

**Village Board Meeting
Tuesday, October 14, 2014 - 7:30 P.M.**

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

PRESENT: Mayor Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee Frank Hagen
Trustee John Meehan

ALSO PRESENT: Virginia Menschner, Village Clerk
Terry Rice, Village Attorney
Rob Magrino, Assistant Village Attorney

ABSENT: Trustee Matthew Byrne

SET DATES FOR NOVEMBER MEETINGS:

The Mayor said the first item on the agenda is to set the dates for the November meetings. The workshop will be on October 29 at 7:00 p.m. and the Board meeting will be Monday, November 3 at 7:30 p.m.

The Mayor said she has a special presentation to make before we start. The Mayor said this is for an award for someone who was very, very dear to us - the Andrew C. Haggerty Award. And we started this award to recognize a man who served this Village so very, very well and for so very many years. In addition he lived here with his wife, Isabel, and loved Suffern, loved this community, loved the people in it and always went above and beyond to make sure that Suffern had what it needed. Andy was seen volunteering in so many different community service organizations. He believed that being involved with your community was something that everyone who lived here should do. And here in Suffern we are very, very lucky to have what she would like to call a Suffern family. The Village of Suffern is more like a family than just a municipality. So that being said each month we honor someone who we feel is what Andy believed in - that outstanding person who gets involved in the community, who is always there to say how can I help and this month's recipient is that person. He lives his life in the true spirit of Andy Haggerty. He is always seen behind the scenes of events in the Suffern community, in the school district, behind the scenes of our cameras, lending a helping hand whenever he can be of assistance. The Mayor said she knows that Andy was quite fond of him and she knows that he was also very involved in a lot of service organizations that Andy was involved in and in events that Andy was involved in. So it is her distinct honor and pleasure to announce that Bruce Simon will receive the Andrew C. Haggerty Award for Outstanding Service. The Mayor said we have a nice plaque for him and his name will also go on the plaque on the

wall outside of Village Hall and it will be there forever. And we also have a little gift certificate here for him from Marcello's Restaurant. We hope that you will take your wife for a night out and enjoy yourselves and not be out running out and helping others. We hope that you will take the night to enjoy yourselves and it also comes with babysitting services. Deputy Mayor Jo Corrigan has volunteered to watch the children for the evening so you guys have a night out and enjoy. And thank you for all you do here in the Village.

7:30 P.M. - CONTINUATION OF PUBLIC HEARING - LIMITLESS TAXI FOR A TAXICAB LICENSE:

The Mayor said this is for the continuation of the public hearing for Limitless Taxi for a taxicab license. The Mayor asked if the applicant was here. The Mayor said the applicant is Biensy A. Rosa, Limitless Taxi. The Mayor said the applicant is not here. The Mayor said we wanted to speak to the applicant, which she was made aware of the public hearing, so the Mayor doesn't know if the Board would like to proceed with it. She would like to suggest that we table it until the applicant can be present for the hearing. Continue it. A motion to continue the public hearing to the next Board meeting was made by Trustee Hagen, seconded by Trustee Meehan. Upon vote, the motion was carried.

FIRE DEPARTMENT:

The Mayor said the Chief is not here.

CULTURE & RECREATION:

Mrs. Cathy Mills said there were a few things that we have coming up in the Village. This Saturday, October 18, we will be having the window painting. This is in conjunction with the Chamber of Commerce where they will go downtown and paint the windows on the Village shops. So we have quite a few groups signed up this year. So weather permitting we will be outside. If weather is not permitting they will be inside. But it will happen this Saturday. On Tuesday, October 21, the Lions Club will be having a blood drive at the community center between 5:00 p.m. and 8:00 p.m. Friday, October 24, there will be a LEAD event. LEAD stands for Life Exists Against Drugs. It is a High School group and they will be in the community center between 8 and 11:00 p.m. on Friday the 24th. Mrs. Mills said they have their annual Halloween Parade on Sunday, October 26. It starts at 2 o'clock down at commuter lot A and then it will come up to the gazebo where they will have refreshments and the costume judging. So 2 o'clock on the 26th.

At the community center on Friday, October 30, they are going to have a girl scout event and that will be from 6 to 9 at the community center. And then a few things for save the date. They

have the Veterans Day parade which will be on Tuesday, November 11, at 11 o'clock a.m. And then on Thursday, December 4, they will have the parade and tree lighting. And then on Sunday, December 7, they will be having here in the auditorium the Pearl Harbor ceremony, and on Wednesday, December 17, the Hanukah/Menorah lighting at the gazebo.

The Mayor thanked her and said she also wanted to thank her for the wonderful job that she did with Suffern Day. It was such a wonderful success. And she also wants to thank her for assisting yesterday with the Parking Authority. The Mayor said yesterday we dedicated three of our parking lots - the Village Hall parking lot to Calixto Charlie Anaya Jr. and Andrew Fredericks. They did the B lot for Richard Bosco and John Ginley, and they did the A lot for Ben Walker and Vinnie Tamburro. So she wanted to thank her for assisting with that. It was a wonderful service and very well attended by the community and it is going to be so nice to remember these men who lost their lives far too early. It is a great tribute to them and she hopes that everyone will take an opportunity to look at the memorials as the Parking Authority did such a beautiful job with them. So she thanks the Parking Authority and Cathy for making sure the event went off so beautifully and she thanked everyone that attended.

The Mayor said she is sure that some of the people are here for the Orange Avenue zone change. The Mayor said she would like to read a letter that she received at 3 p.m. today from Orange Avenue Associates attorney, Ira Emanuel. And it says:

Dear Mayor Abato,

I represent Orange Avenue Associates. My client hereby withdraws its petition for creation and mapping of the TDD Transit Development Zone for Orange Avenue Properties. It is apparent that we cannot come to an agreement with the Ramapo Central School District under the current circumstances.

*Very truly yours,
Ira Emanuel*

The Mayor said so we will not be voting on the zone change as the applicant has withdrawn their request for the zone change so there will not be anything for us to vote on. So she just wanted to - anyone who is here solely for that purpose, she just wanted to let them know that there will be no vote.

Trustee Meehan said it was his understanding, and Mr. Magrino certainly can comment, that once this petition has been withdrawn that if they decide that they might want to do this again that they would have to start from square one. Is that correct? Mr. Magrino said yes, they would have to do another petition, it would have to be circulated to the involved agencies.

The Mayor said so we will move along on the agenda.

GRANT WRITER:

The Mayor said Mr. Fred Rella is not here but he does have a report. The Mayor said there is a member item award from Assemblywoman Ellen Jaffee. This is the second award for the Clifford Theater this year from her. The first award was \$2000 used for reimbursement of 2013 play expenses. The play was "Legally Blonde." The new \$3000 award will be used to reimburse the Village for some of the 2014 play expenses "Hello Dolly." The New York State Parks and Recreation and Historic Preservation is overseeing the award implementation and they are the ones who will actually be giving us the money for the grants. And the New York State Department of Parks and Recreation Historic Preservation is requiring a resolution to allow the Mayor to sign all the necessary paperwork and submit it.

RESOLUTION NO. 15, 2014

WHEREAS, this organization has received a Legislative Initiative grant in the New York State Budget; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

NOW, THEREFORE, this body resolves the following:

1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in the Guidelines Non-Construction Projects \$50,000 and under 9/3/2013 provided by the New York State Office of Parks, Recreation and Historic Preservation;
2. That Patricia Abato, as Mayor of our organization, is hereby authorized to sign legal documents on behalf of our organization and that such signature is acknowledgment of the acceptance by this body of compliance with all terms and conditions of the Master Contract for Grants Contract Number PKS-14-PA-015 to be executed for the grant.

