

**Village Board Meeting
Monday, November 3, 2008**

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 Dagan LaCorte, Trustee Andrew Haggerty
Trustee John Meehan

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

ABSENT: Trustee Patricia Abato

The Mayor mentioned that our pianist, Ennis Mehdi, was out sick tonight.

SET DATES FOR DECEMBER MEETINGS:

The workshop for December will be on Monday, December 8, 2008 at 6:30 p.m. The Organization meeting will be held on Monday, December 8, 2008 at 7:30 p.m. and the regular Village Board meeting will be held on Monday, December 8, 2008 at 8:00 p.m. So we will have three meetings in one night.

FIRE DEPARTMENT:

A) Report:

Chief John Dawson said that he had two things. He said that number one, he wanted to publicly thank police chief Clarke Osborn and Department of Public Works supervisor Dan Haglund for the work they gave during the County Firemen's Parade on October 18. They did a good job for them.

B) Request to Accept Fire Truck Bid in the Amount of \$615,448 (Excelsior Fire Equipment Sales):

Chief Dawson said that number two is that they request the Village Board to accept the fire truck bid in the amount of \$615,448 from Excelsior Fire Equipment and Sales.

Attorney Rice said that as we have talked about, in order to award a bid, you have to have the financing in place. He said that letter (h) under Virginia's report is the resolution authorizing the borrowing and secondly authorizing the advertising. So we have two resolutions that we have to do first if the Board wants to act on that.

A motion adopting the resolution to acquire the fire truck was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

Attorney Rice said the second resolution is to advertise for the permissive referendum period.

A motion authorizing the Village Clerk to advertise the bond was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

A motion to award the fire truck bid to Excelsior Fire Equipment Sales in the amount of \$615,448 was made by Trustee Meehan, seconded by Trustee Haggerty. Attorney Rice said that before you do this, let him just make sure. The bid specs have something in them because of an experience he had, he wants to make sure that the money is paid only on the delivery of the truck and that is a condition of the award. He asked if that was correct. Chief Dawson said that is correct.

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

NOES: None

ABSENT: Trustee Patricia Abato

BUILDING DEPARTMENT:

A) Set Date for Public Hearing - Fee Schedule - December 8, 2008 - 8:10 p.m.:

A motion to set the date for a public hearing to an amendment to the fee schedule for December 8, 2008 at 8:10 p.m. was made by Trustee LaCorte, seconded by Trustee Meehan. Upon vote, the motion was carried.

CULTURE & RECREATION:

A) Update:

Mrs. Gail Curtin said that since the last Village Board meeting, Recreation Department worked with the Police Department for a DARE dance on October 10. On October 11, the Suffern Presbyterian Church congregation painted the Virginia Menschner gazebo. On Saturday, October 18, window painting, co-sponsored by Suffern Recreation and the Chamber of Commerce, took place and senior citizens were the judges. On Thursday, October 23, they had a senior citizen movie afternoon at the Community Center and on Sunday, October 26, as all of them know, they had a record amount of people turn out for the Village Halloween parade and on Thursday, October 30, close to 200 flu shots were given to senior citizens here in the auditorium. This Wednesday, November 5, Good Samaritan Hospital employees will be coming back to dispense flu shots to the Village of Suffern employees. That will be here in the auditorium from 11:00 a.m. to 1:00 p.m. Mrs. Curtin said that this Friday night, November 7, LEAD will be at the Community Center. The following Friday, November 14, another DARE dance at the Community Center. On Saturday, November 15, they will be going on a trip to New York City to see *Mamma Mia*. On Tuesday, November 18, a blood drive co-sponsored by the Recreation Department and the Lions Club will be held at the Community Center beginning at 4:30 p.m. And on Friday, November 21, they will have another session of LEAD at the Community Center. Down the road a bit, so that they might mark their calendars, Thursday, December 4 will be the Village Holiday Lighting, Saturday, December 6 the Elks Lodge will once again co-sponsor with Recreation their Hoop Shoot at the Community Center at 10:00 a.m. and Sunday, December 7, here in the auditorium, the Pearl Harbor Commemoration at 3:00 p.m. There is one other item that was brought to them at their workshop last week. They have gotten back to AARP and they once again appreciate your permission for them to offer tax service to the Village on Tuesdays beginning February 3 through and including April 14, 2009 from 10:00 a.m. to 2:00 p.m. at the LPL community building.

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

The Mayor thanked Gail and said great job with the window painting and the Halloween parade which was a great success.

The Mayor said he just wanted to revert back to the Fire Chief for one second. He said that he would like the Chief to let the firefighters in both companies know that was a fantastic job they did putting out that fire at 89 Lonergan.

