

**Village Board Meeting
Monday, January 7, 2013**

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

PRESENT: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Charles Falciglia,
Trustee John Meehan, Trustee Jo Meegan-Corrigan

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

ABSENT: None

Set Dates for February Meetings

The Mayor wished everybody a Happy New Year and welcomed them all to our first meeting of the 2013 year. He wished everybody a healthy and happy New Year and he said he hopes it is prosperous for all. The Mayor said the first thing that he would like to do is to set the dates for the February meetings. The workshop will be Thursday, January 31 at 7:00 p.m. and the Board meeting will be the following Monday, February 4, at 7:30 p.m. He said normally the workshops are on Wednesday but due to a conflict the workshop will be on Thursday.

FIRE DEPARTMENT:

The Mayor said that before he calls up Chief Stark he wanted to mention that this past Sunday, yesterday, they were at a swearing in for our Assemblywoman Ellen Jaffee and she recognized various departments and individuals throughout the county who really went above and beyond during Sandy and the aftermath. And particularly she recognized our DPW, Charles Sawicki, who was there, Deputy Mayor Corrigan, who had done a tremendous amount of work, our fire department - Chief Stark was there - as well as our police department - Chief Osborn, who was unable to attend but also he has to commend the Chief for organizing \$10,000-\$15,000 of gift cards focused on individuals in Piermont which was one of the hardest hit communities. Also our fire department and our DPW assisted Piermont once our needs were immediately taken care of. We felt that it was important to help our communities throughout the county because last year when we were hit hard by Irene we were fortunate that we had a tremendous amount of support from neighboring fire departments as well as other organizations throughout the county so we were privileged to pitch in where we could. He thanked them all for being there and for all their hard work.

Chief Mike Stark thanked the Mayor. He said he just had two items this evening. They have two new members joining the fire department - specifically the Hook and Ladder - and they are under the age of 18. Jordan Tannenbaum is the first one and Thomas Suttera and he is requesting that the Board vote on these two members so they can become members of the fire department. A motion approving the two members was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

The Mayor said we have a public hearing at 7:40 regarding New Rock Live Entertainment. This is a new permit. The Mayor said this will have some discussion but he has an award to give so he is just going to step up to the podium for a minute.

The Mayor said as most of them know we started an award, he believes, three years ago while Trustee and former Mayor Haggerty still served on the Board and was still with us and the purpose of this award - it is called the Andrew C. Haggerty award which was originally given out in Andy's honor and now in his memory. It is the Andrew C. Haggerty Service Award. And what this award does is that it recognizes the exemplary service of really any individual or group to the Village of Suffern. It has been given to employees. It has been given to volunteers in our fire department, people in the community, anybody who on a specific day or just throughout the years goes above and beyond to commit themselves to Suffern that they would like to recognize. So what we have is that we present them with a plaque. And we also have a permanent plaque in the lobby of Village Hall where each recipient, and every season we do this - so we do it four times a year and your name goes up and they also have a give certificate which we will be presenting. We have that for you. We have a gift certificate from DaNina or other various restaurants that we give out to the recipients. It is DaNina this time. The Mayor said what he would like to do is call up Paul Graham and his family. The Mayor said Paul and his family are Village residents who have always really worked hard and committed themselves to working here in the Village of Suffern for the betterment of all of us. For the past number of years Paul has graciously built the sets for our Clifford Theater program, which is really the highlight of our summer - one of our summer recreation programs - and has grown each year and he thinks when people come not only is the quality of performance really just amazing but also the sets are very elaborate. He really builds beautiful staircases. Really professional looking sets that really add to the program and make it a special experience for the students who participate. Also, this past Christmas, for the first time, actually he thinks that years ago they had it - is that correct? The Mayor said oh no, our first time ever. So we had a Christmas parade for the first

time ever here in Suffern and it was truly unbelievable even though it was a cold night. The Mayor said he believes we had over 500 people who attended and really versus any other parade - a Memorial Day parade - it was the best attended parade we ever had and coming up Lafayette Avenue and seeing everybody. The float that Paul and his family built was truly amazing and made it a wonderful night and it was the start of a new tradition. And he hopes they are ready for it. So it is his honor on behalf of the Village Board to present to Paul and his family with the Andrew C. Haggerty Award for their outstanding service to the Village of Suffern.

7:40 P.M. - PUBLIC HEARING - NEW ROCK BAR - LIVE ENTERTAINMENT:

The Mayor said we have a public hearing on a live entertainment permit for New Rock Bar and Grill. It is for a D.J. and a band. So as everyone knows here, or if they don't, essentially we have the ability by special permit for an establishment to apply for a live music permit. This includes typically a D.J. and/or a live band. It is the discretion of the Board to approve the use subject to parameters that they establish. It goes to the planning board and there is a recommendation. New Rock Bar and Grill had a live music permit. The permit was revoked by the Village Board several months ago. The applicant has reapplied. The Mayor said we have an application here and we can ask the applicant Rob to come up to the podium. The Mayor asked if he would like to make a presentation and then what we will do is review the times and the Board will discuss it and obviously at that point after which we will open it up to the public.

Rob Moussavian said he lost his entertainment license dating back to late August and they have been barely surviving the last few months getting by. And last month he went and reapplied. He said they made some changes to the staff and security force and he was pretty sure they got things tightened up and hopefully, with the Board's approval, they can move forward in a better direction.

The Mayor said he would like to read this letter, just for the record, so that everybody knows. This is a letter from the Mayor's office dated August 30, 2012 to Mr. Moussavian. It says:

On August 26, 2012, at or about 3:00 a.m. to 4:00 a.m. a large disturbance occurred in and about your establishment at 26 Lafayette Avenue. The participants in the disturbance were patrons of your establishment and the occurrence constitutes a violation of the terms and provisions of the live entertainment special permit issued to you. As a consequence of such conduct the live entertainment special permit is hereby immediately suspended pending a public hearing (the Mayor said which we held)

on the revocation of such permit. No live entertainment is permitted at the foregoing premises pending a determination of revocation of the special permit. A hearing on the revocation of the special permit will be held by the Board of Trustees (which it was) at 7:45 on September 4, Suffern Village Hall. You may present evidence as to why the permit should not be revoked at that time or in writing prior to 4:00 p.m. on September 4 by filing the same with the Village Clerk.

At such time the live entertainment permit was revoked. The Mayor said at this point he thinks it would be more prudent, because he thinks normally we would open it up to the public hearing but he does know that based on discussions that the Board has had at Board meetings and workshops he thinks that they need to discuss the times that he is requesting. So independent of Mr. Moussavian's application, the Mayor said he thinks we need to look at obviously what we think are appropriate times. So if any Board members - Trustee Abato said she has something. She said she knows that he has until 2:00 a.m. here Thursday through Friday. She said it is not just - Mr. Moussavian said Thursday through Saturday, he believes. Trustee Abato said you have Thursday and Friday until 2:00 a.m. Bands to play music one day a week Saturday until 2:00 a.m. So you are asking for the D.J. Thursday and Friday until 2 and then the band on Saturday until 2. Correct? Mr. Moussavian said correct. Sometimes on some occasions due to scheduling conflicts that might be switched over where there would be a D.J. on a Saturday and a band on a Friday. Trustee Abato said okay, but the Board as a whole, not just in his circumstance, but as a whole has decided that 1:00 a.m. on Fridays and Saturdays would be the latest that we would allow the permit to run and then on Thursdays until 11:00. Just so you are aware of what our parameters are for our permits. Trustee Abato said she knows he has until 2:00 a.m. but it would only be until 1:00 a.m. if the permit was granted on Friday and Saturday and until 11:00 on Thursday.