A motion approving the foregoing resolution was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

The Mayor said moving along we would like to set a public hearing. It has been brought to her attention that on Saturday mornings

there is an overwhelming amount of construction noise outside people's windows. These are the weekends. These are their days off. In reading the law, it actually states that the week is Monday through Saturday. Saturday is not included in the weekend. It also further goes on to say that although you can't mow your lawn until 9 o'clock construction workers can actually start their day at 8 o'clock. So we will be holding a public hearing to move the Saturday time to start construction of any kind or any kind of lawn mowing or any kind of noise will not be until 9 o'clock in the morning. So she will need someone to motion to set that public hearing. A motion to set the public hearing for November 3, 2014 at 7:40 p.m. was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said she is sure everyone is probably wondering why all the police officers are here. The Mayor said she would like to invite Clarke's family up with her. The Mayor said it is time to let Clarke know that they, the Village Board, feel that there is no other person in this Village that is more dedicated to the youth of this community. You have implemented so many opportunities and programs for children here in the Village of Suffern that there is not a child in this Village that doesn't know the name Officer Clarke, or Chief Clarke, or Clarke Osborn. Parents are thankful to you for all the DARE programs that you put together that have given their children the opportunity to learn the do's and the don'ts and the good and the bad. So, that being said, the Mayor and the Village Board have decided that the new Temple Lane Park is going to be the Chief Clarke Osborn Hero's Park.

Chief Osborn thanked the Mayor and Board. He said it was funny. When they all walked in he was thinking is he retiring today and doesn't know about it? He said thank you all. He said he works with the best group of officers in the world and dispatchers and personnel and he thanks everyone for coming. He said he saw John downstairs and they were talking and he told me he came down to get Chinese food and Chief said he came here to get Chinese food? So thank you all - the Mayor, his family. He said he had no idea. He said he didn't even see his family sitting over there. He said he was never a detective, he guesses. But thank you all so much. It is an honor and he looks forward to putting it out there. He said he was laughing. Before he came here he was at practice and doing uniforms and a lot of the parents were saying it's okay, it's okay, because he knew he had to come here at 7:30. So thank all of you and everybody. He appreciates it. Thank you all for the honor. He had no idea. Thank you.

POLICE DEPARTMENT:

A) Appoint David Figueroa Full-Time Police Officer:

Chief Osborn said he just had a couple of quick things. Number one

is the only item on the agenda. He is looking to appoint another police officer which is a replacement for an officer who retired early this summer and that officer is Village resident David Figueroa. David lives here in the Village and is a police officer with Amtrak at this time. And obviously David would have to go through the Department of Personnel for clearance but he is asking that the Board nominate him tonight so that he can get the clearance for him. A motion to confirm was made by Trustee Meehan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

Chief Osborn said he had just a couple of quick things for the record. He said we were very fortunate. We were named out of over 575 jurisdictions in New York State we were named number 5 in crime rate which is the highest in all the region - or he should say the lowest crime rate amongst 575 agencies in the state so to have that ranking they had no idea that it was coming. The Mayor called him one day and said I am going to forward you an e-mail. She received an e-mail from the state. So he just wants to thank all of you for your support because anytime he comes to them for equipment you enable him to have it and that makes a huge difference to keep our crime rate down so he thanks them for that.

Chief Osborn said they also have another good thing where last week they became reaccredited. In 2009 they became an accredited agency. That means you have to meet 133 standards that the state of New York puts together for them to recognize a professional police department. Only 20% of departments in the state receive the status and we received it again just last week after 5 years in 2014. So it is a huge thing for their department. He said it is a credit to the officers and the person that he works with. They had a DARE dance and he thanked Cathy for helping him out. They had close to 400 kids on Friday night. A great crowd. And the last thing that he is working on with Charles and Terry and the Mayor is the Orange Avenue crossing. He said they have spoken to New Jersey Transit. Terry is in contact with them. Charles and he were talking today and they are actually going to meet tomorrow over logistics which they pretty much have figured out so they are right on target. Thanks to Assemblywoman Jaffee for giving them \$250,000. That has helped us out a lot. That is the reason we can do it. So that is all he has.

The Mayor said she just wanted everybody to know that we had a press conference here in Village Hall and Assemblywoman Ellen

Jaffee has secured the capital funds for us for the Orange Avenue crossing. We are now going to be able to put together a crossing over at Dunnery Court, which is the plan, so that when we have rainstorms and flooding, which will flood out the two entrances into the West Ward which happens during bad rainstorms we will have access to the West Ward for emergency vehicles as well as the residents in an emergency situation can get out of there. So we are very, very thankful to Assemblywoman Jaffee for recognizing the critical nature that we really truly need an emergency overpass over to our West Ward and this also enables us in emergency flooding situations and we have actually taken some of our emergency service equipment and staged it over there so if there was a bigger emergency on the other side, on this side of the tracks, some of our equipment was kind of stuck over on the other side making sure that if there was an emergency over there that we could get some emergency service personnel to them. So we won't have to do that anymore. All of the equipment and personnel will be able to stay together and still access the West Ward. So again a great big thanks to Assemblywoman Ellen Jaffee. And to Charles Sawicki and to the entire Board - Jo Corrigan, Bruce McClintock who has done a tremendous amount of work in putting this plan together and of course Chief Clarke Osborn and Mike Stark. Everybody has spent an enormous amount of time in the preparation so that if we had gotten the money at some point of time we would be ready to go. And we certainly are. It is very exciting news and she thanks the Chief and everyone for all of their participation in getting that together.

7:50 P.M. - PUBLIC HEARING - INCREASING TAXICAB FEES:

The Mayor said we need to set a public hearing for increasing the taxicab fees. The standard schedule of fees for the Village of Suffern taxicabs would be amended. The licensing fee for new applications would be \$250. The annual fee would be \$225 per car and the taxi driver license would be \$100 per driver annually. So she would need a motion to set a public hearing. The Village Clerk said this is the public hearing. The Mayor said oh, you had me confused on that. She said this is the public hearing for increasing the taxicab fees. She said if anyone would like to speak to please come up to the microphone and state your name and address.

Deborah Tapp of Deborah's Taxi over on Oakdale Manor asked if she could talk about all of it. The Mayor said just the taxicab - just the licensing fees - increasing the licensing fees. Ms. Tapp said okay. Her first question is what do they get for the licensing fee increase. The Mayor said we haven't raised the taxi licensing fees here in the Village of Suffern for quite some time but she spoke to the Chief because it is very difficult to sometimes in the evening hours in the dark to decipher who is who. So what they have come up with is that they are going to create a placard that is going to go

on the vehicle that the officers will be able to recognize and identify immediately and better keep the unlicensed taxi services out of the Village of Suffern. It will be a little more visible for them. Easy to recognize and be able to really start cracking down on the taxicabs that are in the Village of Suffern without licenses. Ms. Tapp said we have four registered taxis in the Village of Suffern. The Mayor said that is correct. Ms. Tapp said they are kind of hard to miss. There are four of them. The Mayor said she understands that. She said we have new officers onboard. Sometimes some of the taxicab services change cars. Yours we know for sure. Ms. Tapp said there is no missing her. The Mayor said there is no missing you but there are others and sometimes if a new company had come on board there may be a question of if they are or if they are not. This way we know who is licensed and who is not. They will have the placard on their car and that will be a lot easier to handle. Ms. Tapp said she doesn't have an objection to a placard. Her objection is anything for what her permit is. Her feeling is that we are not getting anything back for those fees. She doesn't mind paying them. She just wants to know what she gets other than more - she said she lettered her van when she was told to letter it. Everyone knows that her vehicle is the only one that is lettered. She has a restriction as to how much she can charge within the Village of Suffern for a customer. It doesn't pay for her to work in Suffern. By the time she gets from her last call to the customer they are gone because some dude from Spring Valley ran through and grabbed them and who knows what he charged. Who knows if he is fingerprinted. She is. She did that. She said we are supposed to have - the Village is supposed to be inspecting the vehicles - the taxis that are here. We have a guy who withdrew his application because he didn't want to be fingerprinted. She said we have another guy who she doesn't recommend anyone getting in his car. Neither of them are Village taxis but they work, they work right in our neighborhood. And there is no follow through. If they are ticketing taxis that aren't from Suffern today, six months, a year, when do they do it again. They are back here the next day. She said she gets rules. She doesn't get anything back. And she wants something.

