

**Village Board Meeting
Monday, February 11, 2008**

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

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

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

ABSENT: Trustee Patricia Abato, Trustee John Meehan

Set Dates for March Meetings:

The workshop will be held on Thursday, March 6, 2008 at 7:00 p.m. and the regular Board meeting will be held on Monday, March 10, 2008 at 7:30 p.m.

FIRE DEPARTMENT:

A) Report:

Chief John Dawson said there were 301 fire calls and there were 122 members on the roster. He said at tonight's meeting he is requesting the Village Board to accept the bids for the 2008 Ford and to accept the Penflex Service Award Program so it can be posted for 30 days and he also needs the Board approval to attend the NYS Fire Chief's Convention in Lake George at a cost of \$1798 on June 12, 13 & 14, and also authorization to pay two members the service award. That would be Daniel B. Moran and Ronald S. Kanasky.

The Mayor said that we will hold off on the bids for the 2008 Ford. We are going to have to amend the budget for that.

A motion to approve the Penflex Service Award program plan document was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

A motion approving the request to attend the Fire Chief's Convention in Lake George was made by Trustee Haggerty, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

The Mayor said that the firefighters that are eligible for the

Service Award program are Daniel B. Moran and Ronald S. Kanasky. A motion to pay the two firefighters was made by Trustee Haggerty, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

Trustee LaCorte said that before the Chief sits down, he had one more item. He said as the Chief remembered, they met earlier in the month with Dave Rogers concerning the investment policy. So what we need to do after our discussion would be to amend the investment policy, changing the allocation towards natural resources upwards from 5% to 10%. So he would like to make a motion. In the investment policy it spells out maximum in specific sectors that the investment advisor can place investments in without authorization from the Board. The investment policy stands at prior authorization. Pursuant to discussion that we had in the workshop earlier in the month, he said we felt it was prudent to increase the maximum allocation on that specific sector due to what we felt was a positive market environment on natural resources upwards from 5% to 10% so in the future if the investment advisor feels that upwards of 10% of the asset is worth being deployed into that area, he can do so. Trustee LaCorte said that he knows that the Chief was there and he figures it would be a good time to bring it up now. Trustee LaCorte said that the Board just needs a resolution amending just that section of it. Chief Dawson said so this is to raise the amount from 5% to 10% of the natural resources type of funds. Trustee LaCorte said yes. Chief Dawson said he didn't know what he wanted him to do. Trustee LaCorte said just to ask the Board and what he will do is to make a motion to amend the investment policy to provide for a maximum investment of 10% in natural resources. The motion was seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

The Mayor said that we didn't have anyone here from the Building Department.

CULTURE & RECREATION:

Gail Curtin said that the Board had several things for approval on their agenda, but before they reach those, she would just like to go over the monthly Recreation update. Since the last Village Board meeting, they had a family movie night on Friday, January 11 which brought over 200 people to the Community Center. They had two

sessions of LEAD on Friday, January 25 and two Friday's ago, February 1. And the Chamber of Commerce/Recreation Dinner Dance was held this past Saturday, February 9. She said that she would like to thank members of the Board since most of them were there. And she thinks that they saw that everyone had a great time.

Upcoming: they have two DARE dances on the schedule - February 15 and March 7. Egg hunt and breakfast with the Bunny, Saturday, March 15. And the Music Makers, as a special treat from the Village, will be at the Suffern Senior Club meeting on Wednesday, March 19.

A) Hiring of Cristin McKenna:

Mrs. Curtin said that she would like to ask for approval to hire Cristin McKenna as the 2008 Suffern Memorial Pool Head Lifeguard at a seasonal salary of \$6,800. A motion approving the request was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

B) Hiring of Christopher Abato:

Mrs. Curtin said that she would also like authorization to re-hire the director of the 2008 Clifford Theater Program, Christopher Abato at a seasonal salary of \$2,500. A motion approving the re-hiring was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

C) Hiring of Jillian Abato:

Mrs. Curtin said that returning as the assistant director is Jillian Abato at a seasonal salary of \$1,250. A motion approving the hiring was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

D) Authorization for Cristin McKenna & Louis Ciaccio to Attend CPO

Course:

Mrs. Curtin said that she would like authorization for the newly hired Cristin McKenna and Lou Ciaccio from the Recreation office to attend the 2008 CPO National Certification Course which is required for the Village at the pool. The two day course is Saturday, March 29 and Sunday, March 30 in Parsippany, New Jersey and the total cost would be \$590 plus mileage. A motion approving the request was made by Trustee Haggerty, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

The Mayor said that Trustee Jack Meehan will be here but will probably be a little late.