Mr. Moussavian said that basically he is at the Board's mercy but just so the Board understands - Trustee Abato said it is not just him in particular but it is everybody in Suffern in the Village. Mr. Moussavian said they have been struggling to get by. They don't open until 8:00 p.m. Trustee Abato said while she understands all of that what happened at his establishment was really a very, very hard thing for the Village to get hit with. It scared a lot of people, it upset a lot of people, it is not the kind of atmosphere that we want for our Village. It was a big deal. So you have to understand two things. One is yes, she is pretty nervous about this and two is it is not just him. We are not saying just because of the incident you had - this is the rules for everybody. This is what we have for everybody. Mr.

Moussavian said understood. Trustee Abato so it is not like you can say but yeah I am having a hard time if we can make an exception. There is no exception. Because this is what we decided for the entire Village. Not just you in particular.

Mr. Moussavian said he understands. Trustee Abato said her first question to him would be what has changed. What are you changing. Mr. Moussavian said they changed personnel in their security staff. They have taken measures to make sure that an incident like that doesn't happen. During the time that incident happened was during the summer and he was away with his wife and children down the shore so it was an event he wasn't even here for. Trustee Abato said what measures though - that is what she wants to know. Mr. Moussavian said like details? Trustee Abato said yes. Mr. Moussavian said they have changed security personnel to wear regular clothes as well as uniform clothes while they are in the establishment so they can basically come off as regular customers at the time to possibly catch something before it happens. There are a lot of incidents that get broken up when somewhere wears a security shirt and a badge on their shirt. They stop talking. They have also taken measures to place at least one person outside at all times. The Mayor asked if that was something that he is going to promise because another thing in addition to the disturbance is that there has been a significant amount of property damage that occurs when people leave. Because obviously your establishment, in terms of that area, is the one that probably stays open the latest and he knows that one of his neighbors has experienced their windows being broken on a number of occasions. We have had our lights being broken. So even though you are controlling what is going on inside your establishment when people leave they are creating damage in our community and he wants to make sure and if you are saying now that there will always be somebody outside. Are you willing to make that a condition of the permit? Mr. Moussavian said the last incident that occurred outside to his knowledge was well over a year ago and since that time they have not had an incident of a broken window or broken light because there has been someone outside. The Mayor said you have somebody outside. Mr. Moussavian said yes. The Mayor said at all times. Mr. Moussavian said at all times unless there is an isolated incident inside where they have to come inside but there is somebody outside checking id's at all times on those nights. The Mayor said understood because they would have to get there. The Mayor said the concern also was there was damage to a number of establishments due to people who have left your establishment. Mr. Moussavian said there is only one incident that he is aware of and that is the incident that happened down the street. He believes it was the painting store down the street and that is the only incident. The Mayor said at David's check cashing there was a window that was broken as well.

Mr. Moussavian said that was four years ago. The Mayor said no, more recently there was one again. He said he doesn't think they even reported it. They just fixed it. The owner brought it to the Mayor's attention. Mr. Moussavian said he wasn't even told. His last problem with his neighbor in that store was four years ago. The first six months when they opened up the establishment two patrons outside got into a fight and one threw one through that glass window and he and him went to litigation and they addressed it and he took care of it. In fact he paid him \$10,000 for that.

Trustee Falciglia asked if there would be a manager or himself there at all times? Mr. Moussavian said 95% of the time he is there. On these nights, the times he is not there, is due to a family or kid issue or vacation, like the one that occurred. Trustee Falciglia asked who was in charge when he is not there. Because he sensed last time that Mr. Moussavian wasn't there and a bunch of bouncers were basically in charge. Mr. Moussavian said that is not true. Trustee Falciglia said okay. That is his sense. Who else would be there? Mr. Moussavian said he has a manager who has been with him since day one. And when he is not there he is in charge. But it is a very rare occasion. Trustee Abato asked if he was present when this incident occurred? Mr. Moussavian said yes he was. Trustee Abato said and it is the same manager now that you had at that time as well? Mr. Moussavian said correct. Trustee Abato said okay. Trustee Abato said you haven't had as many people, obviously, that he had and she understands that and she understands that it is a hardship and that is probably why it has been so calm and cool down there. It is a little nerve racking to think about putting music back there and having an incident occur again. She appreciates the fact that he has taken measures security wise and that you are willing to make security issues part of your application. Is she correct? Mr. Moussavian said correct. Trustee Abato said she is a little nervous about this. Generally we would give a permit that would last a full year. But she doesn't think, and nothing personal against him and she really wants to see him do well and she really wants it to be a wonderful thing there. But she doesn't think that she is going to feel comfortable going for a whole year. She would like to propose to the Board possibly some type of trial, probationary type of permit that can be revoked with one incident to give him the chance to show us that all this is going to work. She said she doesn't know how the Board feels. Mr. Moussavian said when you say temporary he doesn't understand. Mr. Moussavian said you are saying that you are not comfortable with a year but temporary is fine. What is that temporary? Trustee Abato said she thinks the Board is going to have to - she doesn't even know if the Board would even entertain something like that. That is just her personal take on this is that she thinks that a short-term temporary permit to see how all the things that you told us you

put into place work and that you've held true to them. And then we could take it up again from there. She said she just doesn't feel comfortable saying to him okay, water under the bridge, let's go forward. Here you go. Here's your permit. She said as someone who has to represent this Village that she would feel comfortable doing that. Mr. Moussavian said that is understood. He can't argue with that.

Trustee Meegan-Corrigan said we need to review what the band is, what the music is, the DJ. We need to go through that and get the head count. The Mayor said he thinks when we had discussed this again obviously what he thinks is that what we are talking about here with respect to his specific permit is that the only difference that is going to happen for any new or renewal is just the temporary basis of it. He said he thinks versus a year we would like him to come back at some point and if everything is going fine then he is sure that it is just a matter of coming and the Village would approve it. But generally what we have decided is that all music will cease Fridays and Saturdays at 1:00 a.m., whether it is live music, a DJ or house music it is shut off. Because he thinks what with technology what they all realize now is that you can have a DJ and then at 1:00 a.m. the DJ shuts off but you can plug it into your system and the DJ can continue on the other side of the bar with the laptop going so the music is just as loud. So regardless of yours - any new permit Fridays and Saturdays 1:00 a.m. shut off and Thursdays 11:00 p.m. and that would be it.