The Mayor asked her if she had a suggestion. Ms. Tapp said she has loads of them. She said she is really good at them. The first thing is that - all those out of Village taxis - even the ones that are living right here. They're not marked. There are four of us. Four of us. If we don't come for a meeting then why are we here. There is Jamal. He came on two years ago. There's Pepe. She doesn't know if he speaks English so she doesn't know how good he would do in a meeting. And there's Jean - Brother's Taxi. Everybody knows Brother's. Brother's and she used to sit in the lots together. Oh, that is another thing. Does anyone know how long a driver is on the run? She used to be there 20 hours. Her daughter would sit in the car with her. She would wake her up. She got her sleep because she slept right there. She had twenty hours a day on the road. She

doesn't work nights now because it doesn't pay. There are a lot of things. She said she doesn't care about paying more fees but let's do something with them.

The Mayor said to Ms. Tapp that she would like her to do her a favor and write up her list of recommendations - things that you see because you are out there and could you drop it off at Village Hall or let the Mayor know and she will walk over and get it. Either way is fine with her. And let's do that. Let's sit down and let's talk about them and let's see if we can find ways that can help you guys that are out there legally running your businesses to make life a little bit better for all of you. She would definitely be anxious to do that. Ms. Tapp said she has been trying to do this for twenty years - to get somebody to listen. The Mayor said okay. Let's go. Let's do it. Ms. Tapp said there is one other thing. When you are becoming a taxi for the Village of Suffern you are not supposed to be working until you guys say okay, you are now a taxi. There is one that is out there now - has an application but he is not approved. One of the ones who isn't here tonight. Didn't follow the rules to begin with. The Mayor said okay. She thanked Ms. Tapp.

The Mayor asked if anyone else would like to speak on the fees.

Jim Giannettino of 2 Memorial Drive said he just had a question on something that Debbie said. And he didn't know if Rob would know the answer to this. If they get a summons in the Village is that a moving violation? Mr. Magrino said no, it is a Village code violation. Mr. Giannettino said so what if they get three or four inside of two or three months. What action can the Village possibly take to keep them out of the Village. Mr. Magrino said at this point the only - in order to get points for a moving violation it has to be a violation of the state vehicle and traffic law. Mr. Giannettino said that is what he thought. That is why he wanted to ask him. Mr. Magrino said he can tell him from his experience - prosecuting in Court - he knows the police department has done, shall we call them, operations where they ticketed several operators who don't have licenses. Basically it is a fine. That is all that can happen in Justice Court is that they get fined. And they do. And one of the things, at least when he is there, that we do is that if they want to continue operating we tell them look, you have to go apply. And most don't. They accept the fine and that is it. But some have taken the steps to go. Mr. Giannettino said it is just like something that is the cost of doing business to them. Mr. Magrino said he doesn't know if it is an act. They don't seem happy paying the fine. Mr. Giannettino said he is sure they don't but as long as they can keep going they will pay the fine. Mr. Magrino said again. The police are out there. They do bring in a lot of the cases. Mr. Giannettino said he doesn't remember the code. They do have to be lettered in the Village on their cars? Mr. Magrino said he believes so. Mr. Giannettino said on their cars? Mr. Magrino said he believes so, yes, yes. There are a number of

requirements and typically they don't meet any one of them not the least of which is that they are not licensed by the Village. They have to be licensed by the Village. Mr. Giannettino said so he guesses they can get multiple fines when they are stopped. Point being - let's not make it easy for them to do business. Let's make it very expensive for them to break the law. And that is a discussion he was hoping Clarke would be here. The Mayor said she was hoping he would be here too because actually she sat down with Clarke a few weeks ago and she had expressed her concern because she was up at Good Samaritan Hospital and she was waiting for the valet to bring her car and she sees all of these taxis picking up, picking up, picking up. And she thought to herself this is ridiculous. So she sat down with the Chief and she explained to him that she wanted him to really start sending out our officers to start coming down hard. Mr. Giannettino said he thinks they have. He thinks they have been ticketing. The Mayor said they have not stopped yet. They are going to continue to do so. We think with the placards it is a quick easy way to register that - Mr. Giannettino said he had suggested that to him about six months ago because they are floating all over the Village. We all see them. The Mayor said right. We are going to do that. It is very easy then. You know that they are not licensed here. And the other thing is that they have been giving tickets for both lettering and for picking up fares in the Village. We have pictures of cars. We have actually taking pictures of some of the cars that have been coming into the Village so we know who they are. They have been given to the police department and they are definitely taking it very seriously and they are going to start really coming down on these guys. Mr. Giannettino said and as far as lettering. If they have to letter their cars they can't be switching cars constantly. The Mayor said correct. Any car that they use has to be lettered with a placard. Mr. Giannettino said so if they wanted multiple placards they would have to pay more? The Mayor said they would have to pay per car. So that particular car - like Debbie has one so she would pay for one. But if you had a taxi company and you had two cars it is per car and you would get - Mr. Giannettino said per driver also - the Mayor said correct. Per driver. And you would get a placard for each vehicle that you register for the Village. Mr. Giannettino said okay, thanks.

The Mayor asked if anyone else would like to speak regarding the fees. A motion to close the public hearing was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

The Mayor asked if she had a motion to increase the taxicab fees.

VILLAGE OF SUFFERN

RESOLUTION NO. 14, 2014

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

Section 1. The Standard Schedule of Fees of the Village of Suffern, "Taxicabs (Chapter 248)", is hereby amended to provide as follows:

Taxicabs (Chapter 248)

A. License Fee:

New Applications:	\$250.00
Annual Fee:	\$225.00 per car

B. Taxi Driver's License: \$100 per driver annually

Section 2. This Resolution shall take effect immediately.

A motion to increase the taxicab fees was made by Trustee Meegan-Corrigan. The Mayor said it would be \$250 for new applications. Annual fee would be \$225 per car and a taxi driver license would be \$100 per driver annually. The motion was seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

The Mayor said she didn't know what resolution number that was. The Village Clerk said number 14. The Mayor said it is Resolution No. 14 for the record.

DEPARTMENT OF PUBLIC WORKS:

A) Application for Payment No. 5:

Mr. Charles Sawicki requested payment authorization for application for payment No. 5 in the amount of \$157,871 to Northeast Remsco Construction for the Wastewater Treatment Plant Digester Upgrade Project General Construction portion. The total amount paid to the contractor, including these payments, is \$630,462.75. The contract amount is \$1,089,000. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

B) Application for Payment No. 2:

Mr. Sawicki requested payment authorization for application of payment number 2 in the amount of \$32,837.93 to HVS LLC for the WWTP Digester Upgrade project electrical construction portion. The total amount paid to the contractor including these payments is \$67,063.86. The contract amount is \$88,738.14. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

C) Personnel:

Mr. Sawicki requested the Mayor to appoint Mr. Brandon Cronk, currently a Street Department laborer, to the position of ME01 at the Street Department effective October 15, 2014 at the pay rate of \$21.96 per hour. A motion confirming the appointment was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYE: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

Mr. Sawicki requested the Mayor to appoint Mr. Lawrence Vogel, currently a Street Department laborer to the position of ME01 at the Street Department effective October 15, 2014 at the pay rate of \$19.92 per hour. A motion confirming the appointment was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

AYE: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

Mr. Sawicki requested the Mayor to appoint Mr. Aramis Morris, currently a Street Department laborer, to the position of Maintenance Helper at the Wastewater Treatment plant effective October 15, 2014 at the pay rate of \$19.92 per hour. A motion confirming the appointment was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

AYE: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

4) Training:

Mr. Sawicki requested authorization to attend Southeast New York Stormwater Conference in Beacon, New York on October 15, 2014. The cost of the course is \$125. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYE: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

Mr. Sawicki requested authorization to attend the Urban Forest Workshop located in Newburgh, New York on October 17, 2014. This course will be provided by the New York State D.E.C. at a cost of \$40. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYE: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

Mr. Sawicki requested authorization to attend the Stream Planning and Resiliency course in Middletown, New York on October 22, 2014. This course will be provided by Cornell Cooperative Extension at no

cost to the Village. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

AUDIENCE PARTICIPATION:

The Mayor said we are at audience participation. If you would like to come up to speak please state your name and your address for the record.