VILLAGE ATTORNEY:

Attorney Rice said that the first thing that Deputy Mayor LaCorte wants to discuss is the Saccardi and Schiff proposal with respect to the downtown urban renewal plan. Deputy Mayor LaCorte said that what we have here is a proposal from Saccardi and Schiff, a firm out of Westchester, who prepared the Designation Study for Urban Renewal along Orange Avenue, which was previously adopted by the Village Board. Pursuant to the law regarding Urban Renewal, the next step in the process is the preparation of an Urban Renewal plan. That plan serves as the blueprint for the ultimate development of Orange Avenue. He said that we have a proposal here from Saccardi and Schiff since they are intimately aware of all the details associated with the Urban Renewal Proposal in the Village of Suffern to prepare that report. The cost is \$30,000 for their services. He said they discussed this at the workshop and the Village Board discussed that if we want to move forward with redevelopment along Orange Avenue, which is something that we obviously want to do and get some residential development along there, that this is the next step to take. So what we are proposing is that we retain the services of Saccardi and Schiff to prepare the Urban Renewal Plan. It was said that it would take about 3 or 4 months to do this. At the same time, at a previous Board meeting, we retained the services of Greater Hudson Valley Engineering to work on specs for the project. So while Saccardi and Schiff is preparing the Urban Renewal plan, Tom Vanderbeek is preparing specs so that when the plan is ready, if developers, and we have had numerous inquiries via telephone to him, to the Mayor and to other Board members of developers expressing an interest in this project. They obviously see the potential in the Village of Suffern. They are aware that in several years there will be a direct train line to Penn Station, which will be a catalyst to bring about growth in the downtown. So what they will do is that they will get the specs from Mr. Vanderbeek and they will then be able to make a proposal

to the Village. We will establish a committee that will review the proposals and make a recommendation to the Village Board on a developer that they think is best fit to build Phase I of the project. And then if the Village Board so chooses, they can accept the recommendation and we will then designate a developer to develop the project. So that is kind of where we are. We are moving along. And hopefully by the summer, we will be in a position where we have a developer who is ready to move forward on the project. So he would ask at this time for the Board to accept the proposal of Saccardi and Schiff to prepare the Urban Renewal Plan. The motion was seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

Attorney Rice said that he had a couple of additional things. He said that first of all we need a motion appointing Patrick Burke as the hearing officer on the Rossi disciplinary hearing. A motion to appoint Mr. Burke was made by Trustee Haggerty, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

Attorney Rice said that secondly, as he advised the Board the other night, as you recall, last summer we had enforcement actions against the apartments at Tall Oaks. The court eventually denied the plaintiff's preliminary injunction and we moved for summary judgement to dismiss the civil rights lawsuit they brought against us. He said he was notified by the court last week that in fact the court had granted our motion for summary judgment so that is the end of that case.

Lastly, Attorney Rice said, we need a motion. He said they discussed in executive session on Thursday settlement of Mendez vs. the Village of Suffern. Pursuant to the agreement, the terms are confidential and as a result he needs a motion to settle the matter based on the terms that we discussed. A motion to settle the matter was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

POLICE DEPARTMENT:

Chief Clarke Osborn said that he had several items on the agenda tonight. He said that he would like to start off with letter (a).

A) Implementation of Auxiliary Police Force:

Chief Osborn said that as was discussed at Thursday night's workshop meeting, for the past several months we have been looking into an auxiliary police force. He said he believes we are the only department in Rockland County to not have one. An auxiliary police force would be made up of volunteers and basically the job would be to assist the Police Department with traffic control, street fairs, parades, special events such as Suffern Day and the Halloween parade. Things of that nature. The officers are volunteers. The only cost to be incurred by us would basically be for the uniforms. He said that he would provide Attorney Rice with the items that the officers would carry on duty. He said that he spoke to Virginia Menschner, and he would like to thank her for making notifications today, in regards to the insurance issues that came up and we wanted to clear up and everything seems to be cleared up at this time with the Village's insurance carrier. So he wants to ask the Board to basically vote to implement it and he will come back next month with more particulars, the officers involved. He said that he would like to start out with 6 to 8 officers at the beginning. Attorney Rice asked Chief Osborn if what he was saying to approve it at this point. He said that there will be some type of format as far as what the duties and so forth are. Chief Osborn said correct. He just said that he spoke with Virginia today and the main thing was the insurance and we got that cleared up. And he will provide Attorney Rice with a list of everything to give to him. Trustee LaCorte said that what you want is an authorization to move ahead with it. Chief Osborn said yes, he checked with other departments. We have to have authorization to move forward to implement it. Trustee Haggerty made a motion to go along with the request, and he thinks it sounds like a great idea, and this was seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

B) Milford Lane - Parking Restrictions:

Chief Osborn said that he would like the Village Board to basically set a date for a public hearing for a restricted area of a parking area on Milford Lane. It is on the south side of Milford Lane from Bon Aire Circle to the first spot on the south side. He said that he will get Attorney Rice the exact dimensions. He said that he has spoken to management up at Bon Aire and he has spoken to residents. It seems a bit of a hazard when people pull out of that first

parking lot and even when vehicles come up that are traveling eastbound on Milford when they have to swerve over to the other lane. He said it will probably take away maybe 4 or 5 spots but it is definitely going to make it a little safer for people coming up to the stop sign. So he is asking the Board to set a date for a public hearing for that. A motion to set a public hearing on March 10 at 7:45 p.m. regarding parking on Milford Lane was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

C) Appointment: Dispatcher Caesar Munoz to Provisional Full-Time Dispatcher:

