

**SPECIAL Village Board Meeting
Wednesday, February 23, 2011**

A special Village Board meeting was held on the above date at 6:00 p.m. with the following members present:

PRESENT: Mayor Dagan LaCorte
Trustee Bruce Simon, Trustee John Meehan
Trustee Jo Meegan-Corrigan

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

ABSENT: Trustee Patricia Abato

The Mayor said the first item of business is not on the agenda, but as the budget timeline says, you all received copies of the budget today. You are going to have a period of time to do what Tom and he and Bruce to a large degree have been doing. It is to go over the budget and schedule a meeting with the various department heads. The Mayor said he would leave it up to them individually, each Trustee. They can e-mail the department heads and set it up at your convenience. Again, if we could have two Trustees meet at once it would be nice. So maybe what he will do is send out an e-mail and include everybody and that could be a basis. He said he remembers everybody is busy so if they can meet with two Trustees at once it would save time. The Mayor said that just so you know, currently where they stand, and it is a lot of hard work. The general fund is at a 2.34 increase despite a 40% increase in pension costs. 2.20% in the water fund despite the fact that we are paying off our deficit. And a 2.0% increase in the sewer FUND despite the fact that we are starting to pay on the millions of dollars that we borrowed to fix up the plant. So a lot of hard work. A lot of cost cutting and creating efficiencies to get us to this point. And he hopes that the Trustees will have input that can even make it better. In that regard we have scheduled our budget hearing, since we changed the whole deal where instead of having a hearing and adopting it the same night, we have a hearing, let the public participate and then give everybody a couple of weeks after so we can consider what they say and then reflect it in the budget and then ultimately adopt the budget. The Mayor said he believes that at the April regular Board meeting they are looking to adopt the budget. We had scheduled, he believes, March 15 for the budget hearing, the initial hearing where everyone participates. The important step. The Mayor said he will not be available. He will actually be out of town. So soon after he would hope if we could have a meeting. The April Board meeting is April 4. So the 28th would be one week. The 21st would be two full weeks. So he wants to give people at least two full weeks. He asked if anyone was available on Thursday, the 17th, unless we want to do it - it was mentioned that it was St. Patrick's Day. The Mayor said this is the situation. He said he will not be getting back until late the 16th. And we are going to adopt the budget on April 4. He

said we can do it two weeks before and he thinks two weeks is enough time to let the public have their input especially because we are going to post the budget on line very soon. So it is going to be up for a month. So he thinks we can post the budget currently where it is before the Trustees reflect their comments and then we can just update it. So what he will do is - he asked Gail if she could please speak to Tom and they can post the budget and send out an e-mail to that effect. The Mayor said post all the budgets and then that way everyone will get to see it for a good month before it is finally adopted and we can update it after whatever changes are made reflecting the Trustees input. The Village Clerk asked if the Mayor wanted to set a date for the public hearing because she was going to do it at the next meeting. The Mayor said the official public hearing - the Mayor said we are adopting the budget on the 4th. The Village Clerk said then you want to have a public hearing on the 4th. The Mayor said no. Remember we changed it. On the 21st we are looking to have a meeting - the actual hearing. The Village Clerk said this March 21? The Mayor said this is the public hearing. And he found out and we looked into the law that we can close the public hearing but we do not have to vote on the budget. So he would like to have the public hearing on March 21 and then on April 4 to have a vote to pass it at a regular Board meeting. The Mayor asked if everyone was okay for Monday, March 21 at 7:00 p.m. All the Trustees present said yes. The Mayor said that 7:00 p.m. on Monday the 21st will be the public hearing for the budget. The Mayor said he will have Tom - the Mayor asked Gail if she could possibly send an e-mail and copy him and Tom and say this is the meeting on Monday, the 21st at 7:00 p.m. to adjust the timeline accordingly and to also post the budget immediately on line, please? So that way we can let everybody know what is going on. The Mayor asked if there were any questions on that. He thanked Gail. The Mayor said Monday, March 21, the public hearing at 7:00 p.m. and then the adoption of the budget at the regular Board meeting on Monday, April 4.

The Mayor said the first order of business - why we initially had this meeting and now it is expanded because we have a lot going on. The Mayor said the appointment, for the first time in the history of the Village of Suffern of our very own chief operator grade 4A.

The Mayor asked Charles to come up and briefly talk about what we are doing so the public knows and introduce Don.