Trustee Meehan said he is inclined to think just a shorter period. We always have - if we grant it we can always revoke it within a week or so. So his feeling is that if we normally grant it for a year so let's do this for six months. And as far as the revocation six months or three months doesn't have anything to do with it. The revocation is a penalty that is available all the time. So he would just like to see how it does in six months. That is his feeling. And also, what would be the nature of the band when the band is - how many pieces and what type of music. Mr. Moussavian said rock and roll - he said he doesn't know how to answer that. Trustee Meegan-Corrigan said you have to. Everybody else has to. Mr. Moussavian said he doesn't know how to answer that. It's not like when they come in he says let me see your playlist. They just - whether it is Bon Jovi or Bruce Springsteen. The Mayor said we can go by the decibel limit. We put the decibel limits in place. So we have a ninety - and again this is part of what we discussed - a ninety decibel limit at the property line. So he thinks what is important is that we just be consistent across. So he thinks the only issue with respect to Rob's permit is the time because obviously he has had a history and we want to make sure things are going well. Trustee Meegan-

Corrigan said we also ask for how many members in the band just as we did - we always cap it on so many people. The Mayor said okay. Mr. Moussavian said he believes what he requested is 3 to 5. He thinks normally it is four. Trustee Abato said so let's do a no more than 5. Mr. Moussavian said that is good. It has always been that. You can't fit more than 5. Trustee Meegan-Corrigan said she would also ask that we do it for three months. The Mayor said three months? Trustee Meegan-Corrigan said she would prefer three months. The Mayor said okay. How about May. That would be February, March, April. You want to do just May 1. That would be 3 ½ months. Mr. Moussavian asked if this was something that he has to reapply like a couple of weeks before and just go through the whole process again. The Mayor said no, he thinks he can just come before the Village Board. We will give you notice thirty days before. The Mayor said he doesn't know if the Chief wants to add anything. As long as everything is okay and he doesn't want to speak for the Board but he doesn't anticipate us at that point extending it for maybe a similar period or a longer period - we will have to see. Trustee Meehan said if it expires he does have to reapply. Mr. Moussavian said so basically he has to reapply in April. Trustee Abato said no, no, no. You have to come before the Board at the May meeting. You don't have to do any paperwork. Mr. Moussavian said what he is trying to say is there going to be gap. The Mayor said no. Mr. Moussavian said where he has to come May and then you guys give the okay and then he has to apply - the Mayor said no. If it is May 1 we will have it in April. That way you will have it a couple of months and that way you will be in force the rest of January, all of February, all of March. And at that point you come to the April meeting and that would be okay. The Village Clerk said April 1 is our first meeting. Mr. Moussavian said he will check in before that. The Mayor said fair enough. What we can do is open it up to the public. He asked if anyone had any comments to please come up.

Jim Giannettino of 2 Memorial Drive said it is not really a comment. He happens to agree with most of what was said. His question is you are amending it to cover live and DJ music correct? The Mayor amending the law or the - Mr. Giannettino said the permit. The Mayor said in general or respect to him. Mr. Giannettino said that is what he wants to ask. The Mayor said that any new permit that is reapplied we are going to renew the new permits with the change with respect to all music because the recognition is that really in today's day and age there is no difference between a DJ or music. Mr. Giannettino said okay, that is what he wanted - the Mayor said so going forward any new - the plan is look, if we discussed this, do we need to have a local law to do anything. Essentially what they discussed at the workshop was that it is our special permit we could just set the requirements of any new permit to have it that all music must

cease at 1:00 a.m. on Fridays and Saturdays and 11:00 p.m. on Thursdays. Mr. Giannettino said okay. That was his question. Is this going to go on after this. The Mayor said yes, for everybody.

Adam DeStefano of 19 Prairie Avenue said the question he had because he knows that this isn't the first time that there has been an incident, not just with his establishment, but with other establishments in the downtown area. He asked if there would be a possibility on Friday and Saturdays to have a walking patrol through the downtown area. Because he knows that when he has been up at college and stuff that when he goes out with friends there will be police officers in uniform around and that normally just by their presence alone stops a lot of these problems from ever escalating. The Mayor said he can call the Chief up. The Mayor said typically we do have an officer down in the downtown from 4 to 12. Chief Osborn said we have obviously 24/7 patrol. He said the problem we have is obviously due to manpower. On just Friday and Saturday we are usually busy throughout the whole Village. We do the best we can to keep somebody in the downtown which we generally do but they do get called. The Mayor said the K-9 unit which, if he is correct, is typically 4 to 12. The Chief said no he has been on the squad for the last few years. The Mayor said but normally when he is down there he tends to be down there. The Chief said yes, when he is working yes. But he does work days every other week as well. The Mayor said that we have people down there and when the weather is nice they are out in foot patrol. The Chief said we do focus most of our efforts down there at those times. But with the manpower as it is they do the best they can to do what they need to do. But in all actuality and fairness we haven't had a lot of problems down there for a while. So let's hope it continues. And he does totally agree with Adam. A police presence is the best thing, the best deterrent. Mr. DeStefano said he didn't know if there was anything different that could be done with the presence downtown with any new things.

Trustee Falciglia said he has a question for Mr. Moussavian. He said your security people, where do you recruit them from. Mr. Moussavian said they are licensed and insured by the State of New York. Trustee Falciglia asked if there are any ex-cops. Mr. Moussavian said no, none. Trustee Falciglia said moonlighting cops? Mr. Moussavian said no but they are licensed by the State and it is a company that is insured privately. The New York State Liquor Authority requires that all security personnel must be licensed. Trustee Falciglia said he thinks the young man understands that one more problem and you won't be back here. Mr. Moussavian said just as the Board understands. With the incident that happened in August he was probably just as disgusted as you guys were when he was on vacation with his wife and kids getting

a phone call like that. None of this stuff is ever planned. Unfortunately it does happen. Does he ever want it to happen? No. He said he wishes it didn't happen. He said they learned. Prior to that incident, and Chief Osborn is here and he can attest to it, they haven't had an incident in quite a while. Whether it was broken windows or fights it hadn't happened. For whatever reason that August 24th night he gets 17 phone calls at 4:00 a.m. and right away he knew something was wrong. The Mayor said he wanted to ask him another question. As he well knows a bar is not a permitted use in the Village of Suffern. Mr. Moussavian said correct. The Mayor said it has to be a restaurant/bar. Mr. Moussavian said correct. The Mayor asked him if he was a restaurant. Does he have a fully active kitchen? Mr. Moussavian said fully active. He said he has had the pleasure of having both code enforcers visit him about 17 times in the last month or so and do quite a bit of inspections both in the kitchen and out of the kitchen and everywhere you can imagine. The Mayor asked code inspector Stark to come up and comment on that because that was a concern that we had and we want to make sure that the use is a permitted use. Mr. Stark said that he is correct in that he has to have a full-service kitchen in operation and have a menu. The one time that Mr. Stark does remember when they were there is that and frequent inspections. He said he thinks he understands that. And we do have the decibel meter that we got from the Chief so they can check on the music at night also. The Mayor said okay. Thank you. Mr. Moussavian said in reference to the decibels. The four years that he has been here they haven't had one noise complaint. They have solid three inch double wood doors and like he said four years that he has been there they have had music and not one noise complaint. He said their menu is limited. They have a very simple bar menu. If the Village would like him to change it, let him know. The Mayor said no we are not here to make your life - Mr. Moussavian said he would consider it. He said a limited bar menu. He doesn't know what he expects him to add to it. The Mayor said no we are not looking to make life difficult. We just want to make sure that we have uses that are permitted. We want business to thrive in Suffern. But we also want to present an atmosphere that is safe. There are certain problems that you can deal with and that we are trying to be proactive about it because we want it to be a downtown that has a lot of foot traffic but is also family friendly. Mr. Moussavian said absolutely. He completely understands that.

