

**Village Board Meeting
Monday, November 5, 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 Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

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

ABSENT: None

Set Dates for December Meetings:

The workshop will be held on Monday, December 3, 2007 at 6:30 p.m. The Organizational meeting will be held on December 3, 2007 at 7:00 p.m. and our Village Board meeting will be at 7:30 p.m. on December 3, 2007.

The Mayor said we will start out with the Police Department. We have a new addition to our police force and we want to recognize Chief Osborn. Chief Osborn asked the Mayor to join him.

Chief Clarke Osborn said he would like to call up our newest Police Officer - Frank Armstrong. He then read a little bio about Officer Armstrong. The Village Clerk then swore him in.

POLICE DEPARTMENT:

A) Schedule Public Hearing to Reduce Speed Limit on Lonergan Drive, Spicer Road, and Temple Lane from 30 mph to 25 mph (December 3, 2007 - 7:45 p.m.):

Chief Osborn said the first thing he would like to have voted on is to reduce the speed limit on Lonergan Drive, Spicer Road and Temple Lane in the Village from 30 mph to 25 mph. He said our Village speed limit is 30 and it takes a vote and a public hearing to drop it down. The lowest we can go to by municipal law is 25 mph. So he is going to suggest that these three streets in Squires Gate be lowered. He said he also wanted the Board to know that he spoke to Triple A today and he has information coming in by the end of the week on speed bumps - on the legality of speed bumps. He will give that to the Board if they would like to consider that as well. So he would like to ask the Board to vote on this. A motion to set a public hearing on December 3, 2007 at 7:45 p.m. was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

B) Hire Joel Henriquez as a Part-Time Police Officer/Part-Time Dispatcher Pending Clearance from Rockland County Department of Personnel:

Chief Osborn said he would like to hire Joel Henriquez as a part-time police officer/part-time dispatcher pending clearance from the Rockland County Department of Personnel. He said as the Board is aware, Joel at this point is a full-time dispatcher in the Suffern Police Department, a Village resident and an Army veteran who served over in Iraq. And he is also bi-lingual and he is also a police officer now in the Town of Highlands in Orange County. So he has a lot of credentials. So he is asking the Board to approve the hiring of part-time police officer/part-time dispatcher Joel Henriquez. A motion approving the hiring was made by Trustee Meehan, seconded by Trustee Abato.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

Chief Osborn said he had a quick update for the Board. In October, we had 34 arrests and at this time Sgt. John Gloede and Officer Glen Wilson left yesterday for Portsmouth, Virginia. They are in police motorcycle training for the next two weeks. They will be certified motorcycle officers on November 16. And we plan on putting the bike in service on November 17, at this point. He said they went up to Scranton, Pennsylvania and met with motorcycle units last Friday as well as we ordered them their proper equipment that they need for the bike. He said we have the DARE hockey championships game, which the Board is invited to, this Sunday at 9:30 a.m. and 10:45 a.m. for two different divisions. He said he was inviting everybody to come up. It should be a great game. And the PBA DARE toy drive is starting next week. Chief Osborn thanked the Board for their support.

FIRE DEPARTMENT:

The Mayor said we don't have anybody here from the Fire Department tonight and there really isn't anything on the agenda for the Fire Department. The Mayor said that the big drill at Esther Gitlow yesterday looked like it was a pretty good success. There were five fire departments over there and EMS. The average age over at Esther Gitlow is 85 years old so this is a very important thing that our emergency services people are ready for any kind of incident that might happen over there. Hopefully it doesn't.

BUILDING DEPARTMENT:

A) Report:

Code Enforcement Officer John Loniewski said that the Board had the report in front of them. He said we had 68 violations issued, 641 for the year. And again, they stressed the issues of occupancy limitations for overcrowding. He said that he and Randy finished up a big month this weekend which will spill over into November. There were pretty big hits on Washington, Wayne and Highland. Three really bad places. And their plan, when this Board took over, of moving the court dates up so you didn't have to wait month after month paid off this month. He said they brought two people in early. One was tonight where we assessed \$2000 in fines and emptied out a house, and we will have another one next week before Judge Byrne. The court dates for people we brought in and situations we cleaned up rather than wait until late November or early December. So that is working out. It is working out very well.