Charles Sawicki said that tonight we would like to appoint Don Tuscano Jr. to the chief operator grade 4A wastewater position. The position number is 0296 and it has been approved by Rockland County. Mr. Sawicki said that we have been very fortunate to be able to recruit Don into this position and his salary will be \$88,124 per year. The Mayor asked when Don is going to start. Mr. Sawicki said that we have had some discussion. Don will be able to start April 4, 2011. That could be a Monday. The Mayor asked if anyone had any questions. The Mayor asked Charles if he had anything else to say about it. Mr. Sawicki said that he was glad that we were able to reach an agreement with him.

The Mayor said he believes all the Board members met with Don and we are all impressed by his experience and knowledge. And this is a great, great thing for the Village of Suffern. It is really going to improve our operations. Don really has a wealth of experience in operating these types of plants. He will see us through the overhaul. And in addition it saves us a significant amount of money because we are creating efficiencies with the operations. A motion to appoint Don Tuscano Jr. to the position of operator 4A at our sewer plant was made by Trustee Simon, seconded by Trustee Meehan, and Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Bruce Simon, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Patricia Abato

The Mayor welcomed Mr. Tuscano aboard. He said this is great. The Mayor said this is a big moment for Charles. He said he knows this is something we started talking about a long time ago in hoping to get the right candidate. Congratulations for staying on top of it and continuing your effort to fix the sewer plant, which is long overdue. The Mayor thanked him. He said he really, really appreciates it. On behalf of the Board, we are really impressed on what you have been doing for us.

POLICE DEPARTMENT:

The Mayor said for this next item the chief is not here but he has two small items he asked the Mayor to bring up.

A) Request to Send P.O. Rick Marsh and P.O. Mike Sanford to "Active Shooter Response School" - April 5-7, 2011 - \$990:

The Mayor said this is a request to send Police Officers Rick Marsh and Mike Sanford to "Active Shooter Response School" April 5 through 7, 2011 at \$990. The amount is budgeted - it is currently in the budget. A motion approving the request was made by Trustee Simon, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Bruce Simon, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Patricia Abato

B) Permission to Enter Police Vehicles into Ringwood, NJ St. Patrick's Day Parade - March 26, 2011:

The Mayor said this request was for permission to enter police

vehicles into the Ringwood, New Jersey, St. Patrick's Day parade on March 26, 2011. A motion approving the request was made by Trustee Simon, seconded by Trustee Meehan. Upon vote, the motion was carried.

RECREATION:

The Mayor said we have an item here that we discussed initially at the budget meeting. The Mayor asked Trustee Simon if he wanted to talk about it as well as Gail. It is something we are very excited about. Trustee Simon said he would let Gail start off - ladies first. Mrs. Curtin thanked him.

Mrs. Gail Curtin said she thinks they all have a copy of a letter from her to the Mayor and the Board was all copied on February 18. Mrs. Curtin said she would like to start by reading that letter, if she may. The Mayor said okay.

Honorable Dagan LaCorte:

During a budget meeting this week a conversation ensued concerning the pricing of membership and guest passes for the Suffern Memorial Pool for the 2011 season. It was suggested that increases be incurred as follows: children formerly paying \$40 for a seasonal pass to \$45. Adults currently paying \$55 - suggested fee \$60. In addition, the guest passes for weekdays that are currently \$5.00 - suggested increase to \$7.00. And guest passes for weekends and holidays that are currently \$7.00 to \$9.00. Further, it was suggested that the pool open on Saturday, May 28, Memorial Day weekend, and remain open on weekends and the Memorial Day holiday until the pool opens for the season on Saturday, June 25. It is anticipated that the new fees will help to defray the costs of the expanded pool schedule.

Mrs. Curtin said that basically what they are looking at is three things. We are looking at the suggestion to increase the membership fees; they are looking at the suggestion to increase the guest passes; and we are looking at expanding the season.

Trustee Simon said that this is a conversation that Mrs. Curtin and he has had on and off for the two years - probably at least two years if not longer - and he knows other people have in the past. The feeling regarding raising fees, while it is not easy and nobody wanted to do it - in reality nobody could remember the last time the fees actually went up. Mrs. Curtin said that she has that information tonight. Trustee Simon asked when was that. Mrs. Curtin said in 2005. Trustee Simon said that it has been six years since the fees have gone up. And our costs we know have gone up. And some of them appreciably in that time. This is not meant in any way, nor was the increase to the guest passes as revenue generation. More of to kind of offset what we are already laying out. There is no profit being made. Nobody is getting rich on this money. And the money that we anticipate bringing in based on the number of passes that we have issued in the past few years, the \$5 increases for the season passes

- \$5 per person - should offset the cost of opening for these nine days. To be fair, this is an experiment. We haven't done this much if at all. And we will see. There was talk about opening earlier, opening more days. And we figured do it for weekends. If something doesn't seem to be working, we then have five weekdays to make a correction before we go back in the water as it were. So we just felt that this was the best possible way to engineer this as it were and hopefully people feel the same way and people are able to take advantage of the expanded season. It is 9 extra swim days. The Mayor said especially when the economy is bad. It gives people something to do.