Trustee Meegan-Corrigan said that normally what we do is that if you are going to do something that is out of what the permit is for, like if you have a DJ on Thursday and Friday and a band on Saturday - if you are going to be doing a band on a different night don't we have to - Trustee Abato said no, we don't have to because we put all the music under one - we just said music.

Trustee Meegan-Corrigan said we are going to do it that way? The Mayor said yes. It would be if you wanted to, let's say, apply for a special occasion or a party that was a Wednesday night and you wanted to do a sweet 16 or something. If you come and contact the Board directly that is the kind of thing. The Mayor said we want to help you out. He doesn't want anyone to give him the impression that we don't want to help business but again we want to have the live entertainment really focused on the weekends. But again we are open-minded and he knows that there was a situation once that we tried to work out because we want to help you out. Mr. Moussavian said yes, the fundraiser. The Mayor said exactly. The Mayor said if that is the case then we would say this is your permit but if things are going well and you have something different and on a one-time basis they have showed a willingness to allow people. Because as long as you come to us he thinks that everybody here is pretty reasonable. It is just that we want to know that you are communicating with us. Mr. Moussavian said he appreciates that and they are going to work hard to prove to you guys that things are changed. None of them want this. This is not fun for him. And they are definitely going to try and he can tell them that there are going to be changes ahead.

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

A motion to approve the application for a special permit for live entertainment for New Rock Bar and Grill for live entertainment for the period ending May 1, 2013 on Thursdays until 11:00 p.m. and on Fridays and Saturdays until 1:00 a.m. subject to the conditions. The Board of Trustees reserves the right to revoke the live entertainment permit for violation of the terms of the permit or creation of a disturbance at the premises following a hearing and opportunity to be heard. The Mayor may suspend the permit under such circumstance pending the revocation. All music of any kind, including juke box, electronically played music, etc. shall cease by 1:00 a.m. Noise shall not exceed 90 decibels at the property line. The special permit shall not be valid until the applicant signs a copy of the letter indicating the terms of the permit and applicant agrees to same. Verification by the building inspector that the use of the premises is legal, that is, that the principal of the property is as a restaurant with an accessory bar and that the applicant is to provide security inside and out with a security person on the outside of the establishment at all times was made by Trustee Abato, seconded by Trustee Falciglia.

Mr. Moussavian said just to clarify for his own knowledge. When you say all music to be cut off at 1 - the CD player can't be

playing at under 90 decibels. The Mayor said nope. We are cutting off all music at 1. Trustee Meegan-Corrigan said and 11 on Thursday. Trustee Charles Falciglia, who said that is going to be the Village's new mandate and that is the way it is going to be. Trustee Meegan-Corrigan said and you are actually not the first one. You are second or third on this new - Mr. Moussavian said whatever you say.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

The Mayor and Trustees wished him good luck.

7:50 P.M. - PUBLIC HEARING - COMMUNITY DEVELOPMENT RESOLUTION

Mr. Fred Rella said that on January 31 we have to submit the annual application to the Rockland County Office of Community Development for the Community Development Block Grant for 2013. For the past three years we have submitted an application to do the downtown revitalization program which we call the façade program which would rejuvenate the front of the buildings downtown. During that three year period we received approximately \$275,000. The citizens advisory committee, which is made up of citizens within the community which is a cross-section of everyone from business owners to senior citizens comes up with an idea to present to the Board so that Mr. Rella can write the application so that we can get awarded money, hopefully, for 2013 and once again the citizen advisory committee, in which they met twice in December, is recommending that we put in an application to continue the façade program so that we continue the rejuvenation of the buildings downtown for approximately \$110,000. \$100,000 of that would come from the Office of Community Development and the Village is required to contribute 10% of any grant that is awarded so if we happen to put in \$100,000 we need to put in \$10,000 but if we only got awarded \$80,000 then we would have to contribute \$8,000. So with this application what they like to see is number one it is required that we have a resolution of the Board saying that the Mayor is allowed to sign the application and therefore submit it to the office of Community Development and they do like to see everyone on the Board vote in favor of that in support of it. So that is what he is asking for tonight.

The Mayor said okay. He is going to open it up to the public if

there are any questions on the Community Development Block program. And again he just wants to say before he opens it back to the Board. We completed our first, well we are waiting on the sign on Lafayette Liquor Store, but we have our first two buildings complete and he believes, he thinks, this spring he believes it is about 18 storefronts - the Comiskey building, Colonial Florist building, moving the entrance to Priya Restaurant. So he thinks we are going to be doing about 18 more storefronts this spring. So it is really exciting. The Mayor said he just spoke to a business owner tonight who didn't know that they are getting a brand new sign so a lot of it is going to involve pretty much new signage for all the business owners and that belongs to them if they ultimately change or go somewhere else. So they were very excited about that. So again good work on that Fred. It has been a lot of hard work for everyone. He also wants to praise Deputy Mayor Corrigan - she has worked very closely with the Mayor on this and as he said during the workshop, when we first met with Joe Abate and told him that we wanted to do a façade program, and Legislator Jay Hood who administrated the grant in Haverstraw when they did their façade program, he said oh, this is going to take two years before you get up and going - at least two years - and we were like it will take us a year and it took us about two years just because obviously you are working with a lot of parties with architects, construction. It is not only just the Village but it is property owners. It has been a long hard road for everyone but we have our first two done and we have a dozen and a half coming this spring. So we are excited. The Mayor asked if there were any comments from the public or from the Board. A motion to close the public hearing was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

A motion to adopt the following resolution was made by Trustee Falciglia.

RESOLUTION NO. 1, 2013

RESOLVED, that the Village Board accept the recommendation of the Community Development Advisory Committee to seek Community Development Block Grant (CDBG) funding for the business district revitalization project and authorizes the submission of the 2013 CDBG application. The CDBG application will state that the 2013 business district revitalization project cost will be \$110,000. Of this total, \$100,000 will be contributed from the Community Development Block Grant and \$10,000 will be contributed from the Village of Suffern.