VILLAGE ATTORNEY:

Attorney Rice said the only thing he wanted to bring up was Dennis Lindsay, our consulting engineer on water and sewer, advised us that we have to set up a procedure for acceptance of storm water pollution prevention plans, which basically means we have to

designate an official to certify that the storm water pollution prevention plans that are prepared in connection with applications primarily to the zoning board satisfy the applicable regulations. He initially suggested that the Planning Board chairman is probably the appropriate person to do that. We are lucky at this particular time because the Chairman of the Planning Board is actually a professional engineer. Attorney Rice said he questioned Dennis today because we spoke about it about whether or not if he's not the chairman at some point whether or not it would be a difficult endeavor for a layman to certify. And he said not with the assistance of whoever the consulting engineer or the Superintendent of Public Works is. So really, the choices are that you designate the Planning Board chairman, which we haven't told him about his potential new title, or, if we have a Superintendent of Public Works or in his absence, Dennis Lindsay to do the certification. So again either the Planning Board chairman or the alternative he suggested. The Mayor said that he thinks we should go with the Planning Board chairman first and if he wants to pass on that, we will go with Dennis Lindsay, and he doesn't think he will turn us down since we are paying. Attorney Rice said he thinks you need a motion designating the Planning Board chairman as the MS4 official to certify acceptance of storm water pollution prevention plans. A motion to designate the Planning Board chairman as MS4 official for certifying acceptance of storm water pollution prevention plans was made by Trustee LaCorte, seconded by Trustee Meehan. Upon vote, the motion was carried.

7:45 P.M. - PUBLIC HEARING - PROHIBITING PARKING AT THE INTERSECTION OF WASHINGTON CIRCLE WITH WASHINGTON AVENUE:

The Mayor said at this time, we will open the floor for public hearing for prohibiting parking at the intersection of Washington Circle with Washington Avenue. Attorney Rice said that on Chief Osborn's recommendation, the local law proposes that there be no parking on both sides of both of the entrances to Washington Circle at its intersection with Washington Avenue from the intersection to a point 60 feet to the east. It was believed that was a safety issue and this is for your consideration.

The Mayor asked that anybody who comes up to speak to please state their name and address for the record.

Diana Lawrence of 10 Washington Circle said that some of the residents have been concerned with basically an overflow of parking from some of the businesses in the area. So they were hoping for a resolution to the problem. There are times when she can't park in front of her house during the day. Sometimes some things that she needs to have done are unable to be done. She said that what they were looking to propose is that she understands the safety issue for not parking within 30 or 60 feet - Attorney Rice said 60 feet from the intersection. Ms. Lawrence said that is great because you can't see when you are coming out of the circle sometimes. But for those of them who live farther in, that doesn't basically protect them. So they were wondering - there were a couple of solutions.

Her husband, who isn't able to attend, and she were talking about one which would be no parking from 10 to 3 Monday to Friday and the other would be a residential only parking permit. Or parking by permit only for residents. Attorney Rice said the latter you can't do on a public street. Ms. Lawrence said okay. She said she is not sure why that is - because of the NYS Home Rule? Attorney Rice said no. The vehicle and traffic regulations - a town or village only has whatever authority that they are specifically delegated from the State Legislature and there are only certain things that you can do and that is not one of them. He said there are maybe one or two communities in the whole state that have gotten specific legislation from the State Legislature - a specific bill to do that in limited circumstances. But the Village has no authority to do resident parking. Ms. Lawrence said alright. She said then they were just wondering if perhaps they could have no parking from a certain time to another certain time - perhaps 10 to 3. She said she knows it had been proposed 7 to 10 which no one - not even the residents could park at that time. So they were wondering if they could have the permit parking - the no parking only go from 10 to 3 which would alleviate the overflow of parking. The Mayor said that he knows that he spoke with her on Friday and he thinks it was his suggestion that the same types of parking rules that we have in the west ward would be good over here to prevent commuters from parking all day long which is, he is not sure of the exact time - but if commuters can't park in the morning they are not going to park there at all, usually. The Mayor said he believes it is 7 to 9. Ms. Lawrence said 7 a.m. to 9:00 p.m.? The Mayor said no, to 9:00 a.m. He said that is when most of your trains leave and if they are train riders, that will help. If they ride buses, he doesn't know. But he thinks that will help and he thinks that would be a start to see if that works. And if it doesn't. Ms. Lawrence said that anything. They appreciate anything at this point. And then if that is not working, because it is not only the commuters, it is also the overflow parking from a couple of the industrial companies in the area. The Mayor said that he has met with Mr. Brennan who owns Conserv over there and he believes that some of their cars have been on Washington Circle and he has met with a lawyer representing the Knights of Columbus to try to get some spots for those vehicles. He said he knows that they are now talking but he doesn't know where they are on that but if they can get those cars parked in the Knights of Columbus lot, he thinks that would be a big help. Ms. Lawrence thanked the Board.

