

**Village Board Meeting
Monday, November 9, 2009**

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, Trustee Patricia Abato

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

ABSENT: None

Set Dates for December Meetings:

Mayor Keegan said there will be an organizational meeting on Monday, December 7, 2009 at 7:00 p.m. The regular Board meeting will be at 7:30 p.m.

FIRE DEPARTMENT:

A) New Members - Suffern Volunteer Hose Company - Steven Ourelio, Gregory Berkowitz:

Chief Dan McInerney said there are two new applicants for the Volunteer Hose Company - Steven Ourelio and Gregory Berkowitz. He said he would like to have them put on the insurance rolls. A motion approving the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

B) Emergency Funding to Replace Furnace at Hook & Ladder Building - Estimated Cost \$4500:

Chief McInerney said that during this past month, we have needed funding for two emergency items - one to replace the furnace at the Hook and Ladder building and the cost is around \$3500, which is less than what is listed on the agenda. And funding to repair the roof at the Hook & Ladder building as well and that is under \$1000. Trustee Abato asked the Treasurer if we had decided where that is coming from. Mr. Zordan said the fund balance. A motion approving the items was made by Trustee Abato, 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

MR. MICHAEL MIZRAHI - PRESENTATION - RE: FILM:

The Mayor said that at this time he would like to entertain a request for a movie in the Village called White Irish Drinkers which he said we have to have discussion on this and vote from the Village Board.

Mr. Michael Mizrahi said he just wanted to say thank you to the Village Board and the people of Suffern. He said he had a little handout that he prepared for the presentation. He said this film is called White Irish Drinkers and is written by John Gray who lives in Nyack. He said he grew up in Bay Ridge and it is a Bay Ridge story. Their idea is to recreate Brooklyn 1975 right there on Lafayette Avenue. They are interested in the Lafayette Theater interior and exterior because of its old style of movie theater. He said they are trying to recreate 1975 right on Lafayette Avenue in front of the theater. He said they have gotten permission from the Lafayette Theater to film inside and now they are asking permission from the Board to film outside. He said they did have several shots. He said he sent them a letter once before and it was too general or too vague and not meeting their approval so as he visited them and Terry Rice last week, he made several changes so it would be agreeable to the Board. If you turn into the first page, he would like to let them know that all the parking of their trucks - he said they are an independent film. They are not Hollywood. He said they have five fourteen foot cube trucks and they will all be parked in the theater lot. There absolutely won't be any parking on the street for these trucks. They are also insured and they already sent an insurance policy to Mr. Terry Rice. Mayor Keegan said he wanted to save him some time. He said he gave a copy of this to the Board members last week so he thinks if they have any questions on any of these it would be best right now if they would ask Mr. Mizrahi. So he doesn't have to go over every item.

Trustee Abato said that she had a question. She said that she notices that he says that he is going to need us to stop traffic for some of the shots. How long do you anticipate that to last? Mr. Mizrahi said there are intermittent traffic stops between rolls and cuts. When they are not shooting, traffic can move freely. But when they want to shoot they ask for police assistance to stop traffic and that could last from 30 seconds to a minute or a minute and a half. Trustee Abato said at a time. Mr. Mizrahi said yes. Trustee Abato asked if he knew how many times he anticipated this would happen in their four hour or five hour time slot. Is there a lot? She said that she is trying to get a sense of how much we are going to have to shut down that area. Mr. Mizrahi said that most of the time it is set-up time. And there is really no way he can really predict how much time that is going to take. Trustee Abato said that her concern is that the last time we had something like this in the Village it was supposed to be minimal and it turned out to be a mess and the businesses got hurt by it and also that is a major entrance way and exit way to the Village so to shut down

that portion - she asked the Chief if he had some feelings on that.

Mayor Keegan said that he was under the impression when they spoke that he was only going to shut one lane down. Mr. Mizrahi said yes. They don't want to stop traffic. Intermittently they would ask for the traffic to be stopped when they are rolling but they are not shutting the street down. They have cameras from across the street pointing at the Lafayette Theater and that would be the key time and they also have a camera in the lobby pointing out towards the street and that is another key time as well. Trustee Abato said then you would actually be - Mr. Mizrahi said stopping traffic. Trustee Abato said stopping traffic and shutting down the street for periods of time intermittently throughout the five hours that you are going to be filming. Mr. Mizrahi said yes.

Trustee Meehan said that would be when your 1975 cars roll by. Mr. Mizrahi said yes, that is right, and they would like to park three of them also on Lafayette Avenue in the parking spots. Mayor Keegan asked if he has spoken to Suffern Rug and Furniture. Mr. Mizrahi said he has spoken with Debra Kaplan on Mrs. Horowitz's behalf. Mrs. Horowitz is not in town. She won't be in town until the weekend. He told Ms. Kaplan what they were going to do and she didn't have a problem with it, especially the time after 6 o'clock that she would not have a problem with this because they are not open. The only thing that she was concerned about is before 6 o'clock and he assured her that they would not block her doorway, that they would not have any trucks and she said that she would go with whatever the Board would go with. That was Debra Kaplan. Mrs. Horowitz is not in town. The Mayor said that you said that most of your equipment would be in the movie lot, correct? Mr. Mizrahi said that all of the equipment that is not being used will be in the parking lot or in the theater. The Mayor said that we were under the impression that you wanted to shoot from the theater down to Park Avenue when they discussed it last week. Mr. Mizrahi said no, there is no shot down to Park Avenue. They are not looking to shoot all the way down the street. They are looking for that one section between the block that the theater is on. They do have one shot looking towards Washington Avenue and they are requesting police assistance to stop traffic on that one shot. Mayor Keegan said that he did, at his suggestion, move from 5 to 6, correct? For the starting time. Mr. Mizrahi said that is for the night time shoots, yes. He said that they have a lot of exteriors that were put into three days. They put them all into one day for the sake of - so they can get the permits. He said they do have some day time shots that they would like to get off on the street in the morning. Trustee Abato said and that would require police assistance in shutting down. Mr. Mizrahi said it would require police assistance. Attorney Rice asked if he had coordinated this with the Chief so we know how much time. Chief Osborn said they have no problem shutting down Lafayette. Mr. Mizrahi said that they are willing to work under the supervision of the police officers. If they feel that the traffic is getting too backed up, they will open up the street. They are totally willing to work under the supervision of the officers at their discretion. Trustee Abato said that she doesn't