CULTURE & RECREATION:

A) Update:

Gail Curtin said that since the last Village Board meeting, she and Nancy Christopher attended a multi-tasking seminar in Mahwah, New Jersey and she and Lou Ciaccio attended the New York State Recreation and Parks Society Recreation conference in White Plains, and on behalf of the three of them, they thank the Board for that opportunity. They were both certainly worthwhile. The blood drive was held at the Community Center on October 16. Halloween window painting, as you know, was held on the raindate of October 21. And once again, on behalf of all of the painters this year, they would like to thank the Board for agreeing to give all of the artists more space. It was by far much, much better than last year and they thank the Board for that. Senior movie afternoon was October 25; the DARE dance was October 26; Halloween Parade was October 28. She said they have begun the staff ID process. The Water Department came in last week and they are all done. And they will move on and work with Carl for the next group of his employees, which will probably be the Street Department. Flu shots were given here in the auditorium on November 1 and LEAD had their first session of this school year this past Friday night. Upcoming: the next DARE dance is Friday, November 16. We have a sold out bus ride to New York City on Saturday, November 17 to see *Hairspray*. The Elks Lodge Hoop Shoot will be held at the center on Saturday, December 1. Holiday Lighting is Thursday, December 6. Pearl Harbor Commemoration is Sunday, December 9. And with the Board's permission, the Recreation Board will co-sponsor a Valentine's Day Dinner Dance with the Suffern Chamber of Commerce on Saturday, February 9. A motion approving the dinner dance was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

VILLAGE ATTORNEY:

Attorney Rice said that he had nothing to discuss.

DEPARTMENT OF PUBLIC WORKS:

Carl Rossi said that he just had a couple of updates for the public. One is that the road improvement project has started. Right now, as of today, they have completed Ridge Avenue, Meadow, Dunnery Court and Cypress. They are on their way to working on the curbing. They started on West Maltbie and once they finish up that they will go over to Stonegate and, hopefully with two crews, continue on with the project.

Mr. Rossi said the other thing that he has is that the DPW, the Street Department, has planted thirteen trees in the Village. Some on Ramapo Avenue, Washington Avenue and the running track on Yorkshire Drive. He said they are going to try to continue to do this. Hopefully in the spring they will plant about another ten to twenty more trees.

Mayor Keegan asked Mr. Rossi if he had any word on when the clock is going to be installed. Mr. Rossi said he didn't know. They never got back to us regarding that.

AUDIENCE PARTICIPATION:

Adam DeStefano of 19 Prairie Avenue said that an issue that he would like to discuss was brought up at the last Board meeting but was told that it was going to be carried onto this one was about the computer issue with the security on it. Has there been any updates on it to make it safer from hackers and from people using the server. The Mayor asked Trustee Abato to speak on this since she has been working on it.

Trustee Abato said that the answer is that we have gone forward in bringing in different consulting computer companies to look at what we presently have and it is the Board's intention to deal with that as soon as possible. We have to be assured that anything that we do is in the best interest of the Village and that all the services that we bring in are exactly what we need. So right now we are still exploring. We have not let it go. We just have to make sure that we have the right company come in and give us the right services. So the answer is yes, we are working on it and we will continue to work on it until it is resolved.

Mr. DeStefano said he had one request for the meeting of next month. He asked if we could have statistics on how many miles of road the speed limit is going to be changed, the population around that area and what will be needed in order to change the speed limit. The Mayor said we can give him that. In fact, we can give him that before that, if you like. Mr. DeStefano said thank you. The Mayor said just stop down and meet with the Police Chief and we can give you those statistics.