The foregoing resolution was seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

The Mayor said he also wants them to know that the owner contributes the 10% so we have owner contribution. So again this program is completely funded by grants and the balance is funded by the property owner. So it is at no cost to Village taxpayers. The Mayor thanked Mr. Rella.

CULTURE AND RECREATION:

Mrs. Gail Curtin said she was counting the amount of items since the last Village Board meeting and once again the recreation department had events practically half of December. So that being said, the Mayor mentioned earlier that we had a wonderful Christmas parade and tree lighting on Thursday, December 6. Pearl Harbor Commemoration on Friday, December 7; and again Mrs. Curtin said she wanted to thank Mayor LaCorte personally for the opportunity to emcee this year. She appreciated that. Mrs. Curtin said they had the Elks Hoop Shoot on Saturday, December 8; Hanukkah Festival on Monday, December 10; LEAD on Friday, December 14; Farmer's Market on Saturday, December 15. They had the opportunity and privilege to work with the Mayor and the Board for the 100th anniversary of this building on Sunday, December 16 and student participation on December 18. And she brought with her tonight a cute little thank you that the second graders sent to us. They included a picture of Village Hall and they thanked us for teaching them about the Village that day. Mrs. Curtin said they also worked with the Chief for the DARE toy drive on Wednesday and Thursday, December 19 and 20; they coordinated the holiday luncheon for employees on Friday, December 21; they had a ribbon cutting of the toddler playground equipment on what she thinks was the coldest event that she has ever been at for the Village on Friday afternoon, December 21; and then they had another ribbon cutting this past week at Point Park for the illuminated bulletin board donated by the Rotary. AARP started their training at the LPL building last Saturday. They will be there each Saturday during this month and then pick up the actual service for residents on Tuesdays beginning February 5 through April 9 of this year from 10 to 2 p.m. at LPL. This week on Thursday some of them will once again make themselves available for a cub scout tour of Village Hall on Thursday. They have LEAD on Friday night, Farmer's Market on Saturday. On Monday, January 21, they are going to open the

community center for a fundraiser for a Village resident, Danny Van Schenk. Farmer's Market on Saturday, January 26; Senior movie afternoon on Thursday, January 31.

Trustee Meehan said he thought that the commemoration day was one of the nicest things. He said he has been complaining about the one item and that is the stairs and since he came back in 98 he said boy those stairs really look ugly. But when he walked in that day he said wow, these stairs really look great. And he knows that it was our own people who did all this work on our Village Hall and now it looks good. The Mayor thanked Trustee Meehan and he thinks we should recognize Charles and if Vic never sees this building again. And Johnny Conklin. It is like the Sistine Chapel they were here so long.

VILLAGE ATTORNEY:

The Mayor said Attorney Terry Rice is unable to be here tonight so the Mayor is going to address his two matters that he has on the agenda.

A) Theater Parking Lot Agreement - Authorize Mayor to Sign:

The Mayor said the first that we discussed at the workshop is that he thinks is a really good thing that they are all happy about. We have a license agreement. What this is is this involves the lot right next door. As everybody knows the lot, it is kind of the L lot, is what belongs to the Village. That is the Village lot. So if you come off into Washington this way and then you do the L kind of back into the police lot and then you go out that way towards Mansfield and that is the Village's lot. On the other side, where that divider is, that portion of that whole lot belongs to the Lafayette Theater in addition to that other lot that they have right on the corner. For a number of years we had a lease agreement with the County of Rockland whereby they made a payment - and he believes it was around \$15,000 a year - for that lot. We would provide commuter parking and they would provide the revenue which we would then turn over to the BenMoshe family who owns the lot. And that was the arrangement by which we were able to use it so they got a payment for it. The County cut the funding for this but the BenMoshe family said we could continue to allow the Village to use the lot. Now that we are not receiving money from the county, there is no requirement that we have any commuter parking there. The Mayor said he thinks realistically there weren't that many commuters that were using it anyway. So the one thing that we will do is when the spring comes we will have it all restriped white so that way it is all shopper parking - 3 hour parking. So what they asked is that in return for that that we will maintain that lot. It was already

repaved. We got grant money to do that so that was great. Just in terms of signage, patrolling it and snow removal. So we are going to do snow removal on that lot, snow removal on their other lot, maintenance on this lot. They are going to maintain the maintenance on the other lot because that is pretty much for their exclusive use and we are also going to shovel the ice and snow on the sidewalk. So essentially just to take care of the ice and snow on their lot they have agreed to let us have the right to use that lot. So the Mayor thinks it is a really good deal for the Village. It's a key lot right in our downtown business district. So what the Mayor has before him is an agreement between the owners of the corporation. It is NAB, LLC and the Village of Suffern and pretty much the terms are spelled out. He asked the Village Board if anyone had any questions. A motion to authorize the Mayor to sign the agreement was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

B) Esther Gitlow - Money in Lieu of Recreation:

The Mayor said that essentially what happened here is that we passed a law he thinks about two years ago which said that, as you all know, Village of Suffern is a great diverse community. We have a great number of tax exempt properties in the form mostly of non-profits - churches, synagogues. We also have large tax exempt properties. We have the hospital, we have the Salvation Army, we have Esther Gitlow Towers. While these entities provide a great service not only to the Suffern community but to the greater community at large they also use a tremendous amount of our Village services and they don't pay directly to those services because they are tax exempt. So at the December organizational meeting the Mayor said he was going to write to the four major large tax exempt properties. Which just the top four of them, and he is not talking about any of the churches or the synagogues or the other exemptions that come from the form of veterans exemptions or senior citizens exemptions. Just those main four that he mentioned represent 22% of our assessed value. So we felt that it is prudent in the fact that we are all struggling and that everybody should pitch in and that we would reach out to these tax exempt properties. So he wrote a letter to them. The Mayor said he already had discussions with the hospital. He is going to meet with the CEO. And he also wrote a

letter to the Salvation Army and he is going to meet with them shortly to discuss whether they would be willing to make a voluntary yearly payment to the Village acknowledging that they receive many of our fire and police services. And in looking at the numbers these large tax exempt properties really do consume a great deal of our services. So he is happy to say that in terms of new construction, even if it is a tax exempt property, they are required to pay a fee to the Village. But with existing ones it is completely voluntary. And what he is going to ask them to do is really just pay up no more than 10% of what they would be paying if they were a regular assessed property. Esther Gitlow Towers came forward and while on their new building they will start paying next fiscal year \$20,000 a year. They offered us an opportunity whereby on their second building, which is currently already open, that they would start immediately January 1 of this year paying \$20,000 a year in perpetuity. So now and forever every year they pay \$20,000 and what they have asked is that the Village would waive the money in lieu of recreation fee that we would receive on the new building which would be a one time fee of \$100,000 based on what they paid for the last building. So in discussing it, and obviously he will give the Board the opportunity to comment, it made sense for us to waive that one time fee of \$100,000 to get \$20,000 a year in perpetuity. So as long as the Board passes it tonight we can immediately invoice them and they will give us \$20,000 a year starting January 1 and then in the next fiscal year, fiscal year 2013/2014 they are going to start paying \$40,000 a year. So not only is this a great voluntary payment by them but being the first it also provides us as a strong bargaining tool to go to the other large tax exempts and to ask them to step up. And again they have their problems like we all do. And we are not asking them to pay 100% of the bill but he doesn't think it is unreasonable to ask them to come up with 10%. And just based on numbers working with our treasurer if those entities are willing to come up with 10% it would amount to, with Gitlow, 2 to 3% on our overall tax bill for all our residents. So if we were otherwise looking at a 3% increase if they are willing to help out we can keep taxes level and he thinks that is a great thing. So Terry is working at the basics of an agreement but pretty much it involves waiving that \$100,000 fee on the new building. Starting immediately we can bill them this week as long as this Board authorizes the Mayor to enter into an agreement starting with the \$20,000 a year payment.