even think it is that. She said she thinks it is the perception that the road is closed and the business people can't get access to them. The Mayor said that most of the businesses are closed by then. Trustee Abato said she is talking about daytime. The Mayor said we didn't discuss daytime. Attorney Rice said it is not being closed during the day. Trustee Abato said yes, he said yes. Attorney Rice said that is not what we discussed. Chief Osborn asked what the hours are. Mr. Mizrahi said it would be Wednesday from 9:30 to 4:00 and then 6:00 p.m. to 11:00 p.m. And they would not close down the street during the daytime working hours. Mayor Keegan said this is a whole different ballgame then he discussed with himself and the Village Attorney. He said he didn't say anything before 6:00 p.m. Mr. Mizrahi said they talked about the night shoots. And he understands. He said he will accept whatever decision the Board makes. It doesn't have to be one big package deal. If you turn me down on one thing you don't have to turn him down on the other. Like he said he is totally perfectly willing to work under the supervision and the discretion of any of the officers. Attorney Rice said that is a given. That has to be one of the things. Mr. Mizrahi said okay. Attorney Rice asked Chief Osborn if he had any idea because what they discussed last week was taking some money up front from them if the Board is agreeable to this because in all honesty we don't know them and next week after its all over and we send somebody a bill and we never hear from them again - not that he is accusing them of that. But just so that we have our bases covered, we are going to ask for a deposit. He asked the Chief if he had any idea of an estimate. Chief Osborn said that he needs to look at this. Attorney Rice said that he thinks that if the Board decides that this is something that they want to go ahead with and he thinks that first thing in the morning they should meet with Chief Osborn and let the Board say whatever the cost is that you agree. They are going to have to give us a check up front plus 20% or something just to cover and that way we have it covered in advance. Mr. Mizrahi said that they have the man hours that they need and he is perfectly willing to go and talk with the Chief and provide that up front money - the deposit money. Attorney Rice said that one thing was not 100% clear. He said because we didn't talk about anything other than 6 o'clock on in the evening. He asked if they started setting up at 6 o'clock? Is that when the disturbance starts or are you proposing that it start sooner. Mr. Mizrahi said that they won't be in the street before 6 o'clock. Attorney Rice said you won't be in the street. There won't be nothing in the street before 6. Mr. Mizrahi said no. Attorney Rice said that you start setting up. Mr. Mizrahi said they will set up. They will be ready to go by 6 o'clock. Attorney Rice said that is his question. You won't have anything in the street. Mr. Mizrahi said no. Chief Osborn said what about the daytime. Trustee Abato said she is confused too. Attorney Rice said that is not what they discussed and it doesn't sound like the Board is really amenable to the daytime.

Trustee Meehan said that the thing that strikes him is that if they are talking the daytime on November 11 - is that when you are talking the daytime? Mr. Mizrahi said yes, Wednesday morning.

Trustee Meehan said that for instance the daytime starts at sun-up. And he knows that he has actually been in some films and he knows they can start shooting very early. Now that day, as opposed to the day before or the day after - the day after there is going to be school traffic on Washington Avenue for Sacred Heart school and that is a problem so it would seem to him if they did their day shots early in the morning on the 11th and got those out of the way before most of our stores open, that that wouldn't be a problem. Mayor Keegan said the only thing is, don't forget, we have a Veterans ceremony at the monument. Trustee Meehan said it would seem to him that he doesn't know. Can he finish all their day shots before 10:00 a.m. or before 9:00 a.m. Because that would affect his decision. He said he would like to see him do it. Mr. Mizrahi said that he heard that we do have an assembly at the triangle on Veterans Day. He asked how long that lasts for? The Mayor said they line up at 10:30 and they would probably start the ceremony at 11:00. He said that probably by 12 we would be out of there. Mr. Mizrahi said and the streets would be shut down already? Chief Osborn said that we would have to shut down Washington both ways for the Veterans Day so we cannot shut Lafayette at all. The Mayor said that he is hearing the Village Board talking and he thinks that the consensus is that they wouldn't be in favor of approving that. Mr. Mizrahi asked if he could amend his daytime request that we do not shut down the streets at all but you allow us to have our picture cars, our 1975 cars there, and put our cameras on the sidewalk to film and we would just wait between red and green lights to go. We will still take a police officer on site on their bill as a supervisor just to make sure that things go smoothly. Trustee Meehan said that it seems to him that we have a national holiday early Wednesday that you could do it. If it was early Thursday or the day after or the day before it would be problematic. But that day is different. Trustee Abato said that during the Veterans event they wouldn't want anything going on at that time. Mr. Mizrahi said understandable and acceptable. Trustee Abato said that you are saying that you would still do your shots but you would not need anyone to close down the street. Mr. Mizrahi said not to close down the street but he is still requesting - Trustee Abato said or the sidewalk. Mr. Mizrahi said shut down the sidewalk? No. Trustee Abato said not the sidewalk or the street. Mr. Mizrahi said no, they won't. He said not shut down. They will be on them but people can pass. He said that at 6 o'clock on he would request police assistance and intermittent traffic lock ups. He said they want to shoot here and he is willing to make whatever concessions that would be agreeable to the Board. He said he has amended them once and now he is amending them again. He said they are set to go. They are in a position where they really can't turn back. Trustee Abato asked Attorney Rice that just because of our previous bad experience, is there anyway, just because the last people that came through said they were doing one thing and it turned into something else and it was in the middle of everything and how do you stop or change. Is there anyway in the agreement with them that we can put in there that at any time that the Mayor or Village Board or police department, fire department, or what have you, feel as though they are not conducive to whatever the