Chief Osborn said that he would like to provisionally appoint Caesar Munoz to the position of full-time dispatcher. He said that Caesar, as they know, has been a part-time dispatcher for us since June 2006. He is going into his second year. He has been very flexible with his hours and he has been the first part-time dispatcher since he has been Chief. So the change in his hours and days will basically fit the department's needs. He has been set on midnights for the last two years and he has been doing a great job. He changes his hours weekly which is very difficult to get somebody to do that to change their days every week for a couple of days a week. What is going to happen to Caesar is that if he is appointed provisionally he will have to pass the civil service dispatcher's test which is given in March. He will have to score high enough to be retained. Caesar is going to replace dispatcher Joel Henriquez, who we nominated a few months ago. He will be moving into a part-time police and part-time dispatcher position. Joel will be hired off the current police list. He is a Village resident and a military veteran. He is bi-lingual. He is a police officer in the Town of Highlands up in Orange County. So we are getting a very good part-time officer, he should say officer, at a part-time rate. So he is going to ask the Board to provisionally put Caesar in that position until the test comes up and the results come out. A motion to appoint Caesar Munoz was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

Chief Osborn said that he had two other things which he spoke to them about the other night. He said that the first one was that we received a request from the Tuxedo Police Department in Orange County and the Tuxedo School District. He said they have been contacting him. He said the Chief of Police had called him and the bottom line is that they do not have a DARE officer this year. They could not get an officer in DARE training. They are asking us to teach one class of 20 children each week for one hour. Chief Osborn explained to them that they would have to incur all costs if the

Board would go with it and they have agreed to incur all costs and any overtime that we would have to pay which would probably not be any for one hour a week. But they have agreed to incur all costs with the supplies and with the officer. Chief Osborn said that he thinks it is a good idea just for this year to give them a hand. They have called for our assistance and they have been very good to us over the years in the past, sending down commercial vehicle officers, etc. Attorney Rice said that just so everyone understands, we are going to be reimbursed the time. Chief Osborn said that he thinks we will be reimbursed and then some. Attorney Rice said that the only other thing that he would suggest is that they give us a hold-harmless agreement. Chief Osborn said that is correct. He said that he spoke to Attorney Rice about that and he actually wrote something up and he was going to bring it up to him tomorrow. Before we obviously start him, we will do that. A motion to provide a DARE officer to the Tuxedo Police Department was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

Chief Osborn said that the last thing that he spoke to the Board about was that Attorney Rice was kind enough to look at the MOU for the Marshalls. And he is just going to ask the Board permission to enter into an agreement with the United States Marshalls Service Fugitive Task Force. And basically what that is going to entail is very simple. He said that he is going to explain it very simply because there really is not a lot to it. It will entail us having an officer assigned to the U.S. Marshalls Fugitive Task Force. All that is going to take from us is that if the Marshalls do a regional sweep in this area, we will assign an officer for the day to assist them. The advantage that we get is that we will now have contacts nationwide for the Marshall services to pick up anyone that commits a crime in Suffern and flees. And he said he shouldn't even say it is nationwide. It is even international with the Marshalls. So the point being is that it is not a lot of commitment on our part. There is no money involved, no overtime involved. He said that he thinks Ramsey and several other departments in New Jersey and Spring Valley in Rockland County just signed up for the program. It is geared for smaller departments like ours. He said that Attorney Rice looked at it and he didn't know if he had any issues. He said that he was going to see Attorney Rice tomorrow but he just wanted to put it out to the Board to explain what it was.

A motion to enter into an agreement was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried. Chief Osborn thanked the Board and he said that he will go up and see Attorney Rice tomorrow to see whatever paperwork they have to work out.

Chief Osborn said that just a quick update. In January, they had 289 vehicle and traffic summonses. It was actually a very good month, it was actually a very busy month. And we made 44 arrests here in the Village. On January 10, we did a Rapid Deployment Drill - a critical incident drill - at Sacred Heart School. 18 Suffern officers participated in it and it went very well and he would like

to thank Officer Fennessy for that drill. And he would also like to thank Sgt. Bonkoski for doing all the research for the Auxiliary Police Force. So he wanted to thank them. He said that he will be here for the remainder of the meeting if any questions arise.

DEPARTMENT OF PUBLIC WORKS:

Supervisor Dan Haglund said that he had a few items on the agenda. He said that people may have seen Lou's Tree Service out, Orange and Rockland and the DPW. He said they are going around cutting trees around the Village - pruning them back. If anybody has a tree on their property on the Village easement, feel free to call the office and they will come and take a look at it. Also, in the Fall, they will be planting trees. Trees that they pruned throughout the Village. There are going to be spots that people might want a tree planted. Once again, feel free to call. Also, on March 18, Chestnut Street is going to be shut down. They are going to redo the railroad tracks. It will be a little bit of inconvenience but that is the best time that they can do it. It will be March 18 and it will be shut down for roughly one week. Everything will be posted and everybody will be clear on that. He said that the next thing is roadway improvements. WJL is on Sunderland Place right now and after that they are going to Millbury and after that possibly Burlington. It will all be posted as to when they are going to be doing all this. They are making good progress. If anybody has any questions, feel free to call the office and they can discuss it.