A motion to close the public hearing was made by Trustee LaCorte, seconded by Trustee Meehan. Upon vote, the motion was carried.

VILLAGE OF SUFFERN

LOCAL LAW NO. 14 OF 2008

**A LOCAL LAW AMENDING SECTION 254-61 OF THE
CODE OF THE VILLAGE OF SUFFERN
PROHIBITING PARKING AT THE
INTERSECTIONS OF WASHINGTON CIRCLE WITH**

WASHINGTON AVENUE

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

Section 1. Section 254-61, "Schedule XI: Parking Prohibited at All Times," of the Code of the Village of Suffern is hereby amended by adding after:

[Name of Street]	[Side]	[Location]
Washington Avenue	West	From the railroad tracks to a point 50 feet north thereof

the following:

[Name of Street]	[Side]	[Location]
Washington Circle	Both	From the Intersection with Lafayette Avenue Avenue (both) to a point 60 feet east

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Local Law 14, 2008 prohibiting parking at the intersection and going inward 60 feet at the intersection of Washington Circle and Washington Avenue was made by Trustee LaCorte, seconded by Trustee Meehan. Trustee Haggerty asked if this has been discussed with the neighbors that live there. The Mayor said yes, they are the ones that requested this.

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

NOES: None

ABSENT: Trustee Patricia Abato

7:50 P.M. - PUBLIC HEARING - PROHIBITING PARKING BETWEEN 7:00 A.M. AND 5:00 P.M. WEEKDAYS IN THE VICINITY OF THE INTERSECTION OF CYPRESS ROAD AND FOREST DRIVE:

Attorney Rice said that again this is a safety issue. The recommendation was that there be no parking from 7:00 a.m. to 5:00 p.m. Monday through Friday from the entrance of the Connor School to a point 70 feet south on Cypress Road and also on Forest Drive during the same days and hours from the intersection of Forest Drive and Cypress Road to a point of 100 feet to the west on Forest Drive. And obviously this relates to the bus access at Connor School.

Debra Schoenleber of 20 Meadow Avenue said that she originally started as a parking guard there in that area and it is a very big safety issue. She said that she had a car parked at the stop sign and a bus had to go around it and there is not enough room for buses, cars and kids. So she hopes that you would pass this for the safety of the children.

A motion to close the public hearing was made by Trustee Meehan, seconded by Trustee LaCorte.

VILLAGE OF SUFFERN

LOCAL LAW NO. 15 OF 2008

**A LOCAL LAW AMENDING SECTION 254-64 OF THE
CODE OF THE VILLAGE OF SUFFERN
PROHIBITING PARKING BETWEEN 7:00 A.M. AND 5:00 P.M.
IN THE VICINITY OF THE INTERSECTION OF
CYPRESS ROAD AND FOREST DRIVE**

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

Section 1. Section 254-64, "Schedule XIV: Parking Prohibited Certain Hours," of the Code of the Village of Suffern is hereby amended by adding after:

[Name of Street]	[Side]	[Hours/Days]	[Location]
Clinton Place	North	School Hours/School Days	All along s c h o o l property

the following:

[Name of Street]	[Side]	[Hours/Days]	[Location]
Cypress Road	Both	7:00 am to 5:00 pm Monday through Friday	From the entrance to R.P. C o n n o r School to a point 70 feet south

Section 2. Section 254-64 of the Code of the Village of Suffern, "Schedule XIV: Parking Prohibited Certain Hours," is hereby amended by adding after:

[Name of Street]	[Side]	[Hours/Days]	[Location]
East Park Place	North	7:00 am to 9:00 am/ Monday to Friday	150 and 130 feet west of

Park
Avenue

the following:

[Name of Street]	[Side]	[Hours/Days]	[Location]
Forest Drive	Both	7:00 am to 5:00 pm/ Monday through Friday	From the intersection of Forest Drive and Cypress Road to a point 100 feet west

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

A motion adopting Local Law No. 15, 2008 was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

7:55 P.M. - PUBLIC HEARING - ENFORCEMENT AUTHORITY OF THE CODE ENFORCEMENT OFFICER:

Attorney Rice said that we have a provision in the Village Code that gives the Code Enforcement Officer the authority to enforce various chapters in the Village Code. This Local Law amends it to do two things. Number one to specify that the Code Enforcement Officer has the authority to enforce the chapter on amusement devices and secondly, although he thinks it is clear under the state building code, to also specifically authorize the Code Enforcement Officer to enforce the provisions of the NYS Uniform Fire Prevention and Building Code. Since nobody spoke, a motion to close the public hearing was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

VILLAGE OF SUFFERN, NEW YORK

LOCAL LAW NO. 16 OF 2008

A LOCAL LAW AMENDING CHAPTERS 77 AND 105 OF THE

**CODE OF THE VILLAGE OF SUFFERN REGARDING
ENFORCEMENT AUTHORITY OF THE
CODE ENFORCEMENT OFFICER**

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

Section 1. Section 77-7 of the Code of the Village of Suffern is hereby amended to provide as follows:

This chapter shall be enforced by
the Code Enforcement Officer or
Village of Suffern Police
Department.

Section 2. 105-2 of the Code of the Village of Suffern is hereby amended to provide as follows:

§ 105.2. Chapters enforced by Code Enforcement Officer.

In addition to any other chapters or provisions which the Code Enforcement Officer may heretofore have been authorized to enforce, notwithstanding anything to the contrary in the Code of the Village of Suffern, the Code Enforcement Officer is hereby authorized to enforce the provisions of:

- A. Chapter 77, Amusement Devices.
- B. Chapter 93, Brush and Weeds.
- C. Chapter 96, Building Construction and Fire Prevention.
- D. Chapter 100, Buildings, Dangerous.
- E. Chapter 150, Garbage, Rubbish and Refuse.
- F. Chapter 162, Housing Standards.
- G. Chapter 168, Littering.
- H. Chapter 177, Numbering of Property.
- I. Chapter 189, Parking Areas, Commercial.
- J. Chapter 228, Site Plan Regulations.
- K. Chapter 235, Streets and Sidewalks.

- L. Chapter 254, Vehicles and Traffic, §§ 254-22 and 254-67, handicapped parking; §§ 245-23 and 254-68, loading zones; and §§ 254-25.2 and 254-71, fire zones.
- M. Chapter 266, Zoning.
- N. New York State Uniform Fire Prevention and Building Code.

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

A motion adopting Local Law No. 16, 2008 was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato

7:55 P.M. - PUBLIC HEARING - REGARDING HOUSING STANDARDS:

Attorney Rice said this makes a minor amendment in the Village provision on housing standards so that it is consistent with the NYS Code. It provides that at least 70 square feet shall be provided in any sleeping room for one occupant and 50 square feet for each additional occupant. As he said, this is just so it is consistent with the State code. Ours was off by 10 square feet.

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

VILLAGE OF SUFFERN, NEW YORK

LOCAL LAW NO. 17 OF 2008

**A LOCAL LAW AMENDING CHAPTER 162 OF THE
CODE OF THE VILLAGE OF SUFFERN
REGARDING HOUSING STANDARDS**

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

Section 1. Section 162-6(A)(2) of the Code of the Village of Suffern is hereby amended to provide as follows:

- B. Every room occupied for

sleeping purposes shall contain at least seventy (70) square feet of floor space for one (1) occupant or fifty (50) square feet of floor space for each occupant if more than one (1).

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 17, 2008 was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

7:55 P.M. - PUBLIC HEARING - REGARDING FIRE DETECTION AND ALARM SYSTEMS:

Attorney Rice said that this Local Law was recommended by the Fire Inspector and essentially it requires that not only that vacant buildings have a fire alarm system but also that it be connected to 44 Control. The fire alarm system is somewhat ineffective if nobody hears it in a vacant building so the requirement that it be connected will enable the Fire Department to find out if there is a fire in the vacant building.

Since nobody spoke, a motion to close the public hearing was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

VILLAGE OF SUFFERN

LOCAL LAW NO. 18, 2008

**A LOCAL LAW AMENDING
CHAPTER 92 OF THE CODE OF THE
VILLAGE OF SUFFERN
REGARDING FIRE DETECTION AND ALARM SYSTEMS**

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

Section 1. Section 96-20(B) of the Code of the Village of Suffern is hereby amended to provide as follows:

Buildings that are vacant shall maintain all required and existing fire detection and suppression systems in service

and monitored by a Direct Connection to Rockland County Fire Control (44-Control).