agreement was that we can stop it. Attorney Rice said absolutely. He said he could delegate it to the police and the Mayor. Trustee Abato said whoever. She doesn't care who it is but she thinks that we need to have that power this time to be able to shut it down immediately. Attorney Rice said absolutely. Mr. Mizrahi said maybe we could premier it here. Trustee Abato said it is just unfortunate that we had a bad experience. Mr. Mizrahi said he understands. Trustee Abato said we really don't want that to ever happen again. She said she hopes he understands that we need to cover ourselves and cover him. Mr. Mizrahi said of course, of course. You are responsible for the town, for the Village. The Mayor asked Chief Osborn if they cover police expenses if he had a problem with that. Chief Osborn said he doesn't have a problem with any of this. He asked what hours. Trustee Abato said between 6 and 11 does he foresee as big a problem as we had the last time. She said that we are going to stay with the 6 to 11 p.m. Chief Osborn asked what about the daytime? Trustee Abato said no. Trustee Abato said that he is going to film and he is going to pay for a police officer just to make sure that everything goes well but not shutting down the street. Trustee Abato said he is not going to shut down anything during the day. The Mayor said that he will ask Mr. Mizrahi - he said that he is estimating that the ceremony will be over at 12 but he would ask him to wait until the ceremony is over at the monument. Trustee Abato asked Attorney Rice if we could include all of those things. Attorney Rice said yes, he thinks we should do a motion if everybody is agreeable. Trustee Meehan said he would move it with the restrictions that were discussed. Attorney Rice said you have to put them in the motion. Trustee Meehan said that if Attorney Rice wanted to read the motion or compose the motion. Attorney Rice said he is kind of doing it as we go along. He said you are granting to Annus Mirabilis permission to film in front of the Lafayette Theater during the hours of 6 to 11 p.m. and after the Veterans Day service approximately noon to five o'clock with no interruption of traffic during the daytime shooting, subject to the provision of Certificate of Insurance naming the Village as an additional named insured, signing a hold harmless agreement with the Village, making a payment to the Village of Suffern in the amount to be determined by the Chief of Police based on the anticipated manpower plus 20% to make sure that there is sufficient time and a donation of \$500 to the Village and with the proviso that the Mayor and the Police have the ability to cease your filming at any time if they deem it to be disruptive to traffic or pedestrian transit. The above motion was moved by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried. The Mayor wished him good luck.

CULTURE & RECREATION:

Mayor Keegan said our Culture and Recreation coordinator is away on vacation so Trustee Abato is going to read her report. Trustee Abato said that since the last Village Board meeting Suffern Day wrap up meeting was on Thursday, October 8, the DARE Dance on Friday, October 16, Wyldlife, Saturday, October 17, the Lions Club Blood Drive was on Tuesday, October 20, the Senior movie afternoon

was on Thursday, October 22, LEAD was on Friday, October 23, and the Halloween Parade was on Sunday, October 25. Upcoming events - the Stay Fit Senior Program, Wyldlife Dodge Ball on Tuesday, November 10, Wyldlife, Saturday, November 14, there will be a trip to Radio City Music Hall on November 15, the DARE Dance will be on Friday, November 20, the Holiday Lighting is scheduled for Thursday, December 3, the Elks Lodge Hoop Shot will be Saturday, December 5, and the Pearl Harbor Commemorative will be Sunday, December 6. The Stay Fit Senior Program will be made available to Senior Citizens 60 years old and older who are members of the Suffern Senior Citizens club and to Senior Citizens 60 years and older who are members of the Ramapo Senior Citizens club and to the residents of the Village of Suffern who are 60 years old and older. Those interested in participating will be required to fill out a release, a registration form, and to participate in an orientation session before using the equipment. We hope to provide the necessary paperwork at the Suffern Senior Citizen meeting on November 18, at the Ramapo Senior Citizen meeting on November 24, and issue a press release to the community at large. Orientation sessions will be scheduled for December 7, 10, 14 and 17.

VILLAGE ATTORNEY:

A) Resolution No. 11, 2009 - Agreement with Suffern Parking Authority (Parking Spaces):

Attorney Rice said that we spoke at the workshop meeting. The Parking Authority is entering into an agreement with both the County of Rockland as well as with the owner of the theater to operate the parking lot as a commuter parking area and we need to enter into a similar agreement with the Parking Authority for the running of that lot.

RESOLUTION NO. 11, 2009

RESOLVED, that the Mayor is authorized to execute an agreement with the County of Rockland and the Village of Suffern Parking Authority for the use of 44 parking spaces at the parking lot behind the Lafayette Theater for commuter parking and for other improvements for the period September 1, 2009 to August 31, 2014.