A) Payment to WJL Equities Corp - \$85,751.64:

The Mayor said that we have to make a payment to WJL Equities. The Village Clerk said yes, that is for the road improvement. The Mayor said this is a payment for the roadwork in the amount of \$85,751.64. A motion authorizing the payment was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

AUDIENCE PARTICIPATION:

Al Ross, owner of Royal Tees at 29 Lafayette Avenue said he is here for one reason. Carl Rossi. He said he only met this man ever since he has been in the Village when he was hired. He said he thinks he is a dedicated employee and he is a helluva guy and he gave them everything they ever wanted. He was a guy right there. He said he doesn't know all the issues but he knows that he doesn't believe it is an issue for dismissal. He said he knows there are lots of little things that we all make mistakes. He said he doesn't know what his mistake was but he is a good man. That is all he has to say.

Francoise Gross of 4 Vista Way said that it seems to her that there is a possibility for anybody looking at this Village Board to feel there is a possibility of impropriety, that is, that some members of the Board are having too many members of their family either hired or getting promotions or whatever. And to her that looks like the Board is voted sometimes, everybody voted for some things, that the Board might be seen by some people as corrupt. And to her, as a resident of Suffern for 35 years, she finds it really very upsetting. The Mayor said that is a pretty stiff accusation. Mrs. Gross said that is all she can say. And she feels that way - very strongly - and she knows a lot of people that do. And she talks to a lot of people, as you may know. The Mayor said that if you can be specific in your allegation, that would be appreciated. He said you say members of the Village Board. Could you be more specific. Mrs. Gross said that you have a Trustee right now who is not here. The Mayor said okay. But two of her children have gotten a summer job, which is okay, but there are a lot of kids who need jobs. And apparently, from what she read in the newspaper, her husband was promoted. The Mayor said no, no, there is no promotion. Mrs. Gross said it was written in the newspaper. It is also written in the newspaper. The Mayor said they were hired to run the Clifford Theater. Mrs. Gross said that it is also written in the newspaper that because the engineer didn't approve his promotion, didn't find him qualified, he is now on unpaid leave on the 15th. She said that she understands that it is going to be a closed meeting. It won't be open to the public. Where this man will be either fired or let be. She finds all of that kind of ethically, if we had an ethic here, we would find it unethical. The Mayor said that he doesn't want her to feel that way. He said that we have been an open Village Board and they have nothing to hide and they can justify everything they have done. Mrs. Gross said good. She wants to be sure that it will be that way. The Mayor said that as far as her allegation, you could possibly look at it in that respect. Our Trustee that is not here has two kids who are basically running the Clifford Theater, which is a short-term program which they ran last year and they did a tremendous job. Only because we felt, and he asked Mrs. Curtin to correct him if he was wrong, because nobody else wanted to run the theater and they thought that would be a shame to let something that nice go. And they do, as the people before them, get a stipend for running that theater. But it is not employment in the Village as if we hired them either part-time or full-time to be on our payroll. Mrs. Gross said that she is going to tell them what she feels and what a lot of people feel. That is all.

Jim Giannettino of 2 Memorial Drive said he had a question on Mr. Rossi. Is this an open-end suspension or is it a fixed amount of time. Is he going to stay out there until and if Pat Burke decides to hold this hearing. Attorney Rice said it is not a question of Pat Burke deciding to hold the hearing. Mr. Giannettino asked if the Mayor could answer some of these questions once in a while. Attorney Rice said it was kind of a legal question so he thought that he would jump in. Mr. Giannettino said the Mayor is the Chief Operating Officer of the Village, he is the one who signs

discipline for the employees who report to him. The Mayor said right. So what is the question again. Mr. Giannettino asked if it was an open-ended suspension, is it a fixed suspension. Does he just have to stay out there and wait. The Mayor said he doesn't think that is information that Mr. Giannettino needs to know at this time. Mr. Giannettino said that he doesn't think that that is protected information. He is not asking for the reason for his suspension. It was posted in the papers as a 30 day. Mayor Keegan said he is making no comment on that based on the fact that the hearing hasn't come yet. Mr. Giannettino asked how long does this man have to stay out there and wait for this hearing officer. He is out 34 or 35 days already. The Mayor said the man was suspended for 30 days. Mr. Giannettino said then he should be back at work. The Mayor said with pay. The Mayor said that after the 30 days he is suspended without pay until the outcome of the hearing. Mr. Giannettino said that was his original question. The Mayor said the hearing was supposed to be the 31st and it was postponed to this Friday. Mr. Giannettino said by who. Who postponed the hearing. Attorney Rice said the hearing officer was not available on that date. Mr. Giannettino said okay, he just wanted to get that straight.

Mr. Giannettino said that there is something else he would like to say about Mr. Rossi's suspension. He said that he feels that they probably could have handled it with a letter of warning in lieu of a suspension. By doing what you did, you are just trying to kill the man's credibility with his employees. He said he doesn't think he killed anybody. He doesn't think he robbed the Village Hall. So he thinks it could have been held or handled in a way where the man can go back to his employees and be respected and not looked upon like he was a criminal. He said if they would care to comment on that. The Mayor said that since Mr. Giannettino doesn't know all the facts that have been going on for the last two years, we'll take his comments into consideration. Mr. Giannettino said okay, he appreciates that. So what he is being led to believe is that you have piled on whatever infractions this person has committed over the last two years and lumped them together into a big suspension instead of dealing with discipline as a progressive corrective action. The Mayor said again, he is not commenting on that. Mr. Giannettino said okay, you can or you don't have to. That is entirely up to him. But these are questions that he thinks are relevant to what is going on. The Mayor said he doesn't think they are. Mr. Giannettino said that the Mayor is entitled to his opinion.