Tom Zordan of 249 Parkside Drive said to those who are not aware he retired effective September 26. And according to the Village of Suffern's work rules when someone retires from service they are entitled to medical benefits paid for by the Village of Suffern. So lo and behold, unexpectedly, he received a letter in the mail indicating that he should be signing up for COBRA at a cost of \$771 a month and if he doesn't do so by December 1 he will no longer have medical insurance. He said he is presuming that this is a mistake so he would like to know from the Board will he be getting his medical insurance paid for by the Village of Suffern. The Mayor said okay, Mr. Zordan, this is not something that she can just discuss with him at this time. You have legal representation and so do we and we are corresponding through that legal representation. Mr. Zordan said so he takes that as you guys are saying no. He asked if that was a Board decision. The Mayor said there was no yes in her comment and there was no no in her comment. Her comment to him was that it was not something that we can discuss with him here. She said that you have legal representation and so do we and they are corresponding regarding this matter. Mr. Zordan said again. Did the Board decide this? The Mayor said she thought she just answered to the best of her ability. She is very sorry that she can not discuss it any further with him. Mr. Zordan said so obviously if you are saying that there is legal representation of your part, the answer would be no. The Mayor said she will not go on record as saying any such thing. You can just take her comments with him that we have been, and Mr. Zordan you are very well aware, we have been corresponding through legal representation that you have gotten for yourself and we have our labor representation as well so they will be discussing the matter and that is really all the comment that she has. Mr. Zordan said okay, thank you.

Bob Morris of 24 Terrace Avenue said he just had a question and he is just not sure of it and just for information. In May, you as the Mayor, said you were buying the VFW hall. Is that something that the Board votes on or how is that decided that you can purchase something like that. The Mayor said yes, the Board had voted on that. Mr. Morris said the Board has voted on that. The Mayor said yes. Mr. Morris said he sees. Okey doke. Thank you.

Jim Giannettino of 2 Memorial Drive said he is a little confused. When was the vote taken on buying the VFW? The Mayor said she

doesn't have the actual - Mr. Giannettino said he has looked at the minutes and he can't find it. And unfortunately he was at a New York Rising meeting and he brought the subject up that a vote wasn't taken and the Deputy Mayor jumped all over him saying he was being political because he wanted to know if a vote was taken. The Mayor said first of all. None of the contracts have been signed yet. That is number one. But number two she would have to look through the minutes herself because she does recall that this Board did vote on purchasing the VFW. Mr. Giannettino asked if any of the Board members recollect a vote on this? The Mayor said she thinks it might have been in December. Trustee Meegan-Corrigan said or in January. The Mayor said she would have to look. She will get back to him on that. Mr. Giannettino said you are saying January, Jo? He didn't bring it up until May. The Mayor said we didn't bring it up until May? Mr. Giannettino said that is when it was brought up in the minutes. A statement was made that we are going to buy the VFW. The Mayor said you know what. We haven't signed the contracts yet, Jim, so therefore - Mr. Giannettino said he really hopes not. Because he doesn't think a vote was taken. The Mayor said if in fact we find that it wasn't, as soon as we have the contracts to sign, which we don't yet because the VFW has to go through a process through their governing body first to even see if they can actually sell it to us at the amount that they agreed upon to sell it to us for so the good thing is that it is not a problem as going forward. We will be able to do that. Mr. Giannettino said he gathers you wouldn't have a public hearing on the issue. The Mayor said she doesn't know if we have to but if you wanted one she would be happy to do that. Mr. Giannettino said he thinks you should because unfortunately we bought some property on Orange Avenue that we have been paying off for he doesn't even remember how many years and it hasn't worked out well so far. He said we shouldn't be in the business of buying property from non-profits or from anybody that owns property. We shouldn't be landlords. That property, and he is sorry if they can't keep it, but he has made a suggestion to the American Legion people that maybe they should sit down and they could share space. Because all these organizations are having a rough time. Their memberships are down. And he thinks it would be to both their benefit to try to share some space and share some expenses. And then they can turn around and sell their property and have some money in the bank so that they can function as an organization probably into the distant future. The Mayor said okay. She just wants to - she has no problem having a public hearing on it. She is all about public hearings and getting public input. But she just wants to quickly let him know that in the discussions about the building it is going to be used for - a building that is going to be utilized as a daily operational building. We will probably - we are not sure exactly how we are going to separate but we are trying to have a youth center and a senior center. And we also will be using it to create revenue by renting it out. And we will also be able to use it for the recreation program. The downstairs will be utilized by Cathy for the storage of our

recreation equipment. So we have - it definitely is going to be a building that is going to be utilized by the Village and the public. We are going to hold - with the possibility of possibly bringing Bingo back there - we are looking at ways to create more revenue for the Village through the building and then we would also gain all the parking permits there and all of the permit fees from that as well.

Mr. Giannettino said now he is even more confused. He said we have a beautiful community center that in his opinion is under-utilized. Why would we need another building for activities? The Mayor said that is what we are looking towards. We are looking towards more activities and to get these centers more utilized. One being very much utilized by the youth of the community and as well as our community to have events in and the other one to make more of a senior center - possibly even creating more senior exercise programs, more day programs for the seniors. She said she knows we have chair yoga right now but we are looking to expand on that as well. Cathy is looking into more possibly maybe camp programs. So there is a lot that we can do here in the Village of Suffern with both buildings. And we certainly do need storage space as we don't have very much storage space at this time for recreation. But if you want to stop by her office she will be happy to go over all the particulars of it. Mr. Giannettino said he likes the idea of more activities. The Mayor said definitely. Mr. Giannettino said he just thinks that we have a huge building that is under-utilized. The Mayor said yes. We are going to tailor them more towards - Mr. Giannettino said so this will mean more insurance, more electricity, more water - which we don't pay for, luckily - another employee, he is sure. The Mayor said no, not another employee. Mr. Giannettino said so how are we going to use both of them at one time. The Mayor said we will only use - we will have one person who will oversee both buildings and only for events will we call in extra personnel. Mr. Giannettino said so then the building isn't going to be utilized to its full purpose. Because you are going to be using one at times and another at times. The Mayor said right and when there is a - Mr. Giannettino said so you are telling me. What you just said told me that you don't need another building. If you are not going to be using them simultaneously. The Mayor said no, she said, when we are using them simultaneously we will call in extra personnel. But as far as maintenance of the building - Mr. Giannettino said okay, he will come and speak to her and he won't go on any further. The Mayor said yes, please do.