Jack Rosenberg of 13 Somerset Drive said that last week there was an article in the newspaper indicating that after six months, Ginsburg Contracting had decided that because of market conditions, he would not be proceeding with his plan to build condominiums between 120 Orange Avenue and Maple Avenue, across the street from

the railroad. In January, the end of January, the Village bought a piece of property - 120 Orange Avenue - and it was to be a 24 car parking lot for shoppers - not commuters. The Village authorized the purchase and they borrowed the money from Commerce Bank at 3.72% interest over an announced five year period. The amount of the issue was \$375,000 with the purchase taking up \$325,000 and the other \$50,000 for expenses to be anticipated. Because of the Ginsburg proposal shortly thereafter, nothing was done to remove the tenant in the one building on the site which had to be removed because it took up a space, 20 x 60, and only left a ten foot wide driveway which would then be impossible to have ingress and egress. So the building had to be removed. Scott Shedler conceded that it had to be removed. The tenant was a month to month tenant. So the Village could have issued a thirty day notice to vacate, and if they didn't, could immediately commence summary proceedings to remove the tenant and it could have been achieved within two or three months. But nothing was done about that because Ginsburg came along with his proposal. Now, once Mr. Ginsburg withdrew his proposal, by that time, the tenant had removed herself from the premises without any action by the Village. So there is no impediment right now to the Village demolishing the building and constructing a very small parking lot and he does thoroughly believe that the mills do not close until December 15. Today is the 5th of November. If you would here tonight hire somebody to demolish it. It could be done and paved so that it can be opened in December - not next year. That is one point.

Mr. Rosenberg said that also, last year, there were two proposals by the Parking Authority which they withdrew because of opposition. And then there was a third proposal. And he would like to correct an impression that was given that he opposed all three of the proposals. He said that he did oppose two. But the third one, he did not oppose. As a matter of fact, Scott Shedler asked him for his opinion and he told him, after a week, that he had no objections. Go right ahead. He won't give him any opposition. And this was a proposal which the Village Board wanted. It came out later on that the Village Board wanted all three. So since the Village Board wanted the three proposals, that proposal should have gone ahead and it was for two 100 car parking lots, one of which would be at the entrance to Torne Valley, just outside the Village, and it would be inexpensive because the land was owned by the Town of Ramapo and they had agreed to turn it over to the Parking Authority for operation. So you didn't have to purchase anything. And an engineer told him that an open air parking lot could be done at \$1000 per space. So it would be an expenditure of approximately \$100,000. Now there was a grant 11 years ago for three million dollars by the state using federal funds and there was an extension given to the Village once and he does verily believe that that extension will not go much past 2008. So there was \$2,700,000 left of the \$3,000,000. And the other 100 car parking lot was to be the premises 120-122-124-126 - the Shen properties. And even though 120 was taken, there still is enough room on Shen's property to make an approximately 100 car parking lot and everybody seemed to think that if Mr. Shen did not agree, and it is obvious that anybody who

knows anything at all about condemnation, is that you get two appraisals and you write a check for the full amount of the higher amount and you deliver it to the owner and you file a deed taking title immediately. And that is the way condemnation always worked. At least it did when he was the attorney, when he worked for the Urban Renewal Agency back in the 70's over in Spring Valley. Mark Goodfriend was the attorney and he learned something about condemnation. So basically, that proposal could have gone ahead. There was no opposition from him. And as far as he knows, there was no opposition. Nobody came forward to object. But the Board, in its own mind, decided to go the way of Mr. Ginsburg. Now, Mr. Ginsburg said market conditions. Market conditions come and go. But usually it takes a long time for a market to go down and a long time for a market to go up. Now since the market is now in a downward trend, downward, there is not going to be much of a change. But the Board has to make a decision. John Keegan in April or March of 2005 said that one of his main priorities was to increase parking downtown. But nothing, absolutely nothing, there isn't one single space that has been achieved in 2 ½ years. Nothing has been built, nothing has been added to the stock that the Board had. It is up to this Board to make a decision one way or another. If you go the route of urban renewal and go look for new developers, you don't have any idea as to whether it is going to be a month from now, a year from now, or ten years from now. Because if you look at the true values on all of the properties, all of which were occupied, the only one now that is not occupied and that is 120 and that is earmarked to be 24 parking spaces which this Board unanimously approved to build. There is no impediment. You can go right ahead and do it immediately. But you have to make decisions as to where you want to go. Do you want to do the parking or do you want to go to a house. The Mayor said that we purchased the property. The Parking Authority is the one that is making the 24 parking spaces. Mr. Rosenberg said he couldn't hear the Mayor. The Mayor said that we purchased the property - the Village. The Parking Authority is paying off that loan. The Parking Authority is the one that promised to make the 24 parking spots. So have you talked to Scott Shedler. Mr. Rosenberg said he begged the Mayor's pardon. He said the Board issued a bond resolution. The Mayor said he didn't know where he has been in the last year. Mr. Rosenberg said no, no, no. The Village borrowed the money. The Mayor said Mr. Rosenberg knew that we had Ginsburg Development in here. He said that these things do not happen overnight. Now, you may think that you wake up in the morning and there is a four-story building there. That is not the way it works. Mr. Rosenberg said who said a four-story building. The Mayor said we have been working adamantly with these people. We have been working with them on a weekly basis. We have had River Development, we have had Ginsburg Development in. We had a study done. He said he didn't know if Mr. Rosenberg had seen the study of the property. We went out and we are going to propose tonight to have Vanderbeek work with us on this project. Dagan, the Deputy Mayor, has been spearheading this with Ginsburg Associates. They were very excited. Mr. Rosenberg said that you are saying in effect that the Village is not going ahead with the parking. Mr. Rosenberg again said you are not going ahead with the parking.