Mr. Giannettino said that another question he has on a different subject is that there have been one to two trailers parked on Wayne and Washington Avenue for the last four to five months. These are commercial tractor trailers. He asked if somebody in this room could tell him that they have never seen them who works for this Village. Two Code Enforcers, a Mayor and four Trustees. Nobody has gone by there and seen these trailers there for the last three, four, five months. The Mayor said that has been brought to the Code Enforcer's attention. Mr. Giannettino said he did, three months

ago. The Mayor said he did recently. So he is waiting to hear back from him as to who owns the trailers and what they are doing there.

Mr. Giannettino said another issue is the four cars that are parked in front of 208 Orange Avenue constantly. The Mayor said that according to the Code Enforcer, they are allowed to park there. Mr. Giannettino said excuse him. The Mayor said that according to the Code Enforcer, they are allowed to park where they park. Mr. Giannettino said he would check with the Planning Board because he attends Planning Board meetings and that was explicitly denied them the right to park in front of that building. The Mayor said he will have to take that up with the Code Enforcer. He said he just discussed that with him this past week.

Mr. Giannettino said that another issue that he has is that you just voted to pay somebody \$30,000 to do something - Saccardi and Schiff. He asked if that was in the budget. Trustee LaCorte said no it isn't but we are going to put it into next year's budget. Mr. Giannettino said then they are not going to get paid until after June then. Trustee LaCorte asked Treasurer Zordan if we decided to prepare a resolution to put part of it - he said he thinks he is still splitting up how we are going to do it.

Mr. Giannettino said he had one final question. He said he heard the Chief ask for a provisional full-time dispatcher. Is there a vacancy? Chief said that Joel Henriquez is the full-time dispatcher right now. Joel is reachable on the civil service list. We are going to establish - we actually have it already - a part-time police position that is unfilled and we will put Joel in that. We will then take Caesar and put him in Joel's position. And we also have a position that the Chief never filled for this reason hoping to be able to get Joel. I would like to be able to keep Joel. He is Hispanic and he can use another Spanish-speaking officer. Mr. Giannettino said he is not trying to give the Chief a hard time. He just asked if he had a full-time position. The Chief said it is okay. He just wanted to explain what positions are there. And yes, when Joel moves in there. Joel is in front of personnel right there.

Mr. Giannettino said that one of the prior speakers brought this up. In regards to what you said was not a promotion for Frank Abato, to his knowledge that position or whatever you are calling it was created in August of this year. Is he correct? Trustee LaCorte said that what occurred is that we had a vacancy in terms of one of our operators no longer being employed with the Village. Mr. Abato, who has been with the Village for over 20 years, was taking classes to become an operator. So he is stepping into that vacancy. Mr. Giannettino said you didn't have to get approval for this position from personnel? The Mayor said yes, we did get approval, as far as he knows. Mr. Giannettino said he believes that happened in August and that was his question. His second question is how do you pay somebody back pay to the previous January for a position that didn't exist until August. The Mayor said because he was working in that position as that title since January. Trustee

LaCorte said it wasn't the previous. It was that same year - January. It was January in the same year. Mr. Giannettino said he understands that. But you just told him that you had to get approval from personnel for this position. How do you pay someone for a position that did not exist for six months. That is his question. Trustee LaCorte said the person was doing the job due to the fact that there was a vacancy. Mr. Giannettino said that you just told him that the job didn't exist. Trustee LaCorte said that there was an operator - that was vacant. Mr. Giannettino said then he was holding the operator's position. Trustee LaCorte said he was filling in and doing the job as of the time that that position was vacant. Obviously, you have two operators. If you lose an operator, presumably the plant is being operated, Mr. Abato was acting as an operator. He was taking classes as of the time that the employee was no longer there. So he was given the position to fill in the position while he was training and taking the classes as of the time that he was actually performing the duties of the job. Mr. Giannettino said that you are telling him that the person wasn't qualified, he was being trained for the position. He was holding the position. The Mayor said the position was called trainee. That was the name of the position - operator-trainee. Mr. Giannettino said he was just told by Trustee LaCorte that he was fulfilling the position of an operator which he was not qualified to do because he was in the process of getting training. Now, he said he knows he is going to get another answer that is going to lead to more questions, so he is going to leave it there. Mrs. Gross said something that couldn't be heard. Trustee LaCorte said she was talking out of turn. Mr. Giannettino said that at this point the money isn't the issue Mrs. Gross. The Mayor said that if you are singling out Mr. Abato, he wants to point out to the crowd in the room here that along the same line, we gave back pay to our Supervisor of our water operations, to our Chief Operator of our Water Department, to our Supervisor of DPW - he's getting back pay. And a lot of this back pay - the reason this administration has to give it to these gentlemen is because it wasn't done as it should have been done by the previous administration and when the State came down on us and said make these people whole, that is exactly what we did. Mr. Giannettino said that has absolutely nothing to do with it. Their titles may have changed and increased their salary. You paid them back pay when you signed the contract a year after you got elected. So that has - you are trying to tell somebody who knows exactly what is going on. You can tell that to someone that doesn't know what is going on. The Mayor said that it's almost like hiring a police officer and spending \$30,000 to have him trained when you have two people already trained. You could have saved that. Mr. Giannettino said that that police officer took a civil service test. The Mayor said I wonder who that was. Mr. Giannettino said took the civil service test, passed the test and waited four years. The Mayor said so did all the people - the people you talked about on the radio this morning passed a civil service test too. Mr. Giannettino said who, who? The Mayor said don't you remember saying nepotism on the radio this morning. Do I have to bring that up to you. Mr. Giannettino said absolutely, positively. The Mayor said about my relative who is not my relative, by the way. Mr.