Trustee Meehan said he thinks that it is obviously very reasonable and he always thinks it is the biggest bang for our buck - the pool. He asked if Mrs. Curtin ran this past the recreation committee. Mrs. Curtin said yes, what she would like to tell them is that the recreation board actually spent several hours prior to her budget session, and although this information was not necessarily what came from them - she would like to clarify that - they were bringing to the Board the suggestion that the guest passes be increased and in fact they were even looking at a higher rate. So they will not be totally surprised by this but it is not exactly. Her intention was to tonight, after this meeting, to send them an e-mail as a courtesy.

Trustee Simon said that one other thing he would like to address regarding the guest passes and the raising of the fees. Last year there were a lot of guest passes issued and through no fault of anybody who is on the staff there were a couple of times where there were incidents at the pool regarding guests and that kind of stuff. The hope, and this is something that they talked about during the meeting last week, the hope is by just bumping this up a little bit, bumping up the guest passes, people who would normally take six or seven or eight guest passes will now see that it will be more economical for them to take the season pass. We will then have everybody's name and address. We will have better tracking, better control of the people in and out of the pool which is the ultimate goal with this. Again, it is not about profit, it is not about revenue, it is about making the system better. Making it great - what is really a great system now even better.

Trustee Meegan-Corrigan said she thinks it is a great idea.

Mrs. Curtin asked the Mayor if tonight was the time that he also wanted to address the suggestions for how long we would be open on those days or is that just something that you are giving us the authority to do after you approve this. The Mayor said yes, he thinks you should do it. This is more the issue of obviously the change in fees. And he thinks it is great. It is really going to make a difference. A lot of pools open on Memorial Day weekend and weekends are great and it is going to save people money because they will have something to do. Stick around town. So we are very excited about this. So he guesses if anyone doesn't have any other questions, he would like a motion to amend the 2011 pool fees as set

forth in the February letter. A motion to amend the fees was made by Trustee Simon, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Mrs. Curtin said that she had two more things. One, is that she just wanted to mention that Lou Ciaccio is here tonight and she asked Lou if he was available to join us because he does a lot of the work on the pool with her and she just would like them to know that he had a lot of input on this. And she thanks him for that. And secondly, she was wondering if the Mayor would like to ask one of the Board members if he or she would like to spend a little bit of time with Lou and her. There are a few other recommendations that the advisory board had. They don't have to do with money. They do have to do with policies at the pool. And before she comes to them as a board, it probably would be advantageous for one of the Board or two of them to meet with them, if they would like. Trustee Meegan-Corrigan and Trustee Meehan volunteered. Mrs. Curtin said they would contact them about getting together.

The Mayor told Gail thank you so much for taking care of this so quickly. He said he believes they met about this last week. So it is great that we are moving forward. So he guesses in the next newsletter that we will make sure to inform the public of this. And there will be a lot of excitement. Mrs. Curtin said that she should just add this that by doing this their work needs to start tonight. They need to do everything that they normally do a month earlier. And they were at a point where they were just about ready with the calendar so they will do the best they can to get that staffed. They have a meeting tomorrow already and they need to get the calendar out in April this year. Trustee Simon said he knows that Mrs. Curtin doesn't sleep anyway so it is not really that big a deal. He thanked Gail and Lou. The Mayor thanked them both.

