorism training as outlined in the Homeland Security grant. A motion authorizing the Mayor to sign the agreement was made by Trustee Abato, seconded by Trustee Haggerty.

RESOLUTION NO. 22, 2007

RESOLVED, authorize Mayor John B. Keegan to sign 2007 agreement between the County of Rockland and the Village of Suffern to reimburse the Village for overtime for Counter-Terrorism training as outlined in the LETTP Homeland and Security Grant.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

G) Report: Recreation Car:

The Village Clerk said this is a report on the Recreation car. She said as the Board knows, we advertised for the Recreation car three times and we never had any luck on it. Gail did some research and she thinks Gail may have had some help from Carl, but she doesn't know, and they did go on the website and they did get a price from NYS purchasing and the cost of the car will only be \$17,194. It is a 2008 Ford. Attorney Rice asked if that was under State bid. The Village Clerk said yes, it is under State bid. So she just wanted to bring the Board up to date on that. Trustee Abato said she wanted to move that we go ahead with that Recreation vehicle because on Suffern Day she saw some very disturbing imprisonment of our Recreation Director so she would like to move that we go ahead and expedite this as soon as possible so that Recreation can have a car. This was seconded by Trustee Haggerty. Mrs. Curtin said it happened again today.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

Village Clerk Virginia Menschner said that she did receive this afternoon a letter from Charlie Calotta, which says:

Dear Ms. Menschner:

A permit is respectfully requested to conduct the Veteran's Day Parade on Monday, November 12. The parade will be jointly conducted by the VFW and the American Legion. We will assemble at the Village Hall at 10:30 a.m. and then proceed to the Soldier's Monument for the 11:00 a.m. ceremony, which is expected to last about 45 minutes. We would appreciate having use of the Village P.A. system. Thank you for your consideration.

*Very truly yours,
Charlie Calotta
Commander*

A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

A) Investment Policy Statement (Service Award Program):

Treasurer Tom Zordan said that he believes the Board has before them an investment policy statement for the firefighters length of

service award program. Mr. Zordan said that he is requesting they approve that so that he can make the change that we have agreed to. A motion approving the investment policy statement was made by Trustee Abato, seconded by Trustee Meehan.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

B) Resolution No. 24, 2007 - Year End Budget Transfers:

Mr. Zordan said that he has Resolution No. 24 for year end budget transfers, which he believes the Board has before them. A motion approving the transfers was made by Trustee Meehan, seconded by Trustee Abato.

RESOLUTION NO. 24, 2007

RESOLVED, WHEREAS, at the end of the fiscal year there may be variances, both positive and negative, in the budget to actual comparisons of several accounts of the Village on a detailed level; and

WHEREAS, it is more efficient and effective for the Village Treasurer to make the appropriate budget transfers to increase the budgets of accounts in a negative balance by decreasing the budgets of accounts in a positive balance.

NOW, THEREFORE, BE IT RESOLVED, that the Village Treasurer is authorized to make the necessary year-end budget transfers, provided that a list of such transfers is furnished to the Village Board at the completion of such transfers.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

Mr. Zordan said that we paid down \$155,000 of Bond debt during September. Our outstanding balance is now \$6,300,000. Obviously, that is because we borrowed for the roads and the water meter reading system. We have \$1,367,131 in BANS outstanding as of September 30. Our total outstanding debt is \$7,467,131. On Friday, October 5, we had a BAN payment of \$105,750. So our total is going down. The auditors will be here Monday to start there annual audit and hopefully things will work out nice once again. We received \$93,227 in aid from New York State under the Aid and Incentives to Municipalities program and that is what we had budgeted. During the weekend of September 28-30, water meter readings were taken.

Unfortunately, the success rate was only 30%. This success rate is 9 percentage points lower than last year's October reading. The Water Department has started taking manual readings and should be done on or about October 19 so that the billing can be completed and sent out by the end of the month. As the Board can see, because the success rate is dropping steadily, it is a good thing that the Board has approved for them to get a new meter reading system. He and Barbara and he is sure the Water Department men appreciate it too.