A motion approving Resolution No. 11, 2009 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

Attorney Rice said that the other issue that came up today with the Parking Authority is that there are four locations where the ramps

going from the sidewalks into the street have deteriorated. The Parking Authority is willing to repair them with the agreement that the Village would reimburse them for half of the cost of that and that amount would not exceed \$2400. So he thinks that is a very good way to expedite the process. He said he discussed it with Scott Shedler today and he understands that he has to get a couple of quotes but it is not subject to competitive bidding because of the amount. And if the Board wants to go ahead with it, you need a motion to that effect. The Mayor said that he just wanted to say that the part of the sidewalks that they would like to repair are called dimple pads. They are for blind people to feel with their canes before they cross the street and they are missing, deteriorated, broken and the ADA is pretty adamant on making sure that these types of things are adequate for handicapped people. So he thinks this is important and it is something we need to do. A motion approving the request 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

Attorney Rice said that the last item we had discussed also at the workshop meeting was the fact that although the crosswalks were bid, there have been some complications with the bidder and in addition he understands now that Orange and Rockland Utilities apparently is planning on doing some work in the street which would not make sense obviously to do the crosswalks before they do the work. So he thinks it would be appropriate, as they had discussed with the contractor Conserve, for the Village and Conserve to mutually release each other from the contract and to rebid the matter - although that doesn't have to be part of the motion - to rebid the matter in the spring. He said he spoke to Mr. Brennan last week and he was agreeable to that. He had asked for a letter from him and he hasn't gotten that as yet but he would suggest that the Board make a motion to mutually release - the Village would mutually release Conserve and Conserve would release the Village from the contract subject to receiving a letter to that effect from Conserve and the signing of the release. The motion was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

POLICE DEPARTMENT:

Chief Clarke Osborn said he had a couple of informational items only. He said that number one, they had their DARE hockey championship games yesterday. They had two great games and he really wants to thank Rich Gandon, who is here tonight, obviously a Village resident and he runs the *Ramapo Times* for all his help this year. He said we had a very big league this year. The

championship games were great. We had one team in our junior division was down 3-0 and game back and won it 4-3 in the last period. So Bruce's son was on the team against Rich's daughter. So one won and one lost. He said we had a great, great game - two great games yesterday. And a very big barbecue at the end. And he just wanted to thank all of them for their help this season and they had a really good time with this and they look forward to expanding the league as they always do. Chief Osborn said that number two, since the last time that he officially met with the Board, we had three State accreditors from the NYS Department of Criminal Justice Services who came to our department and they did an assessment of our department, which we have been working on for 2 ½ years and it was pretty intense for three days. They came around and interviewed officers, checked all our policies, every possible part of our department that they could and we are proud to announce that we will be joining one of only 30% of the departments in New York State that receive NYS Accreditation and we will be going to Albany in early December to meet with the Department of Criminal Justice Services and he believes that they will send two representatives down in January to bestow that upon us. So it was a great, long hard process. Lt. Bonkoski and Sgt. DiRoma did most of the work on this so they deserve the credit amongst other officers. So we are very proud to be able to receive that. Next, we will be starting our toy drive for our 19th year. This year we are hitting it very heavily. We have a massive e-mail list from Village residents that we have acquired through different means of sports and volunteers and we are going to be doing a lot of e-mails and a lot of marketing for our toy drive. And last, but certainly not least, Officer Marsh recently completed SWAT school with the Rockland County REACT team, which is basically the County SWAT team. Rick will now be joining the SWAT team as a representative of the Suffern Police Department. He will be taking Officer Mike Fennessy's place, who was on that team for six years and who did a great job. And that is it.

AUDIENCE PARTICIPATION:

The Mayor said that at this point he will be opening the meeting up to audience participation and as he always does he asks that if you come up to the mic you state your name and your residence for the record. And please address the Board.

Charles Barone of 5 Mansfield Place said that at the last meeting he came and addressed the Board about the lack of a curb on his street. He said the day after that meeting a curb appeared so he would like to thank whoever intervened and made that happen. He said thank you. There is a beautiful curb in front of his house now. The grass is growing. He said that about two days after the curb was put in a commuter came and parked over the curb in the middle of the grass. He said he called the police and they came over and they kind of shook their head and said they were sorry - they couldn't give a ticket for parking while stupid. But he said he knows they get a ticket if they park too far from the curb, if they park too close to the fire hydrant. And if there is nothing on

the books maybe there should be that you can't park over the curb on the grass. He asked if there was any ordinance about that? Attorney Rice said that he doesn't think there is any ordinance but he is surprised if it doesn't violate the State Vehicle and Traffic law to park over the curb. He asked the Chief who said he will check into it. Mr. Barone said if they park there again he will call back. Mr. Barone said the second thing that he wanted to talk about was that about three weeks ago, in the Village lot, on a Friday evening at about 7 o'clock he was sprayed by a skunk. He said he startled the skunk when he was walking by. It was in a plastic box filled with cat food. A day later he went to the police station and he said hey, he was sprayed by a skunk in the Village Hall parking lot. It was eating food left for stray cats and the police department shrugged their shoulders and said they find that an annoyance too and they have been trying to get rid of it. The person that you need to talk to is the Village Clerk - Virginia - that she is involved with feeding the cats. Mr. Barone said that he talked to Virginia, the Village Clerk, and she kind of looked at him and said that she was an animal lover and don't talk to her about feeding stray cats - she is an animal lover. So he called the animal shelter and said do they advocate putting out food for stray cats. Is that what animal lovers should do? And they said that they think that the animal lovers should adopt the stray cat and bring it into their home. The Village Clerk said she did not say that she did that. She said that station has been there for years. There is a lady who comes every other day to put the cat food out. Ms. Menschner said that she said she was an animal lover and being that it has been there all these years and nobody else had a problem with it, she doesn't see why we should move it. Mr. Barone said he was bothered by them. And he e-mailed the Mayor to look into it and he said he would e-mail Virginia. Virginia said she brought it up at the workshop meeting. Mr. Barone asked what are we going to do about feeding the stray cats on the Village property. Ms. Menschner said that she brought this up at a workshop. Mr. Barone said and the answer was? Ms. Menschner said no answer from her. Mr. Barone asked if it would be a workable solution to say could we move the feeding boxes to private property near the Village Hall parking lot? He said he knows somebody who lives nearby who is an animal lover. Ms. Menschner said not funny. The Mayor said that we can look and see if there is an area maybe over near the soup kitchen. They have a big lot and maybe they will accept that. Mr. Barone said you mean on Christ Church's property. Where the soup kitchen is? The Mayor said yes, but that is right across the street from your house. They will be a little closer to you. Mr. Barone said no, they are not going to accept that. The Mayor said maybe we could talk to the people who feed them. The Village Clerk said she has skunks in her yard almost every other night and they travel all over around here. And you can smell them. Mr. Barone said that is not an answer to feeding stray animals. The Village Clerk said she knows that is not an answer. Mr. Barone said that is not an answer to feeding stray animals on Village property. Mr. Barone said he is going to conclude that he would like the practice to stop and he would like the boxes removed. The Mayor said we will discuss it.