DEPARTMENT OF PUBLIC WORKS:

A) Requesting Authorization to Purchase the Replacement of Three (3) Effluent Water Pumps:

Mr. Charles Sawicki said he was requesting authorization to purchase the replacement of three effluent water pumps located in the basement of the control building at the Wastewater Treatment plant. He said that these pumps are 28 years old and are in very poor condition. The cost is \$16,737.66. He said that these funds are budgeted funds. The low bidder is Motion Industries Inc. of Teterboro, New Jersey. A motion authorizing the purchase was made by Trustee Simon, seconded by Trustee Meegan-Corrigan. Trustee Meehan said he had a question. He asked how many bids we had. Mr. Sawicki said three. The Mayor said this is all part of the capital improvement as we move forward with large items and small items. Trustee Meehan said what was the ETA on the project there. On the whole sewer plant - the digester. Mr. Sawicki said the cover? Trustee Meehan said yes. Mr. Sawicki said that they are hopeful that by the beginning of April they are going to be substantially complete. As a result of the bad weather they have experienced the

contractor has been working within an enclosure, or some people call it a circus tent, and the good news there is that he is continuing to work. The bad news is in that environment the productivity is reduced. So it does take a little bit longer. But they are hopeful that the beginning of April that we should, for the most part, have substantial completion of the cover. The Mayor said that is the first major step and it should also contribute to the odor reduction. We are also going to, as you'll see in the budget, continue with the odor reduction plan and have actually increased the budget for Siemens Odor Control. To answer Trustee Meehan's question, it is going to take two to three years to complete the build-out. One major, two major projects a year. The Mayor said he believes the centrifuge is the next major one and again it helps having Don here because he will do it. But again we are really moving forward. We have come a long way in terms of the physical plant and the personnel. One thing to note also, and he credits this Board, is that several months ago we agreed to have Bob Conklin take over and sort of supervise both plants and Bob Conklin, in working with Charles, realized, and he doesn't know exactly how you would say it, but if everyone seems to remember for a long period of time, about a year, we were trucking out sludge which is a substantial cost to the Village - you are talking about \$30,000 or \$40,000 bills for three and four months of trucking out sludge. Bob, working with Charles, identified a potential fix. It was pretty simple - burning a hole. Mr. Sawicki said it was the flare which burns off excess methane gas - there was a blockage in that piping and as a result we weren't getting the proper - we had difficulty pumping and processing to the centrifuge. So as a result of that we had to transport a lot of sludge off-site which was a costly item. The Mayor said very expensive. The Mayor said the bottom line is that we have fixed it - knock on wood - and we haven't trucked out any sludge since. So it is a savings of tens of thousands of dollars. So again we have the right people there and with Don it is only going to get better and we have committed the resources. It is a process but we are moving forward. So again, good job.

AYES: Mayor Dagan LaCorte
Trustee Bruce Simon, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Patricia Abato

B) Requesting Authorization to Purchase the Replacement of Two (2) Flight Scraper Drive Units:

Mr. Sawicki said he was requesting authorization to purchase the replacement of two flight scraper drive units located at the Wastewater Treatment plant primary clarifier. These drives are 28 years old and are in very poor condition. The equipment cost is \$13,398.92. These are budgeted funds. The low bidder is Motion Industries Inc. of Teterboro, New Jersey. A motion authorizing the purchase was made by Trustee Simon, seconded by Trustee Meegan-

Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Bruce Simon, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Patricia Abato

C) Requesting Authorization to Advertise for Bids for the Primary Sludge Recycle Pump at the WWTP:

Mr. Sawicki asked for authorization to advertise for bids for the primary sludge recycling pump at the Wastewater Treatment plant. Bids would be due on Monday, March 14, 2011 at 11:00 a.m. A motion authorizing the request was made by Trustee Simon, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

The Mayor said great job and again, Don, welcome aboard. The Mayor said he can't wait. He is excited. He can't overemphasize how significant this is for the Village.

The Mayor said there are two more items. One we just added just yesterday or today. It is 15 Washington Avenue.

CONSERV - 15 WASHINGTON AVENUE:

The Mayor said that everybody that is here, you have a packet with a list of items for 15 Washington Avenue - a zone change petition. This is for the building formerly known as Conserv Construction. As you all know the applicant wishes to build condominiums there and the first step in this process, obviously the Planning Board handles it, and it would be to refer this to the Planning Board. The Mayor said we are going for an MR-15 zone and that will ultimately, the Planning Board through hearings, will make the recommendation to the Village Board. Again, this is just to move it forward so it can get on the agenda for the Planning Board.

Trustee Meehan said that he thought that we had changed the procedure on that so that it could go directly to the Planning Board. The Mayor said correct except for zone changes, for example. There are certain things where we have a decision whether or not we want to hear it. So for example if somebody comes with an entertainment license, they have an inherent right to have their day heard. So really it is a formality but we have to do it to the Planning Board. With a zone change, it is up to us. So as Terry suggested that in such circumstances, we can simply say that we don't want to refer it. There is no due process requirement that we move forward. So we don't want to exceed that authority by eliminating that step. So even though to a large degree it is a formality it does represent some ultimate authority that rests within the Village as compared to other types of things which are really just a formality. Trustee Meehan said okay. A motion to refer

it to the Planning Board was made by Trustee Simon, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried with Trustee Meehan opposed. Trustee Meehan said he was opposed because this has been two years since the fire was there and that eyesore is still there and it is just not right. The Mayor said that is why we are moving this forward. To try to get it going.