Mr. Giannettino said his next question was establish a recreation facility attendant position. He said what would be the purpose of that person if we are only going to use one person between the two buildings. The Mayor said okay. So what the plan is for that is Elaine has two positions. She has a custodial position and a recreation position. We will be combining her two positions and she will now take that title over. And the custodial work will be taken

over by a laborer from an already existing laborer. So we are not hiring any additional personnel. Mr. Giannettino said so we are using another person to care for the community center. The Mayor said another person? No we are not hiring anybody extra. Mr. Giannettino said he knows you are not but you are taking someone from the DPW or somewhere else. They don't grow on trees. The Mayor said they don't what? Mr. Giannettino said they don't grow on trees. They have to come from somewhere else to do the job that is being done by one person now. The Mayor said right, but we need custodial maintenance of the buildings. Mr. Giannettino said that, to his knowledge, and he is the one that appointed the person that is there, was half of that job. The Mayor said right. Unfortunately, we need one custodial person who will take care of the grounds and the maintenance of the buildings. Mr. Giannettino said he just doesn't understand and he is not trying to be cute. But a Village that is having a rough time with their budget keeps expanding and hiring. And buying things. The Mayor said we are not hiring - Mr. Giannettino said he will finish and then the Mayor can go, please. He would be more than glad to hear her. Mr. Giannettino said we don't have money for what we are doing now and we are going to build another expense and he doesn't know what we are going to pay for the building but he is sure it is \$100,000, \$130,000, \$150,000. So he doesn't know where this money is coming from. He wishes she could tell him where it is coming from because he would be happy to listen to that too.

Mr. Giannettino said he notices we are hiring a new auditor, which he is fully in favor of. They are an excellent auditor. His only question is what are we paying for it. The Mayor asked if she could give all that information when we get to that portion. Mr. Giannettino said absolutely. Whenever you want to do it. That is fine.

And his last thing is - actually there are two things. The rescinding of the request for the zone change. Does that negate the PILOT program for Orange Avenue. The Mayor said yes, they cannot go forward with the project. Mr. Giannettino said that is not what he asked. He asked if the PILOT was dead. The Mayor said right. If in fact they come back and reapply for the zone change, the PILOT still is in place. Mr. Giannettino said so then it still is in place if they return. The Mayor said correct. Mr. Giannettino asked if he could get a legal opinion. Mr. Magrino said that when the PILOT agreement was passed it was contingent upon them getting zone change approval. Mr. Giannettino said that is what he thought. Mr. Magrino said they haven't gotten zone change approval. Mr. Giannettino said okay. Mr. Magrino said if they come and get zone change approval - Mr. Giannettino asked if you had to revote the PILOT? That is his question. The PILOT should be dead because they did not get the zone change. The Mayor said but it is not dead because he is saying to you that the PILOT is contingent upon them getting the zone change so if in fact at some point they do get the

zone change then the PILOT would be good. Mr. Giannettino asked Mr. Magrino if that was legally correct. Mr. Magrino said that is the assumption we are going on at this point. His understanding - after Mr. Emmanuel sent the letter Mr. Magrino said all they discussed was the issue with respect to them withdrawing the zone change. The issue of the PILOT didn't come up frankly. The Mayor said to Mr. Magrino but we would have to withdraw that correct? We would have to rescind it in order for it to not be - Mr. Magrino said if they never come back there certainly is no PILOT. The Mayor said right. Mr. Magrino said if there is never a zone change or no application there is no PILOT agreement. Mr. Giannettino said what if he, as a developer, comes to the Board. Is that PILOT still good? The Mayor said no. Mr. Giannettino said why not. He got a zone change. The Mayor said because the applicant was Orange Avenue Associates and you are not Orange Avenue Associates. Mr. Giannettino said that he is very aware of. Then he would request that the Board rescind the PILOT and in the event that the applicant comes back negotiate a PILOT. Don't leave it open ended whenever he feels like coming back he has done 50% of his work. He said he thinks the Board has to say if you are going to do this that is fine. We will take a vote on your zone change. If you are not going to do this, all bets are off. Come back and revisit the PILOT and maybe we will get a better deal.

Mr. Giannettino said one more thing. And this has to do with Clarke. Since you got the award, which you so richly deserve, we are going to hand you keys and you are going to open it and close it.

Michael Curley of 84 Orange Avenue said trust him - we will sell the water someday - maybe in seven or eight years. Only because you brought a couple of things up, Jim. Was there an understanding amongst this Board - he will start at the end with Frank Hagen - that you may want to buy that building - the West Ward over there. You discussed that, right? He said he will start on that end and come to this end. Did you say yeah, let's buy it. Let's consider buying it. Trustee Hagen said we discussed it. Mr. Curley said he is not asking him alone. Was it a fair consideration that you were considering yes, buying this building, correct or not? Mr. Curley said he never heard anyone on this Board say we are not buying this building even though this came up before. Were you - Ms. Corrigan also and Trustee Meehan and unfortunately Matt Byrne is not here. Is this just like something that there was a dissension with and a difference. Or were you - Mr. Curley asked Jack if he said let's buy this building also - did you consider it. Mr. Curley said he apologizes. Mr. Hagen. Did you consider buying this building? Did you think it was good for the Village to buy this building? Trustee Hagen said did he consider it? Mr. Curley said yes. Trustee Hagen said everything that is brought up to the Village Board he considers. Mr. Curley said did you think it was a good idea to buy it. Were you on board with buying this property. Trustee Hagen said

he can't answer that. Mr. Curley said you don't know if you were on board. Okay. Then he is not going to go any further if you don't even know - so you don't know if you wanted to buy the building or not. So we are still discussing if you want to buy it. Mr. Curley said another thing. You also mentioned something about buying this other piece of property for the Village of Suffern, Jim, and you bring up his memory - you bring his memory back. So he went and he looked and he heard people talk about this a few times and he went back himself and looked in the minutes and we had a unified Board that voted on the budget to put the building that we were selling for sale. We had Democrats, Republicans, Conservatives, Independents, Liberals - because there are so many political lines now - everyone on this Board agreed, and they don't agree all the time, but they all said yes, let's put that building up for sale and let's put it in our budget. It wasn't one group. Everyone agreed - from Frank Hagen, to Jo Corrigan, to Trish Abato to Jack Meehan and to Mr. Byrne who is not here tonight. They all voted to sell it and to put it in the budget. So he has heard this mentioned a few times in the political arena but it was a united front that did that. So maybe there is questions to have. Maybe we do sell the building. He would like to know what people think. He would like to know especially what Board members think and the public think. But he doesn't think that this was just an arbitrary thing that was brought up. He thinks it was discussed and heard before. But he thinks it was a unified Board that even considered buying that property. Not one that didn't - just like a unified Board that said let's put the other building on Orange Avenue for sale. Now we can go ahead and we can start knocking down PILOT programs and saying they are good and saying this is no good. He said he went to the school board last week and he gave a speech. Because his belief is that Suffern needs to advance. We need to go up. We are always in competition. Just as there are good forces in life there are bad forces in life. And he would rather have good forces in life move in than bad forces. And if we don't consider that, and if we don't look at that strongly, down the line we are going to be in trouble. If we go ahead with the PILOT program now, over the course of it, Suffern will get - and he doesn't want someone to come up here and say you are off by \$30,000 or \$50,000 - over a million dollars in extra taxes that we get and also get the extra business there and also get the extra water and sewer there. Okay? Now there are other things that go into this. Probably extra fire inspection fees and what not. But if you don't get it, we will get a decrease in taxation to the Village - not counting the school board - not counting everyone else. Because now they have come along and these are real chemicals under there. That property - Orange Avenue - the main one with the hotel was a battery factory way back when. They will get up to a 30% decrease in property taxes. So we will actually get less taxes if we don't do it. So that is when our taxes will go up - if it is not built. Not if it is built. If it is built he doesn't think we are ever getting a tax cut and none of this Board or any Board is going to come and say I'm lowering your

taxes next year by 10%. It is not happening. But all we can do is hope for a lesser increase.