Trustee Meehan said he must say that he agrees with this. For ages he has often felt that Good Samaritan Hospital, especially, is a facility that serves the region, basically half of Rockland County gets their services and they are a large user of our services and he understands. He was talking to his next door neighbor yesterday, Charlie Falciglia who is his neighbor, and he

said he had asked for the Chief to do a study on how many calls we had to Good Samaritan Hospital in a two year period and there were 300. So our Village taxpayers are handling the police service for half of the residents of Rockland County and it is just not fair. He said he doesn't know how we will make out with them. Actually a few years ago he researched himself and they have about, in the Bon Secours system, there are about 12 hospitals in about eight or nine different states and what he did was he wrote to the municipalities of all those hospitals, and none of them were getting any money from any of those hospitals as a payment in lieu of taxes. So he is hopeful but not optimistic with Good Samaritan. What's interesting is in the state of Florida what we have here is in the hospitals people making communities taxed commerce and there literally is millions of dollars being made by various organizations like the anesthesiology group, and this group and that group and the emergency group and none of that is taxed. So in Florida the hospitals aren't taxed but if there is an organization making money inside they are taxed. Maybe New York will switch over to have a system more like Florida but it is something that he is glad we are addressing now. Good luck.

Trustee Falciglia said he noticed Good Samaritan Hospital was asking us for some kind of zoning amendment. The Mayor said he thinks it is a great thing and he thinks that, and these are not exact numbers, but based on the estimation that he thinks our assessed values are a little lower than 200 million and he thinks that Good Samaritan Hospital, and look, they provide a vital service but it is regional, but if this was just county property taxes and it was a county hospital it would be different because we are all getting the same benefit but we share a disproportionate burden than any other municipality and he believes we actually have, out of any municipality in Rockland County, we have the largest number in terms of assessed value tax exempt properties. This 22% is just Good Sam, Esther Gitlow, Salvation Army and Tagaste Monastery. Not counting any of the churches or any of the individual homes that the Salvation Army owns or any other exemptions. So he believes that his estimation on 18 million assessed value was if they had to pay a full property tax bill it would be about \$800,000 a year. So all we are asking them for is 10%. So if they can come up with 10%, if the Salvation Army comes up with 10%, and he thinks obviously Tagaste and we will talk to them and he thinks it is a different financial situation. They are not running a huge operation but we reached out to them anyway and what we got from Gitlow we could really reduce our tax burden by 3% a year and that would provide a tremendous cushion to the people. And again it is something that we will make sure that all the residents know. That they are willing to help out. Not only our entire larger community but

right here in Suffern. The Mayor said he is excited about this.

The Mayor said that subject to Terry finalizing the agreement if we could just do an agreement that to waive the \$100,000 money in lieu of recreation Esther Gitlow Towers will start immediately a payment as soon as Tom bills them of \$20,000 a year. The motion was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

POLICE DEPARTMENT:

Chief Clarke Osborn said he had an update for the Board. He said he will update them on a bunch of different things that they have been working on. In 2012, just to give them the yearly numbers at this point, our vehicle and traffic numbers may go up because they are entered into a computer system electronically and they may go up in the next few days but right now we had 7,029 police blotters for the year 2012, 1982 vehicle traffic summonses, 283 arrests. Those are our numbers at this point. The arrests and the blotters are not going to change. The summonses may go up a little bit. What they have been working on, and they do every year, is that they work on active shooter drills at the police academy with different departments. He said they are also going to set some of their own up at R.P. Connor School, and probably Sacred Heart School. Speaking of the hospital and Salvation Army - they have contacted the police in regards with assisting them with their emergency operation plan which he wrote up our Village one several years ago, he thinks 2006, and he will assist them as needed to put together a contingency plans in the event of whether it is a catastrophe or a man-made incident. We will do what we need to do. The Chief said we had a very busy December. He said he thinks a lot of them know because he has been sending e-mails and texts with everything going on. He will be requesting the Village Board to bring in officers in May. He thinks May 15 is National Police Week so at the May meeting he would request that he would be able to bring several officers in for awards. One squad in particular which was with Officers Rick Marsh, Andy Loughlin, and Dan Kiernan. They had a very busy week. They had a suicidal party which they were able to get off the sixth floor of 35 Park and they did a great job. And within the same week they had a man menacing his neighbors with a weapon. Very violent and very violent history past and at that time the person was taken

down with a taser. And he just wants to express the value of tasers because if the taser did not work two officers were clearly justified under the law under article 35 of the penal law to use deadly physical force on this guy and they did not. So he just wanted to let the Board know that it really paid off to have the tasers. And he thanks the Board for their support with everything that they ask them for - for weapons and items that really keep everybody safe and they really do appreciate that.

Chief Osborn said the toy drive was excellent and he wants to thank Gail and the recreation department, Charles and his guys who were great and Tom who helped him out with the finances with the donations. Chief Osborn said they had a great week. They had over 100 volunteers and Village residents. They had a ton of people to help them out and it was fantastic. A lot of the Board members stopped by and he appreciates that. Speaking of our 100 year anniversary of the building what they are going to do this week - they have probably 100 if not more 8 x 10 photos of the history of the department which they are very fortunate to have Craig Long as their detective as well as the Village historian and this week they will be putting those up. It took them a while to get them together and to organize them and put them in frames. And they are going to put them up in the police station starting he believes tomorrow or Wednesday. So please stop in and see those.

Chief Osborn said that one thing he also wants to thank Charles for, and he knows that they spoke about it before, is our building lobby never looked so good. He agrees with Mr. Meehan. It looks great. People came down to see them and actually commented today when he had people come in - Village residents who speak to him. They actually complimented the look of the building. So he thanks them for that. That is huge.