PANNONE LOPES DEVEREAUX & WEST - ORANGE AVENUE SPECIAL COUNSEL:

The Mayor said the last item that he has on the agenda, which was tabled at the previous meeting, Pannone Lopes Devereaux & West - Orange Avenue special counsel. The Mayor said that at the meeting we discussed essentially we had previous special counsel. This firm came forward because they had particular expertise in the financing of such projects and actually were being consulted by Harris Beech. At the last meeting just prior to the meeting some Trustees had requested specific information regarding their experience. They had sent it to us but we felt that it would be better to give everybody a little more time to review their pertinent experience. The Mayor said here you have their experience in terms of individual lawyers and the work they have done. The Mayor said that he would like to note that in terms of their fees the bills, like Harris Beech, they have agreed to hold their bills until such time that we get a developer to deposit money in an escrow account, at which time they will be paid. So again, as he would like to stress because this is extremely important for the record that there will be no outlay of cash on behalf of the Village. That all money associated with these lawyers will be paid for by a potential developer. And as everybody knows we are working with Kohl and we are moving forward with them to achieve that end designating them as a developer. The Mayor asked if there were any questions.

Trustee Meehan asked if this was going to be a roll call vote. Trustee Meehan also said probably not. The Mayor said no. Trustee Meehan said just briefly. He had e-mailed Mr. Meyer - Josh Meyer - who was the gentleman from the firm. And he had asked him about their experience specifically in urban renewal. And he got back to him and said in addition the list of updated projects set forth in the qualifications were including qualifications of Sutcliff LLP who serves as special counsel to our firm on various aspects of these types of projects and has participated in preliminary discussions in connection with this project and has played a significant roll in the experience of this area by way of background in New York state for development projects for clients over the last years in the city of Elmira and the city of Corning and Oneida County including commercial and small manufacturing developments, housing, retail and hotel involvements. Trustee Meehan said he doesn't really mention urban renewal for these people and he doesn't think that he would have included this letter - Trustee Meehan thinks that the firm in question does not really have specific urban renewal credentials themselves and so he is going to be voting no on this because he thinks there are firms around - J. Hood in Haverstraw did this whole thing for the village of Haverstraw and he doesn't know if he was ever contacted. But it has been stressed in the past that

we want experienced people in urban renewal and this is a firm that doesn't have specific experience in urban renewal.

The Mayor said he just wants to make that clear. Urban renewal is just the form of which we are going about doing this. The most important thing in terms of urban renewal was coming up with an urban renewal plan and a designation study, which we have gotten to that point. We planned that. Now that is essentially the way in which we decided to proceed. This firm has experience in partnering in municipal private developer based development. So essentially at this point what is most important is experience and completing and building projects in which there is some sort of public-private arrangement. So ultimately, whether it is under the umbrella of urban renewal or a land-development corporation or private-public partnerships, however you want to coin it, he just wants to be clear that they do have pertinent experience. And again the reason why we were led to them is because Harris Beech, in terms of looking to see how we would structure this which makes the most sense for the Village and for the parties involved, was actually asking specifically this gentleman, who was special counsel, for advice on this. And they said, hey look, we are not going to give you free advice so that is the case. So again the Mayor said he just wants to be clear that urban renewal is, at this point, secondary to the fact that we have a specific project we want to build and we are looking for a firm that has experience in structuring and helping to finance such projects and that again is what is important so he just wants to make that clear. That they do have experience - significant experience. Again, they have a complete department that does municipal law. The Mayor said they said that we negotiate special procurement, municipal government clients, various things in terms of development, land acquisitions in terms of municipal work - developing and drafting requests for proposals and designing streamline process for the execution of the privatization of local city and town utility services, refinancing, infrastructure projects. So again extensive experience in municipal based development which ultimately is the skill that he believes we are looking for.

The Mayor asked if we have a motion and a second. Trustee Simon said he would make the motion, with Trustee Meegan-Corrigan seconding it. Upon vote, the motion was carried, with Trustee Meehan voting no.

A motion to adjourn the meeting at 6:44 p.m. was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