Ernest Buonocore of 13 Lexington Avenue said he just had a question regarding the PILOT and the withdrawal of the application this afternoon. He asked does the PILOT have a sunset provision, meaning does Orange Avenue Associates have to get their zoning change in a certain amount of time and they lose the PILOT or is this something that is open-ended and they can bring back anytime later this year, next year, or any time.

Mr. Magrino said it really is the zone change that comes first. The PILOT was part of the zone change. The fact that, you know, the PILOT - there is no shall we say agreement if there is no change as he said with respect to Mr. Giannettino. There is a contract to sell the Suffern owned property. It does have some timelines in there - deadlines. They have to pay more if they want to continue to go, which haven't kicked in yet. But with respect to the application by Orange Avenue it was an agreement between the Village and the developer with respect to the zone change. So if they come back - to answer your question bluntly - is there a sunset provision in there? The answer is no. But it is conditioned upon the zone change. However, it is up to the Board, but if they come back shortly - whenever they come back the Board has control with respect to whether or not to grant it and what it wishes to do going forward. So it is still out there, so to speak.

Deborah Tapp said she had a question about the PILOT program. She said Orange Avenue Associates has the PILOT agreement from the Village. And now they don't have their zoning. They have been awarded, which they say they rejected, but they have been awarded a PILOT agreement from the Town of Ramapo for the school district. Another builder comes in. Trustee Meegan-Corrigan said they were not awarded a PILOT program by the Town of Ramapo for the school district. Ms. Tapp said for the school district? Trustee Meegan-Corrigan said the Article V but that has not been put into play. Ms. Tapp said they were given it - it was approved. The Mayor said it was approved by the Town of Ramapo however - Trustee Meegan-Corrigan said it is not effective - the Mayor said it is not that it is not effective - the developer has chosen to continue to negotiate with the school district instead of - Ms. Tapp asked if they were still continuing to negotiate. The Mayor said she is not really involved in their negotiations so she doesn't really know what they have been doing between themselves. She said she knows that she did receive a letter from the school district and one of the paragraphs in the school district's letter to Orange Avenue Associates was that they indeed wanted to continue negotiations. Has any of that occurred? The Mayor said she couldn't answer that question on their behalf. But she knows it was their desire to continue negotiations. Ms. Tapp said her question is - you get another builder in there - another developer - that supposedly has

nothing to do with Orange Avenue Associates. Jane Doe Associates comes in and gets that zoning change because they don't ask for a PILOT. Does it apply only to them? Or can Orange Avenue Associates buy back the property or however they are in the position to develop it. Because now the zoning change exists but they have the PILOT. Mr. Magrino said he is not sure what her question is but he thinks to answer what he thinks she is getting at is right now there is no PILOT with respect to the property because there has been no zone change. Right now the application has been withdrawn. This Board has not acted on it. The only way the PILOTS come into play is if there had been an approval. If there is no zone change there is no agreement on the PILOT. Ms. Tapp said they can't do anything without a zone change but if the zone change takes place for somebody else - Mr. Magrino said he is sorry to cut her off but the Board has control. If somebody else comes in it could be a different project. The Board has discretion on many aspects of the project as they exhibited in reviewing this one. So it is not that somebody else comes in and automatically they are in the same box as where we are let's say with Orange Avenue Associates. Every application is different. So there is not many at this point binding with respect to anybody else coming forward. Ms. Tapp said she is just concerned that somebody else can get that zone changed because once it is changed, it is changed and then Orange Avenue Associates can come back and put into play the PILOTS that they were given because as it was pointed out there is no sundown on it. Mr. Magrino said in his experience that would be an unlikely scenario because if Orange Avenue wants to come back with the same project they could come back, he supposes. If another developer came in, again, the Board will review it and see the application and again the project will be the project. He said he guesses he is not sure what she is asking. If they got zone change approval could they then sell it to somebody else. Ms. Tapp said sort of. If she was a developer she would start with a zone change. She wouldn't want to touch the property until she knows that she can work with it. Their hands got tied. She would start with the zone change. And she doesn't know anything. Mr. Magrino said he guesses that is the issue. That is why the Board was looking at it - the tally of everything. If somebody else comes in with a different project and there is no PILOT agreement at the time it is approved there is no PILOT. That is it. Ms. Tapp said okay. She would like it if the Board could close down the project. If it could be agreed that it is reversed. She doesn't know how these things work but it is an end. If this isn't happening let it be ended. Let it get closed up and ended. Let it be done. Not that they withdraw. Mr. Magrino said there is no application so there really is nothing for the Board to vote on and they can't prevent them or somebody else from applying again.

Trustee Meehan said he just wanted to give a fast comment in reference to what she had to say and that is when the Orange Avenue Associates went to the Town of Ramapo they requested an Article V

and that would, if that was accepted, this Board actually could have voted for the zone change but that Article V would have basically tied the hands of the school board and the school board wouldn't have the discretion of the PILOT, Payment in Lieu of Taxes, and this Board said that we would not entertain a zone - told to Orange Avenue plain and simple - we would not vote for any type of zone change unless the school board approved a negotiated PILOT with Orange Avenue Associates so he thinks that they knew - he thinks that Orange Avenue Associates knew that and he thinks that is why they withdrew. Trustee Meehan said he was frankly annoyed when they went to the Town of Ramapo to get around the school board and he thinks the school board was very annoyed.

Ed Markunas of 2 Willow Drive said he had two questions. One for the Village concerning the Orange Avenue project. Do you have any type of plan to put this out as an RFP for proposals for any other builders? Have you considered that? The Mayor said oh, definitely. Mr. Markunas asked if that was the plan now. The Mayor said she just got this at 3 o'clock today so she hasn't done anything at this particular moment in time because she has only had it since 3 o'clock but yes, that would be the plan if this project is not going through as that is what it looks like. Then yes, they would start to market it out again. The Mayor said and certainly put our building on the market immediately. Mr. Markunas said and the new applicant, if there was one, would have to renegotiate a PILOT if that was in play or would that PILOT. The Mayor said no, that PILOT would not transfer to them. They would have to - if they wanted to apply for a PILOT they would have to negotiate their own deal. The Mayor said that PILOT is strictly only for this project and this developer. Mr. Markunas said okay. He said but you do have some type of plan maybe? The Mayor said oh definitely. Mr. Markunas said you do. The Mayor said we would definitely do this same thing that we have done before and market it and hopefully have someone else come along. It is just that it is very gloomy out there for development and developers right now. She said she has spoken to a few of them for - what she would like to truly see there which is condos and there is just not the market right now for them and truly that was her vision for Orange Avenue. Right now it is apartment market rate rentals and for anything above that there is just not the market for it and builders, contractors right now are just squeamish about building. And so it is going to be difficult. It is going to be a task but it is a task that the Village Board has committed itself to because we truly believe that this area of the Village really needs to have something done there and that has been the contention of the Board for many, many years. So the answer to your question is yes. The Mayor said do I have anything started at this particular minute of the day? The Mayor said no, but yes we would definitely need to - she thinks we all agree that something needs to be done there. So. Mr. Markunas said okay. One more. The Mayor said and obviously the perfect plan would be condos with no PILOT but in a real world you have to make sure that we get

the knowledge to know that that is not something that is going to happen in probably quite a few years. Mr. Markunas said thank you. He said one other question regarding the possible buy-out program that the Village might initiate with the state in regards to flooding in Squires Gate. Did you actually apply or did you discuss it amongst the Board? The Mayor said they were actually at New York Rising just at this last meeting. She asked Trustee Meegan-Corrigan if she wanted to update on this.