Chief Osborn said one thing that he wants to clarify. When they talked about the New Rock situation with the music permit - they focus downtown consistently. Constant. 24/7. He jokes because he hears other departments and people say that there is no other part in the county patrolled more than Lafayette Avenue but there will be times, and he thinks they know, where they get pulled out into other areas. They do the best they can and they continue to focus there with any patrols that they can. And they were very fortunate that we have not had a lot of incidents so they are going to continue to work on that. So he just wanted to make it understood that they do the best they can and they will continue to do that and focus their manpower there. And one more thing. They have been focusing on their social media. They try to get incidents out to residents and information out to residents. They have a great website at this point and he just updated it the

other day with the webmaster. They have a facebook page which they have a couple of thousand - 1,500 followers. And they reach over 4,000 people every month that look at it according to the page insight. They also have a twitter page that they just started for road closures and storms coming in. So they are just trying to reach out to the public as much as they can and it is working out very well. So that is all he has. And he thanks the Board again for their support because by getting the equipment that you got them it really saved a life if not more lives. So he appreciates it.

AUDIENCE PARTICIPATION:

The Mayor said if anyone has public comments to please come up to the podium and state your name and address.

Jim Giannettino of 2 Memorial Drive said he was happy to read that we were allowed money from FEMA for the demolition and restoration of the four homes. He asked if they could tell him what that amount was and what it is going to be used for briefly. Trustee Meegan-Corrigan said that with the 75% it is \$1,084,000. Mr. Giannettino said that is what we got - \$1,084,000? Trustee Meegan-Corrigan said yes. Mr. Giannettino said that is a good number. Trustee Meegan-Corrigan said thank you. She said they do not have final numbers on everything as of yet. Everything is a projected number until we go out to bid and get the appraisals and get everything done that way. Mr. Giannettino said okay. And this includes everything that we have spent thus far. Trustee Meegan-Corrigan said yes it does have money in it that was pre-award. Mr. Giannettino said that sounds like a decent number to get it done.

Mr. Giannettino said his next question and he brought this up once before is that on December 31 at 11:45 the shooting began at the quarry. It ended somewhere around 12:30 or 12:45. The Mayor asked him what the date was. Mr. Giannettino said 12/31. The Mayor said really. Mr. Giannettino said if he is not wrong it is illegal to discharge a firearm in the Village of Suffern. Why does he keep hearing these guns going off. The Mayor said to the Chief that we discussed this and he thought it was done. Chief Osborn said the academy gave them permission. Trustee Meegan-Corrigan said she already spoke to Terry about it two days ago because it was pretty halacious this weekend - once again, Saturday and Sunday. Chief Osborn asked if she was talking about the range or the quarry. Trustee Meegan-Corrigan said she was talking about the range. Mr. Giannettino said he was talking about the quarry. He said the range he was well aware of. The Mayor said he thought at the quarry they said they were ceasing it. The Mayor said he will look into this because the last he

understood is that they didn't - he said he will get on it and find out exactly what is going on. Mr. Giannettino said it is not that bad now but in the summer with the pool he just doesn't like them aiming in that direction. The Mayor said he understands. Trustee Meegan-Corrigan said she doesn't know if it was the quarry. Because during those times - Chief Osborn said there were numerous reports. Trustee Meegan-Corrigan said she heard it New Year's Eve and she assumed it was the range. Trustee Abato said she heard it New Year's Eve but that was late. Trustee Meegan-Corrigan said she also heard it Christmas day. Chief Osborn said he thought it started about 8 or 9 o'clock that they had numerous reports about possible shots fired or explosion. He said he heard it from his house. The Mayor said it sounded like fireworks. Chief Osborn said it sounded to him like M-80's or very large explosives. He agrees with them. Because he called the station and they were checking on it. They couldn't locate any thing. It sounded like it was down towards Mahwah or in Stonegate. He doesn't know where it was coming from. But the firearms he can definitely check. Because he wasn't aware of it either. And Trustee Meegan-Corrigan said you are right with the noise. It seems it has been exacerbated a little bit lately. Maybe because the leaves are down. Trustee Meegan-Corrigan said Terry will call him tomorrow.

Adam DeStefano of 19 Prairie Avenue said he had two quick questions. He said the first is under the financial department with the resolution for the anticipated revenue. He was just wondering where that was coming from. Because it said we have 1.35 million dollars in anticipated revenue. Where is that coming from. The Mayor said it is pretty standard. We go for a RAN - a revenue anticipation note. It is a cash flow tool because we bill for water and sewer and we know that that money is coming in and we receive 99.9% of it and what we don't receive we put on the tax bill and the county reimburses us anyway and we always get our money. It is just a way for us to manage our cash flow so we borrow 1.3 million dollars to cover it based on that revenue and he believes the entire cost - the Mayor asked Tom how long we would have it for - and the Mayor said he believes 90 days or 120 days and it costs us about 2000 for the year. Mr. DeStefano said that is for the anticipated revenue from the sewer and water. The Mayor said yes. It is just a cash flow issue.

Mr. DeStefano said he had another question with Yorkshire Drive. He saw they put the double yellow lines in and he was just wondering why they only went half way up the road with it. The Mayor said what we did was we had employed a traffic study several years ago and then what happened we paved the roads and then there was a second and third coat that was put on so while this was going on there was a discussion on what we would do and

we said we would do what the traffic study recommended and due to the fact that the road narrows coming down from let's say Cragmere - you head down Yorkshire, the road is pretty wide up at the top. Mr. DeStefano said and then it narrows down. The Mayor said pretty much there is not a lot of parking on the streets because everyone there in the single family homes they have private driveways. Once you cross Yorkshire the road narrows plus for the condos and the co-ops there people tend to park on the side of the road so that is where there is a real problem. So essentially the traffic study recommended a double yellow but running from Parkside down. Mr. DeStefano said okay because he knows they recommended a double yellow. The Mayor said from Parkside down so that is what we did. Mr. DeStefano said okay.

DEPARTMENT OF PUBLIC WORKS:

A) Resolution No. 2 - Municipal Snow and Ice Agreement:

Mr. Charles Sawicki said the first item is Resolution No. 2 - the Municipal Snow and Ice Agreement. The Village Clerk said that is to authorize the Mayor to sign the 2012-2013 Municipal Snow and Ice Agreement extension.

RESOLUTION NO. 2, 2013

RESOLVED, authorize Mayor Dagan LaCorte to sign the 2012-2013 Municipal Snow and Ice Agreement Extension.

A motion authorizing the Mayor to sign it was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

B) WWTP - Solicit Advertised Bid Request:

Mr. Sawicki said he was requesting authorization to advertise bids for the Wastewater Treatment Plant - the watering upgrade project bids are due March 15, 2013 at 3:00 p.m. A motion authorizing the advertising was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

C) Environmental Benefits Projects:

Mr. Sawicki said he was requesting authorization to submit three projects to the DEC for approval for the environmental benefits projects. The first project would be stormwater drain markers on all stormwater drains throughout the Village. And project two would be LED incandescent light bulb exchange for Village residents and project three would be the Mahwah River cleanup of debris. A motion authorizing the request was made by Trustee

Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

D) Application for Payment:

Mr. Sawicki said he was requesting payment authorization for application for payment number one for Thomas Gannon and Sons Inc. This payment is for the slurry seal and cape seal coating portion of the roadway improvement phase 5 project in the amount of \$72,897.10. Retainage of 10% will be held until all miscellaneous surface cracks are sealed in the springtime. A motion authorizing payment was made by Trustee Abato, seconded by Trustee Falciglia.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

E) Schedule a Public Hearing - Tree Removal Permit Modification:

Mr. Sawicki said he was requesting authorization to schedule a public hearing in order to modify the tree removal permit. This modification change changes the location where the tree is measured from. The current location is 54 inches from the base or from grade. This would modify it to the base of the tree or at grade. It is difficult - once a tree is cut it is hard to determine whether it is twelve or not. A motion setting a public hearing for 7:40 p.m. on February 4 was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

VILLAGE CLERK:

A) Approval of Minutes of Regular Board Meeting - November 5, 2012:

Village Clerk Virginia Menschner said we have the approval of the Village Board meeting of November 5. A motion approving the minutes was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

B) Approval of Minutes of Organization Meeting - December 3, 2012:

Ms. Menschner asked for approval of the minutes of the

organization meeting of December 3. A motion approving the minutes was made by Trustee Falciglia, seconded by Trustee Meehan. Upon vote, the motion was carried, with Trustee Abato abstaining.