MAYOR:

The Mayor said that pretty soon we will have a new addition to the downtown area - a beautiful clock will be down at the park down near Orange and Lafayette and that is donated by the Town of Ramapo at no cost to the taxpayers. It also chimes on the hour and plays holiday music for different holidays. So he thinks it will be a nice little addition to the Village.

The Mayor said that in thinking of our residents, we are considering having extended hours on the first and third Wednesday of the month until 7:00 p.m. here at the Village Clerk's office. This way residents who get home late and can't get in in the morning can get in and do whatever business they have to do with the Village Clerk. At the same time, we are looking into accepting credit cards. Up until now, we do not. A lot of people come in and can't understand why they can't pay with a credit card. So we are looking into that. We should be doing that very soon also.

The Mayor said he would just like to announce that on Thursday, November 1, flu shots will be available from 11:00 a.m. to 1:00 p.m. and that is for senior citizens. It will be here in the auditorium.

A) Resolution No. 23, 2007 - Retain Decotiis Fitzpatrick Cole & Wisler, LLP to Work as Of-Counsel with Village Counsel Regarding Immigration Initiatives Improvement Public Safety:

The Mayor said he would like to read a letter which is a proposal.

The Board of Trustees has now retained a law firm to work with Village counsel in advising the Village on policies that will enhance public safety for all residents. Dacotiis Fitzpatrick Cole and Wisler has extensive experience advising municipalities and law enforcement agencies and will help the Village ensure that the civil rights and civil liberties of all residents will be protected as we explore options to enforce State law against criminal aliens for felony charges and driving while intoxicated. The Board of Trustees will work closely with Village counsel and the Village Police Department to protect the rights of witnesses, crime victims and victims of domestic violence without regard to documented status. The Village of Suffern is being pro-active in this effort for the safety of our entire population. As always, we welcome input from more residents and our business community on how to

improve public safety.

The Mayor said that we have a proposal from the same law firm and he would like to ask the Board to vote on that proposal this evening for counsel.

Trustee Meehan said that he would like to say that the Village Board met on Thursday evening with a representative attorney and he was tremendously impressed by that gentleman. He thinks that this community is fortunate that we do know that we have a large Mexican population. Our census indicates that. We also have a very good relationship with that population and it is important that we keep it. And he thinks that this program is going to continue that good relationship. But he also thinks it will give us an opportunity when we do have any bad apples in the barrel for people who are wanted in foreign countries and that type of thing that we will be able to handle it. So he is very pleased to move that we retain this law firm, seconded by Trustee Abato.

Trustee Haggerty said he would like to thank Chief Osborn for bringing this to our attention. It was an outstanding job again and he appreciates it. Trustee Meehan said the Chief and the Mayor and the Deputy Mayor also went down to Morristown and met with the Morristown authorities who have this program in place.

Chief Osborn said that they were the first one's in New Jersey and we will probably be the first one here.

Attorney Rice said that the Resolution that the Board has before them, which he thinks they had a discussion on Thursday night, the resolution does not contain a provision providing for a maximum and he thinks the discussion of the Board was to put a not to exceed. Trustee Abato said she thought they agreed on \$20,000. Trustee Meehan said he would amend it to not exceed \$20,000, seconded by Trustee Abato.

Trustee Haggerty said that he thinks that we have nothing to base our judgement on at this time about how much it will cost. He said he doesn't think that should be brought up restricting before we can get off the ground. Attorney Rice said the only point was so that it is not an open-ended agreement. If the amount of work is such so that amount will be exceeded, then obviously it can be expanded upon. But he thinks it was one of the Trustees, Trustee Meehan, who brought up the concern that if it is an open-ended thing, there should be some type of requirement that the Board readdress the issue if you get to that point. Trustee Abato said that Mr. Mannion actually recommended this. Attorney Rice said yes, and he feels that is a fairly generous sum for what is involved here. Trustee Abato said then we can always amend that if we needed to. Attorney Rice said to be honest, he doesn't think it is going to go to \$20,000. But yes, you can always amend it. Trustee Abato said Mr. Mannion didn't think so either but she just wanted to make sure.