Trustee Meegan-Corrigan said as you were as well. That was brought to us that evening as you were in the meeting and you were told by Suzanne Barclay that the Village had no knowledge that this grant had been opened up once again. This is the same exact grant that we used on the other two homes that were taken down by Irene. The difference on this is that these are voluntary so because they are voluntary and they are still standing structures the homeowners will have a choice on what they choose to do which is much different than obviously the other two that could not move back into their homes. Starting November 3, Aaron Steins will be back in the area because he does two weeks in Maine and two weeks here. So she has asked him, because if we had known that this is the offer that they were going to be putting out at New York Rising the Village would have notified all of our homeowners as we always do with anything that happens with Squires Gate. We would have addressed it just as we had. We had Elaine, we had Charles Sawicki and herself that worked on both of those homes and she would dare to say that they are pretty educated on how the program works. She said and we would have made sure that all the homeowners were there so she has asked Aaron to come in and speak to the Board so that the Board gets exactly the same information that we were given at New York Rising and then from there we will invite all of the homeowners and we will probably try to do that maybe in the same night so he doesn't travel back and forth or maybe we will do it a week apart - whichever works best for him and then we will decide what we need to do and who is interested in the program, who is not interested in the program. And as you know, they are duplexes which makes everything very unique and with working with Albany for the last 2 ½ years on this they realize the challenges that we have with that as so did our other contact that we worked on with the other two homes. So yes, the Village is looking into it and we are making the arrangements as soon as he is back in town. Mr. Markunas said great. Thank you very much. Trustee Meegan-Corrigan said you're welcome.

Rich Karpp of Squires Gate said he wasn't going to say anything but nobody opened it up. You are saying that this is the exact same thing. Trustee Meegan-Corrigan said correct. It is the same exact program. They funded the program by 19 million dollars this time. Mr. Karpp said right but he was at the same meeting. Trustee Meegan-Corrigan said correct. Mr. Karpp said there were give backs that the other houses had to give. According to what this guy was

saying there is no give backs. Trustee Meegan-Corrigan said oh, no, no, no. What do you mean by give backs. The insurance money for your basements? Mr. Karpp said yes. Trustee Meegan-Corrigan said yes, they did. Mr. Karpp said they said that if you used it for the house - Trustee Meegan-Corrigan said and you can prove it - Mr. Karpp said and you can prove it - right - Trustee Meegan-Corrigan said you then can get that taken off the top of your home - Mr. Karpp said right. But those people could not do it. Trustee Meegan-Corrigan said pardon her? Mr. Karpp said those four houses - they could not use it for the house. They might have moved it for something else. So that had to be deducted from their price. Trustee Meegan-Corrigan said correct. Mr. Karpp said okay. Second of all - Trustee Meegan-Corrigan said they didn't have a basement to fix. Mr. Karpp said right. Second of all his concern is this. It's two family - both sides of the house. One side no mortgage. He will take whatever, he believes the Village will decide what the fair market value of that house is. Trustee Meegan-Corrigan said no. As we discussed at that meeting. There are two different formulas that you can use and the formula is the market value the day before the storm or you can go and we can get the assessed value and use the calculation. Off the top of her head she doesn't remember the calculation. Mr. Karpp said the storm you are talking about - that is the same formula that they used before. The day before Irene. Trustee Meegan-Corrigan said correct. Correct. Mr. Karpp said okay. Trustee Meegan-Corrigan said and that formula is also up to seeing which number is best for the homeowner. It is not what - the Village gains no money from you getting \$400,000 or - Mr. Karpp said he knows. The Village loses. That is why this is what bothers him. Any house that goes along with it. It is great for the homeowner. For him and for any homeowner. But the Village loses because first of all you have to determine how many houses will be done. Trustee Meegan-Corrigan said correct. Mr. Karpp said there are roughly 140 houses. Trustee Meegan-Corrigan said correct. Mr. Karpp said that suppose out of 140 75 decide that they want to go for it. Now then the Village - it has to be determined which house goes. Trustee Meegan-Corrigan said no. What we are going to do as a Board is we are going to sit down and we are going to review everything. No one has made any decisions on how this is going to be handled. Mr. Karpp said he knows that. This is what has been running on in his mind. And the worst thing that is running around in his mind is this. First of all, the Village will lose a lot of taxes. That is one thing. Let's say that out of the 140 houses let's say that 50 houses apply for it. Let's say 20 houses get it. He is just using those figures because that is all the money is for. Now, once the Village goes ahead and says okay, everybody can sell their house for a - right away the word goes out. Well, right now there are two people looking to buy the houses. But once they find out that every house has the option of being bought out, what would go on in his mind is they want to get rid of the whole thing but they don't have the money. Why should he go and buy it. So the people that are left in that development,

after those people sell their houses, that's it. Those houses will never go up in prices and will basically never be bought. Trustee Meegan-Corrigan said those are some of the questions that we are going to pose. Mr. Karpp said that is a very - Trustee Meegan-Corrigan said absolutely. Mr. Karpp said okay. Trustee Meegan-Corrigan said our most biggest concern with this whole entire thing is yes, the buy outs sound wonderful. But let's make sure we are not hurting anybody at the end of the day with this program. Mr. Karpp said he wishes there was some way that you can help the person there with no mortgage compared to the person there that bought recently and has a high mortgage. He wishes there could be something done. Trustee Meegan-Corrigan said she agrees. Mr. Karpp said to make it available to them but then you pit, you would pit two side-by-side houses against each other. Because they need it. Trustee Meegan-Corrigan said that is not how - the Village doesn't decide whose homes. It is a voluntary program for the homeowners. The Village is applying on your behalf. Mr. Karpp said he knows that. Trustee Meegan-Corrigan said and that is it. Mr. Karpp said so if there is only enough money for 20 houses and 30 people put in for it somebody has to decide which 20 houses go. Trustee Meegan-Corrigan said she doesn't know if that is a choice that they would even think of doing. Remember this just happened on Thursday. Mr. Karpp said he knows that. But if there isn't enough money for the other 10 houses. Somebody has to make a decision. Trustee Meegan-Corrigan said let's not go there yet. Let's not go there. The Mayor said we have a lot of concerns. Mr. Karpp said there is a lot to think about. Trustee Meegan-Corrigan said and remember too. The quarry project is not off the platter. The funding is still being requested up in Albany and to the state. That funding is still being forged forward as well as New York Rising. It is still a project to go out and look to see if it is a feasibility. They are going to do some studies on it. It still is a steady project on New York Rising. So we are still - Mr. Karpp said the quarry, right? Trustee Meegan-Corrigan said we are still looking at both projects to help the area as much as we possibly can. Mr. Karpp said he thinks the quarry - it is not a guarantee of nothing. It will definitely do something. Trustee Meegan-Corrigan said we are going to do a feasibility study with New York Rising. If the project gets approved. You have been to enough meetings. You know how it works. Mr. Karpp said he knows. He knows what is going on. Trustee Meegan-Corrigan said the quarry has not been taken off. We are still interested in getting the quarry done. We are still pushing for the quarry for the five million dollars. It is a question that happens every single month and is followed up with constantly. Mr. Karpp said how can you push a little harder. The Mayor said just so he knows. There are a lot of concerns. We were not made aware that this would be discussed and as a Board we have a lot of concerns. So they are all going to be addressed. Trustee Meegan-Corrigan said there is a lot of work to do, we promise, and you will know everything that is going on.

VILLAGE CLERK:

A) Approval of Minutes of Special Board Meeting - June 11, 2014:

Village Clerk Virginia Menschner said we have the approval of the special Board meeting of June 11, 2014. A motion approving the minutes was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

B) Approval of Minutes of Special Board Meeting - June 25, 2014:

The Village Clerk said we have the approval of the minutes of the special Board meeting of June 25, 2014. A motion approving the minutes was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

C) Approval of Minutes of Special Board Meeting - July 21, 2014:

The Village Clerk said we have the approval of the minutes of the special Board meeting of July 21, 2014. A motion approving the minutes was made by Trustee Meehan, seconded by Trustee Hagen. Upon vote, the motion was carried, with Trustee Meegan-Corrigan abstaining and saying that she finally missed one.