Giannettino said oh, okay. The Mayor said or about Caesar who is in fact not Ms. Abato's relative. Mr. Giannettino said that the difference is that Mr. Giannettino puts his name on what he says. He doesn't send out e-mails as firechief@aol.com. The Mayor said then maybe that is why you are an ex-mayor. Mr. Giannettino said that's okay, he has his integrity and that is more than you. The Mayor said he will see him in two years. Mr. Giannettino said thank you. The Mayor said have a good life. Buy a fishing rod. You have a nice lake across the street from you.

Michael Curley of 80 Orange Avenue said he had a couple of notes. First of all, as far as the auxiliary police force, he thinks we should nominate Andy Haggerty as the first police officer for that job as Mr. Suffern there - that was on a lighter note there.

Mr. Curley said that an issue that has a little bit of his concern here is the deficit in the Water Department which stands at approximately \$600,000 right now. And he thinks - he doesn't want to make it a confrontational issue - he thinks it should be an open issue that the whole Village should be aware of. At this point right now we are aback approximately \$600,000 that we are behind. And there are certain rules that we have to go by in how we can put money in or take money out. So we are restricted in that way. So after listening to different issues, he was wondering maybe - if he is correct - that the Sewer Department has extra money whereas the Water Department is low. He said the Sewer has extra money. The Mayor said we thought about that. We can't take money from the Sewer Department. Mr. Curley said he realizes that. He said he knows you can't take it. He said he knows you are not allowed to take it according to State law originally because Federal money was put into that. That is the basis for that. But his thought process was that if we were going to fix it, we would have to raise approximately 25% for a good three years just to average it out. And most people here can't afford 25%. We can barely afford 2%. But if you could then - one form and he thinks it has to be a mixed bag of how you cure this problem. One form is maybe to adjust it by lowering the sewer rate so that if you did do an increase in the water rate by 25% you could find a way to lessen the load on the customer by lowering the sewer rate. That would be separate. That would be a different issue. He said another way, maybe, and he doesn't know if this is capable or not, of making it into one agency in the Village. Putting it all together. You may be allowed to do that by State law also as another option. And he only makes those recommendations because he knows we have no money here and some money there and how do we get them to meet each other. And his third recommendation, not a recommendation, is that he knows that we have thoughts of maybe selling water to United Water or not. He is just saying be open on everything but it doesn't have to be one solid thing. He said to have a nice day and he hopes that Andy takes the job as auxiliary police officer.

Adam DiStefano of 19 Prairie Avenue said that he had one thing that he really would like to talk about and that was the accusations as to how the Village Board's family members are being given unfair

opportunities for work. He said he takes this as a personal attack being a Village employee. He said he has been a lifeguard at the Suffern pool for two years and he finds it an outrage to be accused because his Uncle is the Mayor saying that he doesn't have the right qualifications to get a job because his Uncle is the Mayor. He shouldn't be given the same opportunity as everyone else to own the job that he worked for. He said he put in over 6 months of work in his school training to become a lifeguard and he worked hard to make sure that he could get that job in the town. That was something he really wanted and he worked hard for it. He said he knows that the ex-Mayor's son was hired as a police officer during his term. Should he have not been given the same opportunity as he had because his father was the Mayor. No. From his understanding, he is a great police officer and he deserved that shot. And the thing is that you should be given a shot based on your qualifications and everyone who has been given that shot whether they are family members or not it seems that they have all done a great job. He said he knows he has done his job as a lifeguard well. He made sure of that. He said he takes pride in his work and he knows that everyone of them do take pride in their work and having a family member on the Board has nothing to do with him or them getting a job. It is how we are qualified for that job.

Trustee Haggerty said he would like to say something on that as well. He said he would disagree with the hiring of any member of the Board's family if they were not qualified. The fact that they are qualified - the police officer was qualified - he said he would have been happy to vote for him had he been on the Board at that time as well and he doesn't think that qualified people should be disqualified because of being a family member. As long as they qualify for the job, and incidently they are very good at the job, he said he doesn't think that we have a big problem of nepotism.

The Mayor said he would also like to just point out that Jim Giannettino, Jr. is an excellent police officer and he is an asset to this community.