Beth Barone of 5 Mansfield Place said that she also wanted to thank them for the curb. It certainly improves their neighborhood. She also noticed that the gazebo was repaired as well and she wanted to thank them for that. She thinks it looks great. She said quickly, to follow up with what Charlie said, she wants to make sure that we keep the town safety in mind. Stray animals eating during the night are going to those boxes and she has seen it more than once. Skunks and a couple of other rodent types eating out of the boxes. She said that she doesn't want somebody in town using the parking lot as a commuter lot to get sprayed or bitten by a wild animal and then suing the town that we live in. So it is just something else to think about. She said on her next punch list of things to do she would like to ask that if at some point they could get a street sign for Mansfield Place. She said they are a one way street and the street sign is on the opposite way of traffic so they don't have a sign where you turn down the street. Nothing that has to be done immediately but just something to put on the list at some point.

Rosemary Schellaci of 17 Revere Court said that she is president of the Suffern Seniors and the Suffern Seniors and she would like to thank the Board for the Stay Fit program. However, she has been receiving some complaints. And they are that these machines are on the stage and the seniors feel that that is going to be rather difficult for them. They are going to have to climb steps and they are so close together it is going to create a little bit of a problem and perhaps it can be moved somewhere else so that they don't have to climb steps and it won't be so close. She said that she had a suggestion if she may - maybe even at the Lydon building. There is plenty of room there. The Mayor said he finds it odd that this comes up now because as you know we have known about this program for a long time and he thinks that we've known where it is going to go and now that the equipment is there we are getting a complaint. Ms. Schellaci said she doesn't believe that they knew it was going to go up on the stage. She said she didn't anyway. The Mayor said he knows that Gail is not here but that was the intention since we got the program. He said he doesn't see a reason why we can't possibly look for another place but as you know with the TV screens and the electrical work done there and what not, once that is done it is going to be hard to move that. So he thinks it is something the Board can certainly consider. Ms. Schellaci asked if all of that work has been done already. She said if it is at all possible they would appreciate it.

Jeff Jobman of 208 Orange Avenue said that he was a little concerned. On South Street there are some buses being stored by the pumping station. He said it doesn't really concern him that they are stored there but he has heard people saying that they start them up early in the morning. But there are a lot of children playing on that road and they rush down like taxi drivers really fast. He said he saw one the other day almost hit a child and it made him come here tonight to tell them about it. It is almost like we have a bus station down there. They are bringing their own cars and back and forth. He said he went down there to talk to the guy

and he basically told him where to go. The Mayor asked him if he was talking about where the tractor trailers were where the hay was? Mr. Jobman said no. They are more near the pumping station. It is Flyte Tyme buses they have there. He said he doesn't even know if it is zoned for that. The Mayor said that Flyte Tyme is a limousine company. Mr. Jobman said yes they are. The Chief said they are located in Mahwah. Mr. Jobman said they are storing them in Suffern. The Mayor said he will have the Code Enforcer look at it and we will give them a letter and let them know that if they are coming through there that they have to go slower.

Michael Curley of 84 Orange Avenue said that as he guesses as they all know that we had a very contentious election here in the last few months in the Village of Suffern and he hopes that now that it is done that we can all work together - come together - we have a lot of people with great assets to this Village - Mr. Giannettino, Mr. Keegan. But mostly he wants to thank Mr. Keegan for his public service. Because it is public service and the sacrifices that you have made over the last four years here and your family has made. Whether it is fires at night or daytime and he thanked him for all his years with the fire service and with everything else. He said he had much to be proud of and he is proud of him and he thanked him very much.

DEPARTMENT OF PUBLIC WORKS:

A) Washington Avenue Realignment Update:

Director of DPW Charles Sawicki said that with the cooperation of the County Sewer District No. 1 and the utilization of the DPW street department, a hybrid version of the Washington Avenue realignment is being constructed.