Trustee LaCorte said that is not the case. You are looking at these things as being mutually exclusive. 120 Orange Avenue - we purchased the property and it is going to be turned into a parking lot. Mr. Rosenberg said when. Trustee LaCorte asked him to please let him finish. He asked for an opportunity to address what he said. Trustee LaCorte said there is a lease agreement worked out and a payment schedule worked out. And it took some time. In addition, the Parking Authority, as of the moment, the last time that he spoke to Scott, has intended to keep the building up there and the way that they are able to keep the building up there and have a means of ingress and egress to the property is that they have worked out an easement with David Shen to use his property as a way to exit so you'll enter 120 or exit on 120 or come out or come in on his property. So we are able to have the narrow driveway because that is not the entrance and exit. So they are making it a parking lot. Regardless of whether or not we were moving forward with Ginsburg until the time that we sell them the property, it is going to be a parking lot. We are moving forward with it. And in terms of something else you said about a proposal to move forward on purchasing or using Mr. Shen's property for a parking lot, the State DOT will not allow us to use that money to purchase, to purchase that property to be used as parking. It would be the price that it is appraised for would be too high a price. Mr. Rosenberg asked what the price was. Trustee LaCorte said that the point is that it was reviewed, the proposal was reviewed, and the State said we will not pay that price for the property with the money that we have. So, that is where that stands. So 120 Orange Avenue will be a parking lot. There will be spaces in addition to the easement negotiated with Mr. Shen and the building is staying up. There is also a negotiation to have a walkway from 120 Orange Avenue out to Lafayette. So pedestrians will be able to park there - so people will be able to park there and then walk out to Lafayette Avenue. And the other thing, and we can bring it up now because Mr. Vanderbeek is waiting - we are moving forward on the redevelopment of Orange Avenue. He said that he thinks that is everybody's priority. We want to expand parking in the Village but he thinks it is a priority to redevelop Orange Avenue and bring in residential condominiums into the downtown. We spoke to Ginsburg and unfortunately because of market conditions but of their particular exposure to the residential market they were unable to proceed. But fortunate for this Village, it did not hurt us at all because we were always moving forward and at their expense, they employed Zaccardi and Schiff to come up with a designation study, which is a required step before you can use urban renewal. We received a draft of the study several months ago. The study was then opened to comments from our planner, Mr. Geneslaw, who had extensive comments, returned it to Zaccardi and Schiff and they then incorporated his comments into the study. He said we got a complete study a couple of weeks ago at the time in which Ginsburg told us they would not be moving forward and on the agenda tonight, the Board intends on adopting the study and setting a public hearing for next month at which time we are going to consider designating all or part of the zone as a right for urban renewal. In addition, Mr. Vanderbeek - we are going to agree to use his services tonight