VILLAGE CLERK:

A) Approval of Minutes of Special Board Meeting - December 18, 2007:

A motion approving the minutes of the special Board meeting of December 18, 2007 was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

B) Approval of Minutes of Regular Board Meeting - January 7, 2008:

A motion approving the minutes of the regular Board meeting of January 7, 2008 was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

C) Request to Pay Global Crossing North American Networks and Global Crossing Telecommunications (\$420.02 Refunds for Overpayment

of Taxes):

Village Clerk Virginia Menschner said this item is a request to pay Global Crossing North American Networks and Global Crossing Telecommunications \$420.02 as a refund for overpayment of taxes. A motion approving the request was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

D) Resolution No. 3, 2008 - Key Bank as Official Depository:

Ms. Menschner said that this Resolution is naming Key Bank as an official depository. The Union State Bank is now called Key Bank and we need a Resolution.

RESOLUTION NO. 3, 2008

RESOLVED, that Mayor John B. Keegan and the Village Board of Trustees of the Village of Suffern, New York do so hereby designate that "Key Bank" as Official Depository for the Village funds, as per Section 4-412 of the Village Law of the State of New York.

A motion approving the Resolution was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

E) Robert Geneslaw - Contract for Professional Services for 2008:

Ms. Menschner said this is for the agreement for 2008 for the contract for professional services of Robert Geneslaw. Trustee LaCorte asked if there was a number. A motion to contract for professional services with no change of the previous years amount of \$10,000 was made by Trustee LaCorte, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

F) Riddick Associates, P.C. - Contract for 2008 Engineering

Services:

The Village Clerk said this is the contract for the 2008 engineering services and she doesn't believe that any of the rates have been raised since last year. Trustee LaCorte said there is no sum. It just lists the hourly rate of various people and it references the payment which is on file with Virginia. A motion to approve the 2008 engineering services from Riddick Associates was made by Trustee LaCorte, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

G) Rockland County Rejecting and Canceling Certain Village Tax Assessments (\$3,760.23):

Ms. Menschner said that Rockland County has notified us that we have to cancel a certain Village tax assessment in the amount of \$3,760.23. This is for the Board's information because that does change our warrant. Attorney Rice said that is just to advise us. No action is necessary.

H) Request to Adjust Solid Waste Billing (\$945.00):

The Village Clerk said this is to reduce two solid waste bills of homes that have been demolished and are no longer having collection. A motion approving the request was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

I) Authorization to Advertise for Bids for Refuse and Recycling Collection - Return March 3, 2008 at 11:00 a.m.:

The Village Clerk said this is the year that we have to advertise for bids for refuse and recycling collections. She said she is requesting that they be returned March 3, at 11:00 a.m. A motion authorizing the advertising of bids for refuse and recycling collection was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

J) Request to Adjust Tax Warrant (Deduct 120 Orange Avenue - \$532.00)

Virginia Menschner said this is a request to adjust our tax warrant to deduct 120 Orange Avenue, which is property which the Village bought, in the amount of \$532.00. A motion approving the request was made by Trustee LaCorte, seconded by Mayor Keegan. Upon vote, the motion was carried.

K) Declare Motor Vehicles and Sewer Cleaning Machine Surplus:

The Village Clerk said we have about five vehicles and a sewer cleaning machine as surplus and she would like to have them declared surplus and have bids come back on March 3 at 11:15 a.m. A motion declaring the items surplus with bids to be returned March 3 at 11:15 a.m. was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

The Village Clerk said she has one more article. She said we would like to set a public hearing on United Water's proposal about water. The Mayor said he would just like to explain that for a second. He said that again, keep this in mind that this is merely a proposal. He said that a while back we threw an astronomical number at United Water of \$200,000 a year for three months peak period of a million gallons a day. United Water has now said that they will accept that proposal. Before we make any decision whatsoever on it, we want to have a public informational meeting which we will set up tonight - a date for. And again at that time we intend to go into that with a little more detail and of course listen to our residents concerns.

A motion to set a public informational meeting regarding the sale of water to United Water on March 10, 2008 at 7:50 p.m. was made by Trustee LaCorte, seconded by Mayor Keegan. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said just to set the record straight, he is not related to any Board member, past or present.

A) Report & Resolutions:

Treasurer Tom Zordan said he had a list of Resolutions and he thought maybe it could be one resolution since they are all Board budget amendments. He said he will start off by indicating because one of our audience members was concerned about our deficit. He said that we do have a plan in place other than just raising rates haphazardly to shore up the deficit and some of these amendments here are going to help reduce the deficit. He said he would just like to read off these amendments and then have the Board vote on them. He said he would like to amend the 2007/2008 Water Fund line item as follows:

Decrease line item 9950.0009.0001 by \$117,600 and increase the contingency line item 4400.0014 by the same amount \$117,600. And this will be set aside for deficit reduction. He said he would like to close capital project 2003.0014 Water Department improvements and return the project balance to the Water fund. That amount is \$6,457. He said he would like to reduce the authorization of the capital project 2004.006 Water Department improvements by \$49,327 and return the excess funding to the Water fund. He said we then want to cancel the capital project 2008.003 Building Repair Operation Center for \$100,000 and the 2008.005 Manganese Control Center project in the amount of \$17,600. Those are all related to

the Water Fund and capital projects and they will assist us in reducing our deficit in the Water Fund.