B) Release Funds from NY Bituminous:

Mr. Sawicki said he was requesting authorization to release all the remaining funds from NY Bituminous Products Corp. A motion authorizing the release 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

C) Emergency Funds for Off-Site Transportation of Sludge (\$9,159):

Mr. Sawicki said he was requesting emergency funds in the amount of \$9,159 for the off-site transportation of sludge. A motion authorizing the request was made by Trustee LaCorte, 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

D) Emergency Funds for Removal of Existing and Placement of Spare Centrifuge Scroll (\$7,000):

Mr. Sawicki said he was requesting emergency funds in the amount of \$7,000 for the removal of the existing and the placement of the spare centrifuge scroll. A motion authorizing the request 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

E) Request Board to Review and Accept Safety Policy Statement:

Mr. Sawicki said he was requesting the Village Board to review and accept the safety policy statement for the Village of Suffern. He asked if they had the opportunity to review that. Attorney Rice said he looked at it and he doesn't have any problem with it. He said we had over a number of months prepared one that the Board had been considering. He said that he doesn't have any problems at this juncture. Actually, if the Board wants to adopt it and we want to make any changes subsequently to comply with the Federal regulations at least as he had originally envisioned it, he thinks we can do it subsequently. Trustee Abato asked Attorney Rice if we could, she is not comfortable that we haven't sat down and gone through this - she asked if we could approve - she said that she is very much in favor of the safety policy - Attorney Rice said we have to adopt one. Trustee Abato said the Village needs one. But she thinks that we need to sit down and actually go through it with Charles and Attorney Rice. She asked if we could adopt a policy. Attorney Rice said he doesn't think we should adopt it subject to. Trustee Abato said then we could table it for now. Attorney Rice said he thinks you are better off putting it over until the next meeting. Trustee Abato said okay. She would just feel more comfortable. Attorney Rice said if you want some time to go over it. Attorney Rice asked the Village Clerk to give all the Board members again the draft that he had circulated previously and give it to Scott too so he can see how it fits with what they have done.

Mr. Sawicki said that he had one additional item that is not on the agenda. He said he was requesting authorization to release payment

to Diamond Construction for Ramapo Avenue in the amount of \$47,042.62. A motion authorizing the release 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

Trustee Abato said that she had one question. She said that she knows that Scott gave a presentation on the violence in the workplace. She said that she briefly spoke to him before the meeting and it sounds to her as though they are ready to form some kind of committee to work with the Village in making some recommendations and she thinks it is really important that we address some of the issues and concerns of the employees. She asked if they had discussed anything on that. Mr. Sawicki said yes, we did discuss it briefly about forming a committee. As a matter of fact, he is glad she brought it up, because they would like to see if they can get at least one member of the Board on that committee. Trustee Abato said that she would definitely be willing to volunteer for that if there is no one else that would be interested. Mr. Sawicki asked Scott Brown if he had anything. Mr. Brown said that if the Board would like to see the program, he could discuss it with them or he could show it to them. Trustee Abato asked him if he had a committee formed. Mr. Brown said that a couple of people mentioned that they wanted to be on it but at this point he did the presentation last Wednesday and he was going to wait to hear a little feedback from everyone.

VILLAGE CLERK:

A) Approval of Minutes of Regular Board Meeting of August 20, 2009:

A motion approving the minutes of the regular Board meeting was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

B) Resolution - \$650,000 Serial Bonds for Secondary Digester Cover at WWTP:

Village Clerk Virginia Menschner said we have a resolution for \$650,000 serial bond for the Wastewater Treatment Plant. She needs someone to pass the resolution.

Bond resolution of the Village of Suffern, New York, adopted November 9, 2009, authorizing the replacement of a secondary digester cover at the Wastewater Treatment Plant, stating the estimated maximum cost thereof is \$650,000, appropriating said amount therefor, and authorizing the issuance of \$650,000 serial bonds of said Village to finance said appropriation.

A motion authorizing the resolution 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

The Village Clerk said there is one more resolution on that. The Village Clerk is authorized to publish the serial bond. A motion authorizing the resolution was made by Trustee Meehan, seconded by Trustee Abato. Upon vote the motion was carried.

Attorney Rice said that just so everybody is clear. This is not actually borrowing the money. This is just putting the authorization in place. You don't have to use it if you decide not to. You don't have to borrow it.

C) Request for Special Permit - David Hirsch - 74 E. Maple Avenue - Home Occupation:

Ms. Menschner said this is a request from David Hirsch of 74 E. Maple Avenue for a home occupation permit. She is requesting that it be referred to the Planning Board. A motion to refer it to the Planning Board was made by Trustee Abato. Attorney Rice said he doesn't know if that is within 500 feet of anything that would trigger it but also to the County Department of Planning. The motion was seconded by Trustee Meehan. Upon vote, the motion was carried.

D) Caffé Dolce:

Ms. Menschner said the next thing on the agenda is Caffé Dolce. She said they all received a letter from the Planning Board with their recommendation. She asked if they were taking any action on it. Attorney Rice said that the thing he thinks they should do is to set a public hearing for - and he doesn't know if they want to do it at the December meeting - but at the January meeting then. Because it does require a public hearing. Attorney Rice asked what date. The Village Clerk said it would be January 11 which is the first Monday after the first Wednesday. A motion to set a public hearing for January 11 at 7:45 p.m. was made by Trustee LaCorte, seconded by Trustee Abato. Upon vote, the motion was carried.

E) Request - Pamela Magi - "22nd Walk to Remember:"

Ms. Menschner said that Pam is asking for a date for next year because every time she sets a date it gets confused with the Chamber of Commerce. So she is asking for October 3, 2010 to have her dedicated "Walk to Remember." Trustee Abato said that she has no problem with that but could we have that cleared with Gail that

we have nothing going on. The Village Clerk said she already did. Trustee Abato said then she will make the motion, seconded by Trustee Meehan. Upon vote, the motion was carried.