D) Set Public Hearing - 3 Hour Parking on Lafayette Avenue:

The Village Clerk said now she is asking to set a public hearing for 3 hour parking on Lafayette Avenue. A motion to set a public hearing at 7:50 p.m. on November 3 was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

E) Set Public Hearing - Campo E. Baron for Taxi License and Taxi Drivers License:

Ms. Menschner asked to set a public hearing for Campo E. Baron for a taxi license and a taxi drivers license. A motion setting a public hearing on November 3 at 7:55 p.m. was made by Trustee Meehan, seconded by Trustee Hagen. Upon vote, the motion was carried.

F) American Legion - Request - Veteran's Day Ceremony - November 11, 2014:

Ms. Menschner said the American Legion is requesting a Veteran's Day ceremony for November 11, 2014. This is for permission to have a little parade. A motion approving the request was made by Trustee Meehan, seconded by Trustee Hagen. Upon vote, the motion was carried.

G) Establish Recreation Facility Attendant:

The Village Clerk said we are going to establish the Recreation Facility Attendant position. The Mayor said this is not a hire. This is just establishing the position. We are not appointing anybody to that position. A motion establishing the position was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

H) Accept Proposal from O'Connor Davies LLP for Auditing Services:

The Village Clerk said this is a resolution accepting the proposal from O'Connor Davies LLP for auditing services for fiscal years ending May 31, 2014, 2015 and 2016 with options to renew annually for fiscal years 2017 and 2018.

RESOLUTION NO. 16, 2014

RESOLVED, accept the proposal from O'Connor Davies LLP for professional auditing services for fiscal years ended and ending May 31, 2014, 2015, and 2016 with options, at the sole discretion of the Village, to renew annually thereafter for fiscal years ending May 31, 2017 and 2018.

A motion approving the resolution was made by Trustee Meehan, seconded by Trustee Hagen. The Mayor said just to let you know Jim she believed he had a question on the fees for O'Connor and Davies. They are actually keeping the fees the same as when they left us at \$44,000 and only increasing through 2018 a thousand dollars a year. Mr. Giannettino thanked her.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

I) Increase Total Project Spending for Project 2010-001 Water Tower Painting:

The Village Clerk said this next one is another resolution increasing total project spending for project 2010-001 water tower painting from \$94,000 to \$100,700. Funding is \$16,000 transfer from the water fund.

RESOLUTION NO. 17, 2014

RESOLVED, the Village Board intends to increase the total project spending for project spending for project 2010-001 Water Tower Painting from \$94,700 to \$110,700 and that the funding source

for the additional \$16,000 is a transfer in from the water fund.

A motion approving the resolution was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

FINANCE DEPARTMENT:

The Mayor said for those of you who have not met our new treasurer, our deputy treasurer, this is Michael Genito. She welcomed him to the meeting. Mr. Genito thanked her. He said one quick correction on one of those quick resolutions you just passed. The water tower project was \$94,700 to go to \$110,700. It may have just been a typo.

A) Resolution Authorizing Issuance of Revenue Anticipation Note:

Mr. Genito said the one item of finance that you have before you as you are probably well aware - in fiscal 2010 the Village began the practice of borrowing money in advance of revenues received for water and sewer, commonly called revenue anticipation note and it has been done every year from 2010 up to the present year. The most recent note became due, which was \$1,550,000 and what this is is a resolution before you asking you to adopt another resolution to borrow the money once again for the 2014-2015 year. And he would just like to note - as he mentioned to the Board he doesn't think this is really a very good financial practice but one that obviously went into effect years ago and over the course of a few years we should look to wean ourselves away from this. But at any rate before you is the resolution for \$1,550,000 which is the same amount that was borrowed last year.

RESOLUTION NO. 18A, 2014

RESOLVED, that the Village Board authorizes the issuance of a Revenue Anticipation Note in the amount of \$1,550,000.

A motion approving the resolution was made by Trustee Meegan-Corrigan, seconded by Trustee Hagen.

The Mayor said she would like to just make a quick statement regarding - she said because of the difference in the timing of the receipt of revenues and the responsibility to pay the bills promptly Mr. Genito has advised us a revenue anticipation note is

necessary. In fiscal year ended May 31, 2010 the Village began the practice of borrowing money against water and sewer revenues to provide cash flow. This type of borrowing, known as revenue anticipation note, or RAN, has continued since that time. Mike has advised us that this is not a sound financial practice as revenues that would normally be used at the beginning of the year for operations must be used to repay the note. And this in turn then requires us to borrow against revenues again. In short, it becomes a never-ending of borrowing and repayment and a practice to which the Board and she agrees is not a good one. We will be working on a plan to eliminate this practice over time but for now last year's revenue anticipation note came due. We paid it in full. And we must once again issue a revenue anticipation note to provide us with the necessary cash to pay our bills going forward as they come due. This note will be repaid in less than a year. She said she would just also like to let them know that we have an ongoing internal investigation, ongoing on, with regards to the finances of the Village and unfortunately she cannot share with them until the process is completed but at that time the Board and she will be prepared to share the findings of the investigation. Unfortunately, it is going to take quite a bit of time but when Mr. Genito has completed his findings we will be able to report that to the public.

The Village Clerk said she didn't get who made the motion. The Mayor said she has Jo Corrigan and Frank Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Matthew Byrne

The Mayor thanked Mr. Genito.

TRUSTEES:

Trustee Meehan said if you remember at the workshop meeting he brought up - he told a little story about him being at Robert's barber shop and someone coming in and looking for Delaney Realty. They did that because there is a big Delaney Realty sign right next to Robert's barber shop. However, Delaney Realty moved out about 10 years ago and the question was could a store owner have a sign that didn't describe what was in the store. And he met, he brought that to Terry Rice's attention and he said well we have nothing in the law to prevent that and Trustee Meehan said let's get something in the law to prevent that so we don't have misleading signs. And he told him he would have something ready and he doesn't know if he discussed that with Rob. Mr. Magrino said he didn't mention it to

him. The Mayor said unfortunately, about 25 minutes before the meeting, Terry had a very serious family emergency so she apologizes to Mr. Meehan for that. She said she knows that he did have something prepared. Unfortunately, she doesn't have access to it. She would assume if you would like to - Trustee Meehan said he could add that to another public hearing. He said he would make a motion to set a public hearing for the local law - the Mayor said amendment to the sign law. The Mayor said to Trustee Meehan just to let him know that we are also looking at the law on the percentage amounts of the use of the windows in the front of the stores as well. Mayor Abato said unfortunately it is getting out of control in the downtown area. She has asked code enforcement to take a look at the windows down there and try to give her an estimate of how much on the average each window is being used for and what it is being used for so we can kind of get a grasp on that. The unfair part of it, which was brought to her attention, and she has to somewhat agree is that some of the windows in some of the stores are huge and they have a huge amount so their 20% is not equal to the 20% of a store that just has a very small size window. So we are trying to accommodate both with still, for security purposes and for the police department, to be able to see into the storefronts but allow the business owner to properly advertise their business and when people are driving through town identify what their business is. So in addition to Trustee Meehan's concern we are also going to be addressing that as well. Trustee Meehan said okay. His motion is to set a public hearing for the obsolete sign law. The Mayor said it would be to actually amend the sign law. Trustee Meehan said okay. To amend the sign law. The Mayor asked if we had a second. Trustee Hagen seconded it. Upon vote, the motion was carried. The public hearing will be November 3 at 8:00 p.m.

A motion to adjourn the meeting at 9:09 p.m. was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.