Section 2. Section 96-23(A) of the Code of the Village of Suffern is hereby amended to provide as follows:

All buildings and structures other than one-family and two-family residences shall be equipped with fire detection and alarm systems as described in Table I with a Direct Connection to Rockland County Fire Control (44-Control). A sprinkler system with a water flow device monitored to immediately send an alarm with a Direct Connection to Rockland County Fire Control (44-Control) shall be considered a fire detection system.

Section 3: Chapter 93, Table I of the Code of the Village of Suffern is hereby amended to provide as follows:

See attached

Section 4. This local law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 18, 2008 was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato

7:55 P.M. - PUBLIC HEARING - REGARDING BUILDING AND FIRE INSPECTIONS:

Attorney Rice said that this is basically a technical amendment. It provides that the Code Enforcement Officer and the Building Inspector are authorized to conduct periodic inspections and the Fire Inspector is authorized to conduct annual inspections for compliance with the New York State and Village of Suffern codes.

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

VILLAGE OF SUFFERN, NEW YORK

LOCAL LAW NO. 19 OF 2008

A LOCAL LAW AMENDING CHAPTER 96 OF THE

**CODE OF THE VILLAGE OF SUFFERN
REGARDING BUILDING AND FIRE INSPECTIONS**

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

Section 1. Section 96-4 of the Code of the Village of Suffern is hereby amended to provide as follows:

The Code Enforcement Officer and the Building Inspector are authorized to conduct periodic inspections, and the Fire Inspector is authorized to conduct annual inspections for compliance with the New York State and Village of Suffern codes.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 19, 2008 was made by Trustee LaCorte, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

POLICE DEPARTMENT:

A) Update:

Chief Clarke Osborn said that he had a very quick update. He said that they were all invited up on Sunday, November 9 which is this Sunday. They are having their DARE hockey championship games which is the culmination of their Fall season. They had about 100 players - 8 teams, all Ramapo Central, mostly Village players, Village kids, third to sixth grade and they have games at 9:30 and 10:45 a.m. and at noon they are going to have a barbecue and an awards ceremony right at the rink for the kids. He said they were all invited up Sunday and he was hoping they could make it up with them at the ceremony. It will be very quick. They are going to give out tee shirts and awards.

Chief Osborn said that gate night and Halloween were very quiet this year, which was great. He said they had a very heavy police presence. They broke it up into different sectors which was excellent. And on Friday night they did a DWI check with the County Sheriff's department. They had about a dozen officers out there from 10:00 p.m. to 2:30 a.m. on Orange Avenue. And in a good way, they had no arrests. They stopped hundreds and hundreds of cars -

every car that went through the Village was stopped on Orange Avenue. He said they had a lot of drunk passengers but no drunk drivers, which was great, and it worked out beautiful. And that will be reimbursed by the County - several thousand dollars to the Village.

The Mayor thanked the Chief and asked the Chief to also thank his officers that were at that fire scene and assisted the fire department. Good job.

DEPARTMENT OF PUBLIC WORKS:

A) Appoint Kyle Cioffi as Laborer (as of October 14):

Supervisor Dan Haglund said he had a couple of items. The first item is to appoint Kyle Cioffi as laborer as of October 14. A motion appointing Kyle Cioffi was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

B) Hire Gary R. Rich to do Surveying Services for Washington Avenue Realignment (\$1800):

A motion to hire Gary R. Rich was made by Trustee Meehan, seconded by Trustee LaCorte. Trustee Haggerty said that this is going to be an expensive way, he thinks, to try to solve this problem. It is really caused by vehicles that are going towards the overhead Thruway by being on the other side of the road. They should be forced so they don't go over the double lines and that will stop the problems. And that is going to take some observation. What we are doing is that we are going to prepare for the crashes, he guesses. And he thinks there is a better way to do it cheaper. The Mayor said that what we want to do at this point is basically - the land has been donated. You don't get a lot of land donated. The Mayor said it is offered to be donated. This fee of \$1800 is simply for a survey so we can survey the piece of land that is being offered to be donated because at least if we can acquire that piece of property then we can figure out how we are going to get the funds to do the project down the road whether it is a grant or no matter how we do it. So he thinks we really need to get the survey done and acquire the property. Because people can change their mind, of course, or a person could sell and the new owner might say that he doesn't want to give up his property. So he thinks it is important that we acquire that piece. Attorney Rice said that he needs a needs and bounds description which the surveyor will provide in order to draw a deed. Absent the needs and bounds description, there is no way for the property owner to convey it to the Village. The Mayor said that at this time all we are asking to do is to survey the property. Trustee Haggerty said that is what is going to cost the money. The Mayor said it is going to cost \$1800. Nothing is free. Trustee Haggerty said he understands that. The Mayor said he is up to him on the vote. Do you want to vote yes or no? Trustee Haggerty said he is questioning the need to do this. The Mayor said he thinks there is a need and he thinks that some of the Board agrees that there have been head on collisions there for

the last 80 years and it is the most dangerous, he thinks, turn in the entire Village and if we can eliminate that safety hazard and save a life or an injury, he thinks it is well worth what we put into it. Trustee Haggerty said he does too. But he thinks that also if we can keep the incoming traffic in their own lanes then it would solve the problem. It would give them more room to come over on the other side and it wouldn't cost any kind of money. The Mayor said then he would take it that he is against it. Trustee Haggerty said yes, he took it right.