C) Approval of Minutes of Regular Board Meeting - December 3, 2012:

Ms. Menschner asked for approval of the minutes of the regular Board meeting of December 3. A motion approving the minutes was made by Trustee Falciglia, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried, with Trustee Abato abstaining.

D) Resolution No. 3 - Adopt Village Justice Court 2012 Audit Report:

The Village Clerk said they all received the audit report for the court and we need a resolution moving for the Mayor to sign it.

RESOLUTION NO. 3, 2013

RESOLVED, that the Village Board adopt the 2012 Village Justice report.

A motion to adopt Resolution No. 3 was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said he wanted the Board to know that the budget worksheets went out to all the Department Heads and they should be getting them in to him this week. So they are moving right along with the budget. The Mayor said the timeline is online. The treasurer said yes, the timeline is online. It has been online for a while now.

B) Resolution No. 4 - Year End Budget Transfers:

Mr. Zordan said before you you have Resolution No. 4 and that is for year end budget transfers. During the course of the year some line items go over budget so we just need an overall amendment so that he can take money from line items that are under budget and so that everything ties out nice and even. Trustee Abato moved the following Resolution:

Resolution No. 4, 2013

WHEREAS, at the end of the fiscal year there may be

variances, both positive and negative, in the budget to actual comparisons of several accounts of the Village on a detailed level, and

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

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

The Resolution was seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

C) Resolution No. 5 - \$1,350,000 Revenue Anticipation Notes:

Mr. Zordan said you have before you Resolution No. 5 which is a Revenue Anticipation Note for \$1,350,000 and this is based on water and sewer billings in April which we collect in the month of May.

RESOLUTION NO. 5, 2013

RESOLVED, by the Board of Trustees of the Village of Suffern, in the County of Rockland, New York, as follows:

Section 1. Revenue Anticipation Notes (herein called the "Notes") of the Village of Suffern, in the County of Rockland, New York (herein called the "Village"), in the aggregate principal amount of not to exceed \$1,350,000, and any notes in renewal thereof, are hereby authorized to be issued pursuant to the provisions of Sections 25.00 and 39.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law").

Section 2. The Notes are authorized to be issued in anticipation of the receipt of certain revenues expected to be received by the Village during the fiscal year ending May 31, 2013, consisting of: (i) \$750,000 in anticipation of the receipt

of water revenues and (ii) \$600,000 in anticipation of the receipt of sewer revenues. All of the foregoing shall be due and payable to the Village during the fiscal year ending May 31, 2013. The proceeds of such Notes shall be used only for the purposes of paying the current expenses of the Village for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The following additional matters are hereby determined and declared:

(a) The Notes are not issued in renewal of other notes.

(b) The Notes shall mature within the period of one year from the date of their issuance.

(c) No revenue anticipation notes have been heretofore issued in anticipation of the revenues specified in Section 2 hereof.

(d) The Notes are issued in anticipation of the collection of revenues other than real estate taxes or assessments.

(e) As of the date hereof, the revenues described in paragraph 2 hereof are uncollected in an amount which is equal to or exceeds \$1,350,000.

Section 4. The Notes hereby authorized shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the Village. The faith and credit of the Village are hereby pledged to the punctual payment of the principal of and interest on the Notes and unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the Village and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this resolution and the Law, and pursuant to Section 50.00 and Section 56.00 to 61.00 of the Law, the power to sell and issue the Notes authorized pursuant hereto, and any renewals thereof, and to determine the terms, form and contents, including the manner of execution, of such Notes, and to execute arbitrage certifications relative thereto, is hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The Notes shall be executed in the name of

the Village by the manual signature of the Village Treasurer, the Village Clerk, or such other officer of the Village as shall be designated by the chief fiscal officer of the Village, and shall have the corporate seal of the Village impressed or imprinted thereon, which corporate seal may be attested by the manual signature of the Village Clerk.

Section 7. This resolution shall take effect immediately.

A motion approving Resolution No. 5 was made by Trustee Abato, seconded by Trustee Meehan.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

TRUSTEES:

A) Trustee Charles Falciglia - Establish an Audit Committee:

Trustee Falciglia said he was going to read an abbreviated version of his proposal not to keep anybody any longer. He said he is proposing that the Suffern Village Board establish an audit committee consisting at all times of two sitting Trustees. In the private sector, an audit committee is an integral part of any board, the purpose of which is to maintain independence from the board and to provide a series of checks and balances throughout the entire process. The duties of the audit committee shall be as follows:

1. To work in conjunction with the Mayor in recommending, retaining and terminating an auditing firm.

2. To assess on an ongoing basis the performance of the retained auditing firm.

3. To attend all exit interviews. Often exit interviews may reveal minor problems on the surface which while not in the audit report may still require further attention.

4. To insure that all exceptions are brought to the attention of the Suffern Village Board and followed up through resolution.

The above duties will additionally extend to the audit of the Suffern Parking Authority.

The Mayor asked if anyone had any comments on this. Trustee Abato said she thinks it is a fabulous idea and she thinks it is something that is a long-time coming and she commends him for bringing it to the Board. Trustee Falciglia said he appreciates it and he just thinks we should have a stronger internal control and have Board members. And he knows Deputy Mayor Corrigan will be happy to serve with him as one of the two sitting Trustees.

The Mayor said we discussed this at the workshop and what the attorney suggested is that this is going to be, since it is kind of an ad hoc board, so what we are going to do is to vote for the creation of this and then what happens is he will appoint members which he will appoint them now running concurrently to the end of the year. So it will be a yearly appointment at the reorganization meeting. A motion to establish an audit committee was made by Trustee Falciglia, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

The Mayor asked for a motion for confirmation for Trustee Falciglia and Deputy Mayor Corrigan to serve on the audit committee with the term starting immediately and ending concurrently with the other yearly terms on December 2. The motion was made by Trustee Meegan, seconded by Trustee Abato. Upon vote, the motion was carried.

A motion to adjourn the meeting at 9:08 p.m. was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.