Mr. Zordan said then we have another capital project that we would like to close which is 2002.003 Vehicles and Equipment and transfer that balance, which is \$48,295 to capital project 2008.008 dump truck with plow and spreader. This way we can go ahead and buy that truck. We would like to increase the debt service fund budget as follows. Transfers in from capital fund \$69,133.75 and debt service interest \$69,133.75. The reason for this is the monies that we borrowed to do our road repairs he has managed to generate enough interest that he can use that money to pay off our first bond interest payment therefore it is not being of any cost to the Village. Then we would like to increase the capital fund revenue budget by \$30,000 for a grant that was received from New York State and then we would like to increase the expenditure budget by \$30,000 for the purchase of a generator which is right outside. So the cost of the generator and the grant was the same amount of money so we got the generator for nothing. And next to last, increase the authorization for capital project 2005.002 by \$60,600. This is for the installation of the generator at the Community Center. He said he would like to increase the funding for this project by \$40,000 in the form of State aid which we have already received a grant for. And lastly, just another budgetary item, where no actual money is moving but there is an amount of money and that is in the Sewer Fund. We have to change the authorization for salaries by \$8,136. And that is it.

A motion to make the changes to the budget as enumerated was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

Mr. Zordan said for his monthly report, we paid down \$215,000 of bond debt. That was a final payment for this fiscal year ending 5/31/08. Our outstanding bond debt is \$6,085,000, of which \$675,000 is scheduled to be paid during the fiscal year beginning June 1, 2008. We have started the budget process for the next fiscal year and everything is moving along in a timely fashion. Interest earnings for the 8 months ending January 31, which is excluding the capital money that he talked about, is \$136,326.07. This is 93% of our annual budget of \$146,000 and his calculations are that we are going to surpass that number. Of our solid waste invoices that we sent out, \$520,485, we have collected \$368,263 through January 31. We are ahead of last year's collection base. Mr. Zordan said that is all he has this evening.

Trustee LaCorte said that he would make a motion to award the bid for a 2008 Ford F450 in the amount of \$59,775 to Warnock Automotive

Inc. The motion was seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

MAYOR:

The Mayor said the Village would like to hire their own Building and Fire Inspector. Up until now we have been using the Town of Ramapo's and we have two qualified individuals - none of them being his family members. They are on the list. They have taken tests. One is currently working as a Fire Inspector in the Village of Montebello and we would like to hire the Building Inspector at \$35,000 a year. It is a part-time job. And the Fire Inspector for \$30,000 per year. The Mayor said that just for informational purposes, with our contract with Ramapo we were paying \$50,000 up front for two part-timers and then we were paying \$50,000 out of the first building fees, penalty fees that came in from our departments and after that \$50,000, we were splitting whatever came in after that. This year we would have probably spent about \$180,000 for two part-time employees. So now it is down to \$65,000. So we intend to save money in this respect and also to have some of our residents employed in these two jobs.

The Mayor said he would like to make the motion to appoint Frank Wilson as Fire Inspector at \$30,000 a year. A motion confirming the appointment was made by Trustee LaCorte, seconded by Trustee Haggerty, who said he would also like to thank the Town for giving us this service for the past several years. He said that he knows that when he came into office at one point, we didn't have a real good system set up and the Town was willing to help us out with the understanding at that point, and that was Mr. Reisman who was here then, that when we felt we could put our own people in there who were qualified, that we would not be contracting with them. Now is the time that we feel that that time has come. The Mayor said he would also like to agree with that and thank the Town of Ramapo for helping us out in that area and at the same time we would like to send out a notice tomorrow giving them 45 days advance notice of our intent so that hopefully they will keep their Fire Inspector and Building Inspector around to help us through this transition.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

A motion to hire Ken Carr as Building Inspector part-time at \$35,000 annual salary, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

The Mayor said congratulations to these two gentlemen and we welcome them aboard.

The Mayor said that we would like to vote on our computer services agreement with Teck Spectrum. Attorney Rice said we went back and forth a number of times trying to get this in a form that substantiated what the Village Board wished. The contract presently calls for 30 hours of call time at \$95 per hour, which is \$2,850 a month. This would deal with all of the Village's various computers. If additional time is needed, that would also be billed at \$95 per hour. The agreement is cancellable or for that matter renegotiable on thirty days notice and the hours will carry over from month to month so that as we feel our way through the process, if thirty hours is sufficient, that's fine. If it has to be adjusted one way or another, then we will have the ability to do that. This will be 30 hours which computes to \$2850 per month. Trustee LaCorte told Adam that this will take care of all our needs as you have expressed at several Board meetings. It will bring the Village into the 21st Century, a few years late, but we are getting there. A motion to adopt the contract from Teck Spectrum as explained by Attorney Rice was made by Trustee LaCorte, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato, Trustee John Meehan

The Village Clerk said that she had one item to bring up. She said that the Chamber of Commerce was going to have their Street Fair on September 14 but they are now changing it to September 7.

A motion to adjourn the meeting at 8:50 p.m. was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.