AYES: Mayor John B. Keegan
Trustee Dagan LaCorte
Trustee John Meehan

NOES: Trustee Andrew Haggerty

ABSENT: Trustee Patricia Abato

Mr. Haglund said that the next thing he has is that it is leaf season and he just wants to inform residents to keep the sticks and branches out of the piles because they are going around with the vacuum machine right now and they keep getting jammed with the sticks. Please keep them separate. Also, the garbage cans at the past Board meetings. They are sending out the letters regarding detachable lids and the 35 gallon max. The Mayor said those notices went out in the water bills and we are also going to post it on the website and we have a Village update coming out and we are going to put it on as well. Mr. Haglund said the last thing is that we got bids back for the street sweeper. He said he wants to go over it with Terry on Thursday - the legalities of it. We got two bids back. One was from Gannon Municipal Supply and the other was from Timmerman Equipment. He said he will talk to Terry on Thursday regarding the bids and at the next Board meeting they will award the bid. And that is all he has.

VILLAGE CLERK:

A) Approval of Minutes of Regular Village Board Meeting - October 6, 2008:

Village Clerk Virginia Menschner said the first thing she has is approval of the minutes of the Village Board meeting of October 6, 2008. A motion approving the minutes was made by Trustee LaCorte, seconded by Trustee Meehan. Upon vote, the motion was carried.

B) Request - Mr. Zehran for Waiver for the Required Parking (New Subway Restaurant):

Ms. Menschner said that we have a request from Subway Restaurant requesting the waiving of the required parking. And also down further on the agenda, you will see there is one from Georgie Porgies. Trustee LaCorte asked if we knew if they were before the Planning Board yet. Attorney Rice said they are not. Attorney Rice said that what we talked about last week is that we would grant it

with the condition that if they need site plan approval obviously the waiver is conditioned on them getting site plan approval. The Building Inspector has to determine if in fact it needs site plan approval and to the best of his knowledge, he hasn't made that determination. Trustee LaCorte said that he guesses there was a concern in moving forward with the lease if they would have to pay for this parking. So if that is the way to do it. Trustee LaCorte said that we are just waiving in general whatever requirement it is. Attorney Rice said he believes they had a number. The Mayor said he thought until there was a decision we were going to waive it. Attorney Rice said that Dagan was just looking for specifics. Attorney Rice said that his recollection, and he is not 100% certain about this, is that the requirement is 30 and that the previous use had five and you also have the other provision that will allow four spaces essentially exempt so you are granting a waiver from that requirement. Trustee LaCorte said on the other one - Georgie Porgies - it doesn't have the amount. Do we know the amount? The Mayor said he heard the amount was \$45,000. Attorney Rice said he thinks the number of spaces were 30. Trustee LaCorte said he needs 30 spots. Attorney Rice said that is his understanding. The Mayor said he thinks it is \$3000 a space and whatever comes out to \$45,000. Trustee Meehan said that would be 9. The Mayor said 9 spots. Trustee LaCorte said we changed the law where the first number of spots were exempt. We are just trying to figure a way to do this. Trustee LaCorte said he would make a motion to waive the payment in lieu of parking requirement for R & K Subway Inc., 32 Lafayette Avenue, subject to site plan approval if required, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

Trustee LaCorte said that we have another request for a waiver for payment in lieu of parking from Georgie Porgie's restaurant. A motion to waive payment in lieu of parking for five parking spaces based on the total number of seats requested subject to review by the Building Inspector that the compliance with the State Building code is met was made by Trustee LaCorte, seconded by Trustee Meehan. Trustee Meehan said he thought there was a discussion and he thinks covering the State building code - there was a problem with the floor. Attorney Rice said yes, that is the NYS Uniform Fire code. Trustee Meehan said that we were concerned on the floor with the entertainment provision. Trustee LaCorte said that we weren't approving the entertainment. This was just for five additional seats - an extra table. He said that George did not appear - he was on the agenda of the Planning Board for the permit for the music and he didn't appear for that. So this is just for the additional seating, not the music.

