

**VILLAGE BOARD MEETING
MONDAY, MARCH 2, 2009**

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

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

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

ABSENT: None

SET DATES FOR APRIL MEETINGS:

The Mayor said the dates for the April meeting workshop will be held on Wednesday, April 1 at 7:00 p.m. and the Village Board meeting will be Monday, April 6 at 7:30 p.m.

FIRE DEPARTMENT:

A) New Member - Hose Company - Jose Chinchilla:

Chief John Dawson said they have one new member in the Hose Company for Village Board approval - Jose Chinchilla. A motion approving the new member was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

B) Service Award Program Report:

The Fire Department needs Village Board approval for the Service Award Program. A motion approving the Service Award Program was made by Trustee Abato, seconded by Trustee Meehan. Chief Dawson said they will be posted for thirty days in the fire stations upon the Board's approval.

C) Mutual Aid Fire Protection Agreements:

Chief Dawson said this last item is to approve the mutual aid fire protection agreement between the Village of Suffern and the Township of Ramsey and a second one between the Village of Suffern and the Township of Mahwah - one for each. A motion approving the agreements was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said that before the Chief goes, he would like to say this. He said he knows that the Chief said this will probably be his last meeting. Chief Dawson will be going out in April. The Mayor said he would just like to say first of all, and he knows

that the biggest fire in 25 years, that the Chief was in South Carolina and the Mayor knows it must have killed the Chief being there. And Dan McInerney, Chief McInerney is here who ran that fire, and the Mayor would just like to say, and he knows that he speaks on behalf of the Board, that the Fire Department did an incredible job at that fire. And he would just like to say thank you to the Chief for his services and he knows he will stay on as an active firefighter and they really appreciate his services. He said that we will be recognizing him at the annual Fire Department dinner. He then thanked the Chief again.

BUILDING DEPARTMENT:

There was no report from the Building Department.

CULTURE & RECREATION:

A) Update:

Gail Curtin said that since the last Village Board meeting, they had a version of LEAD at the Community Center. As the Board knows, they gave their permission for three additional clubs at Suffern High School to use the Community Center under the auspices of LEAD. The Mayor and the Police Chief is aware, as is the Recreation Board, that they did have some issues that evening. In the end, everything worked out but it probably was something that perhaps we won't look so favorably upon the next time that comes up. Mrs. Curtin said they had a DARE dance on February 13 and they had LEAD again this past Friday and as usual it was very smooth and very well attended. Upcoming, they have the next DARE dance Friday, March 6. Saturday evening, as Trustee LaCorte is aware and he was instrumental in working with them on this program, they are bringing into the Community Center for a minimum of four Saturday nights, one this month, one in April, one in May and one in June, a Middle School program called Wyldlife. And she and Mayor Keegan have met on that, They have also talked to Terry and everything is in place and the Community Center staff is on board with it and they are looking forward to welcoming this program this Saturday night at the Community Center. LEAD will be in there again on March 13 and as long as some insurance issues are worked out, the Rotary will be having a breakfast at the Community Center, co-sponsored by Recreation, and that will be on Sunday, March 15. Thursday, March 19, Senior Movie afternoon, Friday night, March 20, they will be having their next Family Movie Night co-sponsored once again by the Suffern Chamber of Commerce. She said they are really excited about this. They are having a 3-D movie, as they know, and they purchased the little glasses for all the kids to wear so when they come into the Community Center they will get their 3-D glasses that night. And then the following day, the DARE program is having a basketball tournament at the Community Center. That is Saturday, March 21. The Fire Department is continuing to use the Community Center on Tuesday evenings a couple of times a month for basketball. Saturday, March 28, once again, the Chamber of Commerce and the Village are sponsoring a dinner dance. She said she thinks she sent

to each of them an e-mail on that so that they might decide if in fact they were going and how many tickets they wanted. That will be on Saturday, March 28, and she thinks it is going to be a great event. And she hopes they can attend that. And then Saturday, April 4, is Breakfast with the Bunny and the Egg Hunt.

Mrs. Curtin said that she had a few miscellaneous items that either came up since they got the workshop agenda ready or just for their information. One is that Virginia might bring this up under hers, and she is not sure. She asked Virginia if she will be bringing up Little League Opening Day Parade. Virginia said yes. Mrs. Curtin said that she will leave that for Virginia but the Board should know that both Clark and she were in touch with Joe Brennan on that. The Lions Club, in conjunction with Good Samaritan Hospital, and again the Village, would like to schedule their two blood drives for Tuesday, May 19 and Tuesday, October 20. And she thinks that when they first started this, the Board pretty much said that they were giving permission at that time and that we didn't have to get formal approval each time but just to let them know what the dates are. And that is what she is doing. And the Community Center staff will help out.