to come up with essentially parameters which can be received by developers to then make proposals on what they would build on the site. So we are moving forward. We don't have control over Mr. Shen's property but we do have control over 120 Orange Avenue as a parking lot. We are moving forward. And again, as the Mayor said, it takes time. Again, since you brought it up, Mr. Vanderbeek is moving and we can move forward right now and do what we are planning on doing tonight. Mr. Rosenberg said until you spoke, did anybody in the public know that you have an easement from Mr. Shen for an entrance and exit. You obviously cannot use a ten foot driveway and have ingress and egress. You have to come around from the Shen property down the street and come into the back. You can do that. But did anybody have knowledge of any of this until you spoke. Trustee LaCorte said he would believe that it is in the Parking Authority's minutes. Mr. Rosenberg said that he begged his pardon. He said tonight they had a meeting and they didn't discuss this. Trustee LaCorte said that you ask a question but it is also terms of a negotiation. Mr. Rosenberg said with whom. Trustee LaCorte said if they are negotiating something at presumably a price they have a right to keep those negotiations in executive session. They have negotiated an easement and that is going to be part of it. The Parking Authority is handling it. This is an issue where if you have specific questions, contact Mr. Shedler at the Parking Authority to address them. Mr. Rosenberg said to Trustee LaCorte that you are running this government - you are knowledgeable about how to run a government after 2 ½ years, correct? Trustee LaCorte said he guesses to a certain degree. Mr. Rosenberg said you borrowed \$375,000 and a bank gave you the money. Did you turn that money over to the Parking Authority? Did you write a check for it or is it in your treasury. Trustee LaCorte said we paid for the property with that money. Mr. Rosenberg said okay. Trustee LaCorte said then we have a lease agreement with the Parking Authority. Mr. Rosenberg asked when the repayments start. Trustee LaCorte asked the Treasurer if it was a year. The Treasurer said yes. Trustee LaCorte said a year. Mr. Rosenberg said you don't make a payment on that \$375,000 until January, 2008. Trustee LaCorte said probably a little further along because we didn't pay for it until March. Mr. Rosenberg said the Parking Authority said, and you just quoted in a piece of campaign literature, that you are going to have a parking lot created that would not cost the taxpayers any money. Correct? Trustee LaCorte said yes. Mr. Rosenberg said the Parking Authority said it and you just said it again. Trustee LaCorte said yes. Mr. Rosenberg asked how much we are going to have to pay to the bank on a five year payout? \$82,000 a year? Trustee LaCorte said the terms of the lease agreement - it is an issue of cash flow. If the Village decides and our Treasurer, on a recommendation to the Board, decide that we should pay off the property in a shorter period of time, regardless of the fact that we are paying it off, they still, over a term of thirty years, the Parking Authority will make all the payments. It is our prerogative. If you have a lease agreement with someone and you lease them your property, it's not the lessees decision of whether or how long you pay off your mortgage. If he is renting his property to somebody and he has a mortgage, if he pays off that

mortgage tomorrow, it doesn't invalidate their lease. They continue to make payments pursuant to the term of the lease. So at a certain point - at this point Mr. Rosenberg said wait a minute and Trustee LaCorte asked Mr. Rosenberg to let him finish. Trustee LaCorte said that at a certain point it is possible that we will pay off the property sooner but the Parking Authority will continue to make the payments under the terms of the lease. So if it is in year six and we pay it off in year five, then we are going to have no expense and revenue associated with it. But in terms of netting it out over a period of time, it will not cost the Village anything. For a period of thirty years, they will pay the price of that purchase of the property. Mr. Rosenberg said if the bank loaned you money for a five year period and the total is \$410,000 - \$375,000 and interest adding up to \$410,000 - you are going to pay \$82,000 a year and get back \$24,000. That means in five years, you will have lost cash of \$290,000. How could anybody say that the taxpayers are not involved. Trustee LaCorte said because in year six - first off, we don't know if the property is going to be developed in a year. If we are able to negotiate for the development, it is very possible that six months from now the Village will sell the property to a developer. Mr. Rosenberg said what for. You just bought it to build a parking lot. Why should you change your mind. Trustee LaCorte asked if we could discuss this. He asked Mr. Rosenberg if he wanted to go on forever about a history of this. He said that in year six, if this continues to be a parking lot, then at that point we are not going to be making any more payments and we are going to have a revenue source of \$24,000 a year. So at that point the taxpayers are going to make out okay. So the point is that we may ultimately sell this property to a developer. If things had moved forward with Ginsburg as anticipated, it is very possible that in six months from now we would have sold this property to a developer. But in the meantime, the plan is to have it as a parking lot. Our real costs will be reimbursed by the Parking Authority over a period of thirty years. If the Treasurer of the Village recommends to the Board that in his expertise it is worthwhile for the Village to pay off the property sooner, then we pay it off sooner. But the lease will continue and they will pay for it. The Mayor said we have spent enough time on this issue. He told Mr. Rosenberg if he had any questions, he could stop by his office. Mr. Rosenberg said you admit then that there is no possibility of their being two 100 car parking lots using the balance of the money that was granted eleven years ago by the State of New York to the Village to the Parking Authority. Trustee LaCorte said there is no possibility that we can use that money for the purchase of the Orange Avenue property. Mr. Rosenberg said what is going to be done with the \$2.7 million. Trustee LaCorte said that he answered the question. That is what he understands. Mr. Rosenberg asked what is going to be done with the money. Trustee LaCorte said to call Scott Shedler and speak to him about it. Mr. Rosenberg said no, no, no, you are running the Village. He is not. He said the Board has to get answers to the question because one of these years that money is going to be withdrawn. Trustee LaCorte said we gave him the answer. We attempted to - Scott attempted - he inquired as to whether we could use the money to purchase the Orange Avenue