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

NOES: None

ABSENT: Trustee Patricia Abato

C) Request - VFW to Hold Veterans Day Parade - November 11, 2008:

The Village Clerk said that she had a request from the VFW respectfully requesting a permit to hold a Veterans Day Parade on Tuesday, November 11. The parade will be a joint affair conducted by their post and the American Legion. They will assemble at the Village hall starting at 10:30 a.m. and then proceed to the soldier's monument for the 11:00 a.m. ceremony which is scheduled to end by noon. They would appreciate having the use of the Village P.A. system. They thanked the Village for their consideration. The letter was signed by Charles A. Culotta, Post Commander. A motion granting the request was made by Trustee Haggerty, seconded by Trustee LaCorte. Upon vote, the motion was carried.

D) Request - To Approve Ernest Bellow and John Taylor to Perform Electrical Inspections in Suffern:

Ms. Menschner said we have a request to approve Ernest Bellow and John Taylor to perform electrical inspections in the Village of Suffern. A motion granting the request was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

E) Settlement of Claim - Myles Burke:

The Village Clerk said that we have Myles Burke who had an unfortunate accident in the Village of Suffern by falling into our cave-in or street cave-in on Washington Avenue and he is requesting the deductible because our insurance company is not paying it because it was the first time that it happened. The Village Clerk said that if we do not have a prior written notice our insurance company does not take it into consideration. Trustee LaCorte said that we discussed this at the workshop and we agreed to settle the claim for the deductible of \$1000. A motion to pay the \$1000 deductible to Myles Burke was made by Trustee LaCorte, seconded by Trustee Meehan. The Village Clerk said that Attorney Rice will write up a release.

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

NOES: None

ABSENT: Trustee Patricia Abato

F) Request to Bid for Waterworks Operation Center Wall - Return

Date - November 20, 2008:

The Village Clerk said we have a request to go out to bid for the waterworks operation center wall with a return date of November 20, 2008. Trustee LaCorte said he thought we were going to award the bid. The Village Clerk said that is up to them. If you want to award it. Trustee LaCorte said isn't that what we discussed. The Mayor said we discussed awarding it. Trustee LaCorte said we want to move forward so we can get it done before the winter. We have the bid already. The Village Clerk said we do have a bid. Trustee LaCorte asked in what amount. Trustee LaCorte said \$347,000 is that correct. The Village Clerk said hold on. Trustee Meehan asked if we have to make a financial move on that. Attorney Rice said he presumes letter (i) covers the financing for that wall. The Village Clerk said it is \$347,319. She said you can award it if you want. Attorney Rice said he thinks you have to do (i) before you award it. The Mayor said the thing is if we don't get this done, we are going to spend \$50,000 just trying to shore it up because it is a safety concern. Trustee LaCorte said he thinks we should move forward. He asked what we have to do in terms of doing it. Attorney Rice said you have to approve (i). You have to do (i) first. A motion to approve the serial bond for various purposes was made by Trustee Meehan, seconded by LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

A motion authorizing the Village Clerk to advertise the bond was made by Trustee Meehan, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato

Trustee LaCorte asked if we had the name of who we were awarding the bid to. The Village Clerk said the name of the company is Hutton Construction Corp. of Cedar Grove, NJ. A motion to award the bid in the amount of \$347,319 for the waterworks operation center wall to Hutton Construction Corp. was made by Trustee LaCorte, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

8:15 P.M. - PUBLIC HEARING - SPECIAL PERMIT - VILLAGE BAR & GRILL TO PERMIT LIVE ENTERTAINMENT:

Attorney Rice said that as you know, live entertainment is a special permit use pursuant to the zoning law. The applicant proposes to operate according to the narrative Thursday through Sunday, 7:00 p.m. to midnight. They are proposing a jazz band to provide dinner music consisting of three members in the band. They also would like authorization for a disc jockey to entertain on some other nights. So, as you know, in prior instances, the Board of Trustees - we have the Planning Board recommendation dated October 28 and the Planning Board at the meeting on October 15 recommended that the Village Board grant the special permit for a period no longer than six months, limited to Thursday through Saturday nights and at the end of six months, the applicant could return to the Village Board for renewal if there are no issues. Attorney Rice said that what he was going to mention is that the Village Board consistently on special permits for live entertainment has been granting them for generally a six month period so that if there are any issues or problems that arise, they need not be renewed. Also, specify the nights and hours and so forth and the additional recommendation that we have included in most of the special permits for live entertainment is that if there are any problems or issues, the Village Board reserves the right upon notice and an opportunity to be heard to the applicant to revoke the permit. Attorney Rice asked the Village Clerk if she had something from the County. The Village Clerk said that the County promised her that they were sending it and they didn't. Attorney Rice asked if it has been more than 30 days. The Village Clerk said no, it hasn't been more than 30 days, but she promised the Village Clerk that it would be here but it didn't come. She said she thinks it was in favor, but she is not sure. The Village Clerk said she has the Planning Board one.