F) Tax Warrant - Unpaid Taxes to Be Sent to County:

The Village Clerk said the next thing is that we have a tax warrant. We have uncollected taxes of \$163,188.05 which we will be sending over to the County to be collected in the January taxes. She needs approval from the Mayor and the Board of Trustees to do so. A motion approving the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said he would just like to remind everybody. He said he got a call from the Commander of the VFW this morning just to remind us that Wednesday, at 10:30 a.m., we will be leaving the parking lot here for the monument and we will be having a Veterans Remembrance Day event there are 11:00 a.m. and we hope that everyone will show up for that.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that we paid down \$158,625 of BAN debt during October. We have \$1,217,301 in BANS outstanding as of October 31. And \$4,930,000 in bonds. Total outstanding debt is \$6,147,301 as of October 31. He said the auditors completed their field work during the week of October 14. They are working on our financial statements. The preliminary figures show a general fund balance at 5/31/09 of \$561,396. This is roughly \$3,000 from where we expected to be. So we are right in the ballpark. The water and sewer billings are complete. The bills were mailed out last week. He said he wants to thank the people that have been coming in and paying right away. He loves that. He said we have billed out approximately \$826,000 for water and \$510,000 for sewer fees. As he gave them at the workshop, he had mentioned that he is going to ask them to approve a contract for our electrical supplier for the period August 1, 2010 to July 31, 2012. It is a two year contract. The amount, and this gets good, the amount that he had given them last week was .09454 cents. Well, now the bid price comes in and it is .08797 cents per kilowatt hour. This represents a decrease of 35% over current contractor price that we are paying right now. Our current contract expires July 31, 2010. So that is why he wanted to get this forward contract done because right now prices are at the lowest they have been in a long, long, long time and we don't know where they are going to go in the future. So we want to lock this in. By doing this, if we have the same electric usage as we have in the current year, we would see a savings in excess of \$100,000 in both years. He said he would like to see us use less electricity so that we can save even more but even if we stay at the same rate we are going we would save at least \$200,000 of both years of the contract. So he is requesting their approval for this. A motion approving the request 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

Trustee Abato said that before the Mayor goes on because she knows he is going to talk about this being his last meeting, she just wanted to take this opportunity to thank him for the last four years. It has been an honor to sit here on this Village Board with him. He has many accomplishments to be very proud of and he should go out of - not of this Village because he is going to be here and she knows he will stay active and she knows that he will stay involved as he always has been. But he should go out of this seat knowing that he should be very proud and as Mike said to thank his family for all the time that they gave up that he needed to be here for this Village. He gave up a lot of his own personal time and that did not go unrecognized. So she just wanted to personally thank him for his last four years of service and that it has been a pleasure to serve with him. The Mayor thanked her for those kind words.

Trustee John Meehan said that we had talked about shared services last month and the two shared services that we are talking about is the use of our gas pump and he doesn't think that was controversial at all. But there were some questions about our doing the signs. And he thinks that one of the questions was would this put any union personnel at the town out of work. Would it affect them in any way. And he talked to Scott Brown and Scott talked to them himself and he discussed it with his union and he is right in saying this that it wouldn't have any effect. Is that correct? Yes. So under those circumstances he would like to move that we actually would be asking Terry to enter into an intermunicipal agreement with the Village of Airmont so that they could use our gas pump at a premium of 10 cents additional and then that we would provide signs for them and the rate at which we would - all work for the signs would be on time and a half and all handling of the signs would be an additional 5%. So he would like to move that at this time.

Attorney Rice said to Trustee Meehan that the gas is not going to be for private contract. It is only going to be for their two trucks - Trustee Meehan said for their two litter vehicles. Not for private contractors at all. He said they have two litter trucks that will come in from time to time and with the signs we should be able to do that on regular time so that the signs should produce additional revenue to the Village of anywhere from 5 to 10,000 dollars a year. And he moves it.

Attorney Rice said that just so he understands it. So it is 10 cents per gallon over our cost and what is the proposal with the signs. Trustee Meehan said that any labor - in certain instances we

will just get the sign and we will give them the sign. And in those instances there will be a 5% charge. Now especially with street signs. Street signs have to be lettered so that we have to use our sign making machine for the street signs and for certain other special signs but not for standard items like stop and yield signs. So in those instances we would charge our labor at time and a half. Attorney Rice said labor at time and a half and material at 5%. Trustee Meehan said 5% for handling. And it is a good deal for them because they can get it at Leo P. Lydon as opposed to going down to Saddle River or going someplace else to get it. Delivery is quite expensive because it is very heavy stuff.

Mayor LaCorte asked Mr. Sawicki that in terms of manpower, where do we stand on this. He said he knows that we have had general problems being short handed. Is this going to take guys away from what they are doing for us? Do we have the time. If we agree to do this and then we are not able to come through for them then it doesn't help anyone. Mr. Sawicki said it will depend on how much we can get done on regular time. It's really going to depend on the time of year and so on and so forth. It is not quite clear on how much would have to be done on say a Saturday or overtime after hours - normal hours. It's again - it will vary from the time of year and how busy we are. That is really all he can say. We will accommodate them but he is not quite sure how much will be done during regular time. We will try to do the best we can. Depending on how the needs come in we may have to do it on the weekend. The Mayor asked him how it looked now. Based on if a request came in now would we be able to do it on straight time or. Mr. Sawicki said that right now we are very busy with leaves. He said he thinks that part of it we can. Again how much comes in we would have to - if a large order came in we would have to pace ourselves. It is going to be a little bit of a trial and error, quite honestly. Because we have been able to accommodate our own needs but to take on additional work, we have never done it before so it is going to be a little bit of a trial and error. He is not quite clear on how much, again, how much will be done on overtime.