property and he was told that it was too high a price per spot. Mr. Rosenberg asked what was the spot - what was the price. Trustee LaCorte said that it is possible to enter into a lease agreement but he doesn't know at the moment what the status of that is. He said you can ask a question and get an answer but he can't help him if he doesn't get the answer that he wants. Mr. Rosenberg asked if Mr. Shedler said it was worth \$1.2 million? You got \$2.7 million. You will have plenty of money left over. Trustee LaCorte said it is not \$1.2 million. The Mayor said to just stand by and watch what is happening. He said we are hopefully in the next year going to have a building there on the property and everybody will be happy.

Since nobody else spoke, the public participation was closed.

The Mayor said we will now discuss the proposal by Mr. Vanderbeek. Trustee LaCorte thanked the Mayor. He said that as we had just discussed, where we are now is that Ginsburg Development has decided at this time that they can't move forward with the project. So the Board, at the workshop, and as soon as we heard this news, knew and is aware of several developers who, even during our process when we were moving forward with Ginsburg Development, had expressed an interest in building the project. At the time, we were working exclusively with Ginsburg in moving forward. Once they said that they were no longer interested at this time in building the project, it became apparent that we would entertain other offers. So over the last couple of weeks, the Board and himself, Mr. Shedler, and Mr. Vanderbeek, who really up to this point at no expense to the Village and on his own free time, we started working on specifications for what the Village is interested in having built on this property. And what Mr. Vanderbeek is going to do - working with the Board - is going to draft up specs for a project and then make those specs available to any developer who wants to go pick them up and then submit a proposal which will then be reviewed by a committee and ultimately recommend a developer at which time that recommendation presumably would be adopted by the Village Board and then we can designate a developer to build the project. But there has been extensive interest and that is why we are moving forward at a rapid pace. In addition to Mr. Vanderbeek's proposal, which we have here, the Village also, in order to have the power to use urban renewal, needs to adopt the designation study which was prepared by Zaccardi and Schiff. So at this time what we would like to do is to adopt the study as the Village's and set a public hearing at which time the Village will address whether or not we are going to designate a portion or all of the area that is subject to the study for urban renewal. Trustee LaCorte said he would move at this point to engage the services of Greater Hudson Valley Engineering and Land Surveying for the primary task of preparing, in conjunction with our consultant, a set of parameters so that letters of interest can be received from developers who would be considered for building housing on Orange Avenue, specifically on the lots identified north of Chestnut Street for a price not to exceed \$5000, seconded by Trustee Abato.