Rich Ellsworth, the attorney for Mr. Yan Resnick, said that you mentioned something about the County Planning Board. You have not received the response? Attorney Rice said we haven't received the response yet. Mr. Ellsworth asked if it was sent out. Attorney Rice said it hasn't been thirty days. Mr. Ellsworth said it has not been thirty days? Attorney Rice said right. Mr. Ellsworth said that they are here for open questions with respect to the public hearing. He said as you know, they were before this Board in October and they went to the Planning Board, the Planning Board sent back its recommendation to approve and they are looking for a positive vote tonight. He said his client is scheduled to open next week and he believes there is sufficient time for the letter to be sent to the County. He said they are open for questions. Since there were no questions, a motion to close the public hearing was made by Trustee LaCorte, seconded by Trustee Meehan. Upon vote, the motion was carried.

A motion to approve the special permit for live entertainment for a period of six months subject to limiting it to Thursday to Sunday from 7:00 p.m. to 12:00 midnight, limiting it to a jazz band for dinner with three members and subject to revocation by the Board of Trustees upon notice and an opportunity to be heard if any problems or issues arise with respect to the use was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

AUDIENCE PARTICIPATION:

The Mayor said that we will have some audience participation at this time. Anyone that would like to get up and speak on any issue, this is the time to do it. Nobody spoke.

FINANCE DEPARTMENT:

A) Update:

Treasurer Tom Zordan said that we paid down \$155,625 of BAN debt during October. We have \$911,693 in BANS outstanding as of October 31. Total outstanding debt is \$6,526,693 as of October 31, 2008. And we had a BAN payment scheduled for November 3 in the amount of \$63,593. He said that the auditors completed their field work during the week of October 14. The preliminary figures show a general fund balance at 5/31/08 of \$912,420. Based upon our budget for the year ended 5/31/08, our fund balance was budgeted to be at \$841,635. Therefore, we finished in the black with an excess of \$70,785. The water and sewer bills have been generated and they have been mailed out. They were mailed out today. We billed approximately \$890,000 for water usage and \$520,000 for sewer fees. These amounts are on target with the budget.

Mr. Zordan said he was requesting authorization to make our annual contribution to the fire department service award program in the amount of \$117,191.94 as calculated by Penflex, the plan administrator. A motion authorizing the annual contribution was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

Mr. Zordan said that we have sent out 540 letters to the residents in the west ward to set up appointments to have the new radio devices on the water meters. Installation in the west ward will begin today, Monday, November 3, and so far we have set up appointments with 153 customers. In addition, the water department has installed 40 radios in commercial properties on Lafayette Avenue. We are progressing very well with the project.

Mr. Zordan said that lastly, he is requesting authorization to attend the NYS GFOA Regional Seminar in Pearl River on December 5, 2008 at a cost of \$75. A motion authorizing the request was made by Trustee LaCorte, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

Mr. Zordan said that our budgeting will begin in December.

MAYOR:

Mayor John Keegan said that he would like to remind everybody of a very important day coming up - the semi-annual blood drive for the Lions Club right at the George Parness Community Center, Tuesday, November 18, 4:30 to 8:30. So please come down and give blood on that date. The Mayor said to please also visit our website - it's newly revamped and it has a lot more information on it. There is a whole new look to it. And if you go to our video gallery, you can now see some videos that we have, some clips, and you will also be able to go on there and take a virtual tour of the quarry. So if you would like to see what is up there, what it looks like, and watch him driving around up there, take a look at that. He said we will also have a newsletter going out very shortly. We are about 80% finished on that to provide information on a lot of what has happened and a lot of upcoming events. So everybody will be getting one of those in the mail pretty shortly.

Trustee LaCorte said that we had an item on the agenda for setting a public hearing for the amended urban renewal plan but some people suggested that since the holidays are going to be in December, that maybe we should wait and have it in January. So he guesses we can wait until the December meeting to set the date in January. So he said maybe we can hold onto that for another month.

The Mayor asked if there was any old business or any new business. He then said that all he can say is for folks to please get out and vote tomorrow.

A motion to adjourn the meeting at 8:30 p.m. was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.