RESOLUTION NO. 23, 2007

**RESOLUTION OF THE VILLAGE OF SUFFERN, NEW YORK
TO RETAIN DECOTIIS FITZPATRICK COLE & WISLER, LLP
TO WORK AS OF-COUNSEL WITH VILLAGE COUNSEL
REGARDING IMMIGRATION INITIATIVES TO IMPROVE PUBLIC SAFETY**

WHEREAS, the Village of Suffern finds that criminal illegal aliens are causing and or contributing to criminal activity and violations of local ordinances, such as "stacking," within the Village and the State of New York. The Village of Suffern therefore declares it to be a compelling public interest to seek counsel regarding options to enhance public safety by fully cooperating with federal authorities in the enforcement of federal immigration laws to the extent permitted by law; and

WHEREAS, the Village of Suffern may employ legal counsel and law clerks and determine their qualifications, duties and compensation; and is in need of legal counsel with knowledge and experience in federal law enforcement matters, particularly those pertaining to undocumented aliens, and is experienced in negotiating memoranda of agreements with federal agencies; and

WHEREAS, DeCotiis FitzPatrick Cole & Wisler, LLP has the requisite knowledge and experience, as well as attorneys admitted to practice law within the State of New York; and

WHEREAS, this appointment is necessary for the efficient operations of the Village of Suffern.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees:

- (1) That the Board hereby approves the appointment of DeCotiis FitzPatrick Cole & Wisler as of-counsel to the Village Counsel for the purpose of advising the Village and its officials on immigration related issues and in representing the Village in negotiations with other agencies regarding immigration related initiatives at the blended rate of \$175.00 per hour for attorneys admitted in any state even if working as law clerks under Village Counsel or another attorney admitted to practice in this State and \$100.00 per hour for persons regularly employed by the firm as paralegals and law clerks, not to exceed the sum of \$20,000.
- (2) The Mayor is hereby authorized to execute a retainer contract on behalf of the Village with DeCotiis FitzPatrick Cole & Wisler which is not inconsistent with the terms of this resolution and such contract shall be placed on file and made available for public inspection in the Office of the Village Clerk.

(3) No further action of the Board shall be required.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan
Trustee Patricia Abato

NOES: None

ABSENT: Trustee Dagan LaCorte

The Mayor said this is unanimous and our Deputy Mayor is out of town but he is 100% with us on this. And he just wanted to let everybody know that. And again, this goes back to basically this attorney is here to protect the Village because in our endeavor with the Police Department in going after criminals and felons and getting them off the street and getting them deported if we have to and out of our Village for the safety of our residents. And in that, we are applying for what is called 287G, that is ICE, which is Immigration Customs Enforcement and if we are accepted into that and we have several of our Police Officers trained as ICE officers, they will have the power to use federal data bases to find out who is a criminal in another country and is now here. They will have the power to deport if necessary and they will have the power to seize vehicles and auction them if criminals and felons are driving such vehicles. So again, this is just one more tool that your Village Board is going to use to ensure the safety of all our residents.

Trustee Abato asked the Mayor if Mr. Mannion had also said that the life scan would be part of the equipment that the Village would be given, which is something that we were looking into which was going to cost us - and she asked Chief Osborn how much. He replied between \$68,000 to \$80,000. Trustee Abato said about \$80,000 and that equipment would be given to us and we would not have to purchase it. So we would have that at our disposal and not have to pay for it. It would be given to us. The Mayor said that the fingerprint scanner brings back fingerprints right away instead of the few days it now takes to get information back. It is an \$80,000 and up piece of equipment which can be provided by the Office of Homeland Security if we are accepted into this program, which we hope to be. At the same time, if our officers are trained, it is no cost to the Village and they are trained right here on the premises. So it is a win, win situation for the Village of Suffern.