AYES: Mayor John B. Keegan

Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

The Mayor said we need a motion to adopt the study. Trustee LaCorte said he would make the motion to adopt the designation study and to also set a public hearing for December 3, 2007 at 8:00 p.m., seconded by Trustee Abato. Trustee Meehan said on the motion - this is probably addressed to the attorney. He said he doesn't understand how we would adopt the study and then hold a public hearing. It is almost like the cart before the horse. Shouldn't we be having a public hearing and then make the decision. Attorney Rice said we had this discussion Thursday night with Mr. Karben. The designation study itself is not subject to public hearing but when the Board actually makes a determination to designate a certain area as an urban renewal area, that is subject to public hearing. Trustee Abato said then we can decide. That is just a guideline, basically. Attorney Rice said one block, two blocks, three blocks. Whatever you want when you do the public hearing. Trustee Meehan said that is clear to him. He said he would like to make an amendment which he discussed on Thursday. He said the amendment is one that the designation study by Zaccardi and Schiff be placed on the internet and be readily available to the public, that a number of copies be placed in the Suffern Free Library and that the Village Clerk issue a press release to the effect that it is on the internet and in the library. Trustee LaCorte said he would include that in his motion.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

A motion to set a public hearing for December 3 at 7:40 p.m. was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

VILLAGE CLERK:

A) Approval of Minutes of Special Village Board Meeting of September 5, 2007:

A motion approving the minutes was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried, with Trustee Abato abstaining since she was not at that meeting.

B) Approval of Minutes of Regular Village Board Meeting of October 9, 2007:

A motion approving the minutes was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried, with Trustee LaCorte abstaining since he was not at that meeting.

C) Request Pamela C. Magi, R.N., Permission for 20th Walk to Remember - October 5, 2008:

Village Clerk Virginia Menschner read the following letter:

*Dear Virginia,
I can't believe it is the time of the year again to start planning for our 20th Walk to Remember.*

The Village Clerk said the reason they are asking for this at this time is because this year there was a conflict between the Chamber of Commerce and themselves.

This walk is dedicated to the babies who have died during pregnancy or near born deaths. The date is October 5, 2008.

A motion approving the request was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried. The Village Clerk said she would notify the Chamber of Commerce.

D) Resolution No. 25, 2007 - Authorization for Suffern Chamber of Commerce Association Request to Purchase a Kiosk:

The Village Clerk said this is a resolution authorizing the Suffern Chamber of Commerce Association to purchase a kiosk and install it on the corner of Lafayette Avenue and Chestnut Street.

RESOLUTION NO. 25, 2007

RESOLVED, authorization for the Chamber of Commerce Association to purchase a kiosk and install it on the corner of Lafayette Avenue and Chestnut Street provided that there be no commercial advertising on the kiosk and that announcements be limited to Chamber of Commerce events and businesses and Village of Suffern events or announcements.

A motion approving Resolution No. 25, 2007 was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

The Mayor said that again that is being purchased solely by the Chamber of Commerce at no cost to the taxpayers. Added to the resolution should be that there is to be no commercial advertising other than for Chamber members. Trustee Abato said she would amend her motion for Chamber members only - no commercial advertising and only Village events to be advertised on the kiosk.

E) Approve Adjustments to Tax Warrant:

The Village Clerk said this next item is for an adjustment to the

tax warrant. She said there were a couple of bills that were supposed to be with senior citizen exemptions and they went out without the senior citizen exemptions and they have to be redone. So that came to \$2,374.24. Then we have some pro-rata, which means when a house is sold in the middle of the year and there is a veteran or senior citizen exemption, the person who buys it has to pay the following year. And that came to \$1,249.29. And our total went from \$8,119,091.31 to \$8,115,467.78. A motion approving the adjustments was made by Trustee Abato, seconded by Trustee LaCorte.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

F) Authorization for Mayor to Sign Penflex Service Agreement (\$4,300):

The Village Clerk said this next item is our Penflex agreement which came in at \$4,300. She would like permission for the Mayor to sign it. A motion authorizing the Mayor to sign the agreement was made by Trustee LaCorte, seconded by Trustee Haggerty.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

G) Establish Two New Positions - Chief Operator Grade IA to Chief Operator, Grade IB and Assistant Operator, Grade IIA to Assistant Operator, Grade IIB:

The Village Clerk said that we have two reclassification of positions. One is for Chief Operator Grade IB and one is for Assistant Operator, Grade IIB. She said this is in the Water Department. Our Water Department was updated and our classifications have to be updated. Trustee Abato said with the County of Rockland. Ms. Menschner said yes, for the County of Rockland Civil Service. Trustee Meehan asked if there was any economic change. He was told no. A motion reclassifying the positions was made by Trustee Meehan, seconded by Trustee Haggerty.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that his monthly report, which the Board has, is that we paid off some BAN debt of \$105,750 in October. We have \$1,261,381 in BAN's outstanding as of October 31. Our total outstanding debt is \$7,361,381 as of October 31, 2007. He said we have a BAN payment that was paid on October 2 prior to this meeting of \$46,887. He said the auditors have completed their field work during the week of October 15. The preliminary figures show a general fund balance at 5/31/07 of \$1,114,362. Mr. Zordan said that based upon our budget for the year ending 5/31/07 our fund balance was funded to be \$1,077,720. Therefore, we finished in the black with an excess of \$36,642. The water and sewer bills have been generated and have been mailed. We have billed approximately \$761,000 for water usage and \$518,000 for sewer fees. These amounts are less than what have been budgeted due to less than anticipated usage. Last year for this period we used 340,000 units as compared to 305,000 units for the same billing cycle - a difference of approximately 10%. However, the preliminary difference in the actual billing is a 5.3% decrease. And part of this is due to the fact that we raised the rates. Mr. Zordan said that lastly he is requesting authorization to make our annual contribution to the fire department service award program in the amount of \$86,577.28 as calculated by Penflex, which is the plan administrator.

A motion authorizing the annual contribution to the fire department service award program was made by Trustee Meehan, seconded by Trustee Abato.

AYES: Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSTAIN: Mayor John B. Keegan

Trustee LaCorte said he wanted to make sure about the money for Penflex - the \$4300. He said it is paid right out of the fund and then we reimburse it. Treasurer Zordan said yes.

MAYOR:

A) Appointment to Planning Board - George Murillo as Alternate:

Mayor Keegan said he would like to appoint someone to the Planning Board as an alternate and that is George Murillo. And we are happy to have him on board with us on our Planning Board. This is a two-year term. A motion to confirm George Murillo was made by Trustee LaCorte, seconded by Trustee Abato. Upon vote, the motion was carried.

B) Appoint Stan Dobrinski, Jr. as Chief Operator, Grade IB:

The Mayor said he would like to appoint Stan Dobrinski as Chief Operator Grade IB. A motion confirming the appointment was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

C) Appoint Stephen Ruther Assistant Operator, Grade IIB:

The Mayor said he would like to appoint Stephen Ruther as Assistant Operator Grade IIB. A motion confirming the appointment was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

D) Robert Conklin - 5% Increase:

The Mayor said he would like to have a motion for a 5% increase to the Supervisor of our Water Plant, Robert Conklin. This is retroactive to January, 2007. A motion authorizing the increase was made by Trustee Haggerty, seconded by Trustee Abato.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

The Mayor said that he had an announcement. He said that on the first and third Wednesday's of the month we have extended hours now at Village Hall at the Village Clerk's office as an added convenience to our residents. So we will be open on the first and third Wednesday's until 7:00 p.m. He said we will put it on the website.

The Mayor read the following letter from Robert Davies:

On January 26, 2007, I submitted my formal retirement letter to you as your Assessment Administrator for the Village of Suffern. I was required to resign from all public offices associated with the New York State Retirement System. At that time I indicated a desire to continue my employment with the Village of Suffern. As your Assessment Administrator, I was responsible for the processing of your Village tax rolls, solid waste tax rolls, processing of both Village tax bills and appropriate late notices and reports required for return of unpaid taxes to the County of Rockland. I was also responsible for the solid waste billing and collection programs. In addition to these duties, I also act as an advisor to the Village Attorney on all certiorari proceedings. Please accept this as my formal request to be reinstated to my former position.

A motion reinstating Robert Davies was made by Trustee Abato, seconded by Trustee Meehan.

AYES: Mayor John B. Keegan

Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan, Trustee Patricia Abato

NOES: None

ABSENT: None

This will start immediately.

A motion to adjourn the meeting at 8:38 p.m. was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.