The Mayor said to Trustee Meehan that he had a question. He said that if it is on overtime then we don't really make any profit, pretty much. Trustee Meehan said in his discussions, when he talked to them, especially when he talked to Danny about this, is that what happens with signs is that we don't make signs every day. What we do is that we wait until we need a bunch of signs and then we make the signs and we can produce quite a few during the day and during the hour. So he has the impression that we probably would be able to do most of them on straight time. But the other thing is that when you look at those little signs that you see on street signs and you think that they can't cost any amount of money, but each one of those costs \$100 and all of them have to be replaced by 2017 by larger signs. The street signs have to go from 6 inches to 9 inches and all the stop signs and yield signs have to be replaced with stop signs that have the reflective metal and the reflective strip. Now we have some of them already in the Village. And they haven't gotten any in Airmont. So basically he would say a one year

agreement and we can see how it goes and monitor to see if we make any money on it. And if it works, we can renew it.

Trustee Abato said that she also spoke to Danny because her concern was that the work of the Village doesn't suffer for this. And he told her - she had asked him when they are not in the sign shop making signs, what are these employees doing. He said he utilizes them for daily work of the Village. So if we start getting inundated with sign making for them since there is a big undertaking here and they have to replace all these signs that is going to pull manpower away from the Village and away from the daily work that they do for the Village. So that is her concern with this. She said she just doesn't feel that it is going to get done on straight time. She said she feels that it is going to be primarily an overtime weekend job and we are not going to make any money on it and it is just going to tax our workers. Mr. Sawicki said that he and Danny sat down and they worked through the numbers and came up with a base rate per sign - for type of sign. He said he doesn't have the numbers in front of him right now but he thinks the original discussion was that we would take that base rate and mark it up - utilizing the time and a half labor rate. So that is another option. Even if we did have to do it on Saturday, let's say, we would still make a profit. Trustee Abato said but not a very big profit. Mr. Sawicki said the Board would have to determine how much of a mark up they want. Trustee Abato said and then you would have our guys working seven days a week. Mr. Sawicki said he doesn't know if we would do seven - he doesn't think it would be seven days a week. Trustee Abato said she doesn't know how that would work with the union as well. She is just curious to know how the union would feel about Saturday work. Mr. Sawicki said we would do it Saturday. We wouldn't be doing it Sunday. Sunday is double time. Trustee Abato said who would we actually get to do the work. She said how do you pick and choose. She doesn't know. Mr. Sawicki said that quite honestly we will have to play it by ear a little bit. We have never done it before so we would have to work through it and see how it best works.

Trustee LaCorte asked if we had any idea of what the volume is yet? Trustee Meehan said he thinks he counted something like 38 intersections in Airmont and they each have a stop sign. But they are going to replace these and they are not going to replace them all in one year. He said he doesn't really think it is going to be that much of a burden. He said he thinks it will be a plus for the Village. And the only thing - and maybe Terry could suggest a thirty day or sixty day cancellation notice if people are a little nervous. He said he got the impression from talking with Mayor Kaye and talking to Danny and you that it wasn't going to be much of a problem. And that we would sit down to make signs and we would just spend a little more time and make ours. And we would make - these signs are all \$100 signs so you are going to make \$5 on every sign that you do. If you sell a hundred signs. He said he thinks that what they will probably do is pursue replacement of stop signs over the years. Of course the stop signs and yield signs are not going to put any stress on us. Just the street signs.

Mr. Sawicki said just to recap. There are going to be certain times of the year that most likely it will not be an issue. But there will be times when we are busy and if they have a requirement. Trustee Meehan said this is something the State wants us to do. They want share services. They don't want duplication of services. And if the communities can work together to save tax money and this will save tax money for the Village of Airmont. Unfortunately, the Village of Airmont had to go to a private contractor for snow removal. Mr. Sawicki said that he would suggest that taking that base cost and marking it up some value - whatever the Board decides to do. Trustee Meehan said make it a thirty day cancellation. And if it doesn't work out and it is overburdening our people and it is just not working out then it doesn't work out and we can cancel. He said he thinks it is worth trying. And that is why he moves it. Mayor Keegan said he thinks it is worth a try too. With the thirty days and the one year and what not. And if it gets to be too much then cancel. He said he doesn't think there is a demand here. It is not like we are going and sweeping the streets or plowing the snow which would be a very big task.

Trustee Meehan made the motion, seconded by Mayor Keegan.

Trustee Abato said this is for thirty days, right? Attorney Rice said what he is going to do is that you are basically authorizing him to prepare an intermunicipal agreement and bring it back to them in the format that you discussed. Trustee Abato said that we are not actually approving it. We are just approving that you will make an intermunicipal agreement.

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

NOES: Trustee Andrew Haggerty

ABSENT: None

Trustee Meehan said he would like to make, just as Trish did, make a remark. He said he thought the Mayor did an awfully good job as Mayor of our Village in the last four years. And the one number that he remembers and will remember is the average tax increase that Mayor Keegan's administration had. And that was 2.6%. And he said he can't remember four years before where we had an average of 2.6% and that is something he will be remembering especially when you come around to budget time. If 2.6% is bad we will see what happens. He said he thought it was awfully good. And a number of the things that the Mayor had done. And the greatest thing is that he has reestablished our good relation with our work force. And that was no easy task. And we have that good relationship and he thinks that is something that we will go forward with. And he thanked the Mayor and said that he enjoyed being his Deputy Mayor and he enjoyed working with him. The Mayor thanked Trustee Meehan and said he appreciated that.

Mayor Keegan said that since this is his last Village Board meeting he would like to make a brief statement. He said it has been an honor for him to serve as Mayor of this great Village which he has resided in most of his life. He said he is proud of his accomplishments and would like to thank the citizens who supported him and gave him the rare opportunity to be their Mayor. He said he leaves this office without regret and he can only say that he wishes the best of luck to the new administration who will take Suffern into the future. He thanked everybody and said God Bless you and your families.

A motion to adjourn the meeting at 8:45 p.m. was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.