B) Suffern Little League - Request to Install Lights at Horton Field:

The Mayor said we have a letter here that says that Suffern Little League is requesting permission to install new Musco lighting at Horton Memorial Field in November, 2007 which would be installed by Kevin Campbell of Eagle Electric Company. There will be four poles installed in approximately the same areas as the existing poles. There will also be a 5 foot by 9 foot building erected to house the electric wiring and the outside construction will match the two

dugouts. The Mayor said the only question that we had in the workshop is that, number one, would the lighting affect any of the neighbors that live close by. And, number 2, he asked Mr. Rossi if he looked at the location of the building and asked him if he had any problems with that. Mr. Rossi said that he had no problems with that. He met with Mr. Fazio today and everything that he had on the plan seemed okay by him. But the only thing that he suggested to him is that he would talk to the County Drainage Agency considering that we are putting a scoreboard near the bank of the Mahwah River. So he will give them a call tomorrow and see if there is any permitting process that we might need to do for it. Attorney Rice asked Mr. Rossi if he was satisfied, number one, that there wouldn't be any more light disturbance to the adjoining residents. Mr. Rossi said no, these are especially made for that. Attorney Rice asked if Gail was okay with the location of the building. It is not interfering with any recreation activities down there. Or has Gail not seen it. Attorney Rice said that he would suggest then that you approve a resolution granting Little League authority to erect the lights and the building determining that the facilities are not subject to the local zoning law or site plan approval and requiring, making it a condition upon Gail also approving the location that the building is not interfering with any of the recreational activities. Trustee Abato said that you talked about the Planning Board as well. Attorney Rice said that if you say it is exempt, then they don't have to go. Trustee Abato asked if we have to do that first. Attorney Rice said he is making it all part of the motion. It is not subject to the zoning, doesn't require site plan, and it is subject to approval of Gail. The motion was made by Trustee Abato, seconded by Trustee Meehan. Attorney Rice said that one additional thing. What we have also done in the past is that there is an agreement that would be executed between Little League and the Village of Suffern whereby they acknowledge that it is the Village's property and that anything that is attached to the property, including the lights and the building, become the property of the Village of Suffern. The motion was moved with the amendment that the Village Attorney has added by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said he has one more thing. He would like to entertain a motion to pay Frank Abato retroactive pay back until January of this year, at which time he was a trainee in the Sewer Department, in our Wastewater Treatment Plant and he wasn't paid for it at the time and now he carries that title. So the Board reviewed it at the workshop and believes that he should be paid retroactive from January until now. A motion approving the request was made by Trustee Haggerty, seconded by Trustee Meehan.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee John Meehan

ABSTAIN: Trustee Patricia Abato

ABSENT: Trustee Dagan LaCorte

NEW BUSINESS:

Trustee Abato said that she had spoken to the Mayor about the ongoing concerns of the computers and the support and maintenance of them at Village Hall and we asked a company by the name of TechSpectrum to come in and look at our computers and the present condition of them and the needs of the Village and they identified some security issues which was very disturbing as well as some maintenance issues and equipment issues. They put a proposal before us but due to the Columbus Day holiday, unfortunately, she doesn't think that the Board members and the Police Chief and Chris in the Court had ample time to review them and for us to get the numbers from the budget to compare. So she would like to ask the Board to review the proposals before them and that we have a special meeting after we have had the Police Chief and the Court and Tom Zordan review the amounts of the proposals and if it is all in line she would like to have a special meeting because she thinks it is something of great importance and something we shouldn't be waiting on especially since we have security issues. The Mayor said okay, then we will table that. Trustee Abato said with reserving the right to have the special meeting.

The Mayor said the last thing is that we talked about having late hours and we are going to start that, if all goes well, on October 17.

A motion to adjourn the meeting at 8:25 p.m. was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.