Mrs. Curtin said that Mayor Keegan has asked if she would read to them the appointments for the Suffern Day Committee for 2009: Co-chairperson Chief Clarke Osborn; Co-chairperson Daniel McInerney; Jillian Abato, Det. Ann Cawley, Nancy Christopher, Lou Ciaccio, Lisa Clifford, Barbara Cottiers, Det. Craig Long, Richard DeStefano, Mary Guccione, Isabel Haggerty, Daniel Haglund, Off. James Giannettino, Lynn Limbrick, Off. Lou Venturini, Virginia Menschner, Kevin Patwell, Denise Schultz, Kathy Van Sickle, Thomas Zordan. Mrs. Curtin will serve as coordinator and all members of the Village Board also serve on this committee. Mrs. Curtin said that these were the names that the Mayor asked her to read tonight.

The Mayor said that as always we are very happy to have a big recreation committee who do a wonderful job at most of our recreation events and again they appreciate the help.

VILLAGE ATTORNEY:

A) Parking Authority Extension: Home Rule:

Attorney Terry Rice said the only item he had tonight is that we learned that the Parking Authority's charter will expire December 31 of this year. He said the Board talked about it the other night and he thinks they wanted to proceed to ask the State Legislature to extend their charter for another ten years. They are a creature of State statute so the State Public Authorities Law has to be amended and in order to do that, we have to pass a Home Rule request so he would ask that they make such a motion tonight. He said he is waiting for the forms from Senator Morahan's office and once we do that, we can file those forms with the State Legislature. A motion authorizing the Parking Authority extension was made by Trustee Abato, seconded by Trustee Haggerty. Trustee

Meehan said he had a question. He said he thought that that was a five-year extension. He said that always in the past it had been a five-year extension and he thought the law said five years. Attorney Rice said no, it is whatever we ask for and the last one was a ten-year extension. Attorney Rice said the last one was ten years.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee Meehan said that he has been working closely with the Parking Authority and had a good discussion with the Parking Authority Chairman on Thursday and he is satisfied that we are going to be moving ahead. There is some duplication of services but they are going to be taking care of them. So he is pleased to vote yes.
Trustee Patricia Abato

NOES: None

ABSENT: None

POLICE DEPARTMENT:

A) Update:

Chief Clarke Osborn said that very briefly he wanted to give an update on some happenings in the last month in his department. Since January 1, 2009, and up to this present date, they have issued 429 vehicle and traffic summonses, they have 59 arrests so far this year. Last week they took on two different days - they rented out Campgaw Mountain for their DARE program and he and Officer Giannettino, who is the DARE officer, attended with other officers and they had a very good turnout at Campgaw. It went very well. And he appreciated Trustee Abato stopping down at that. And the trip went very well. They opened it up for two days because they had so many students. They had to split it for their fifth graders. The DARE Street Hockey league is starting, he believes, in mid-April. They are still working on the schedule. They have three different divisions this year which will probably have twelve to fourteen Suffern teams, which is great. So all district children and there is a large percentage of Village residents in that league which they all volunteer for. And he would like to thank Chief Dawson of the Fire Department. He said he had a great relationship with Chief Dawson as Chief and he is sure it is going to continue with the next Chief, whoever takes over. So he just wanted to thank him. And this past week, for the first time, they hosted a Rockland County Police Chief's Association luncheon. It was at DaNina's. He and Mayor Keegan attended and they had 40 police chiefs and heads of federal agencies from Rockland, Orange and Bergen counties here in Suffern for a presentation on Federal law. So he just wanted to thank Mayor Keegan for attending. And that is it. And he will be here for the duration of the meeting. Chief Osborne said that he notices that the Emergency Plan is under his department. He said he gave it to Virginia (who walked out) so he will explain what they

did. He said that every year in February for the last four years, they have voted on an Emergency Operation Plan which is basically for a critical incident or crisis situation in the Village. This plan was developed and put into effect in 2006 and since then we have had to use it a few times. It is a very good guideline on what to do in a critical incident - flood, disaster or major incident. So the only thing that he changed this year was a few names of personnel who have changed. The plan is exactly the same. It has worked very well and he doesn't think there is a need to change it at this point. So he is going to ask the Board to vote on it at this point. A motion to adopt the 2009 Emergency Operation Plan was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

The Mayor thanked the Chief for his participation in the major fire that we had and he said to thank his men and ladies.

Trustee Abato said that she attended the Campgaw snow tubing event for DARE and she just wanted to commend Officer Giannettino. The kids just absolutely adore him and she just wanted him to know what a great job he is doing and how well attended it was with our Village children and the parents just couldn't be more happier with the event. And she learned one or two things about snow tubing. So she thanked them and said that she really appreciated the time and effort that they put into the event. It was really great.

The Mayor said thank you.

Trustee Haggerty said that he wanted to thank Coach Giannettino. He said he has a grandson that won't do anything for anybody but him. So try to get him back again this year.

The Mayor said we have four public hearings and we are going to start with our first one which is on off-street parking in the central business district and fee in lieu of parking. He said that we have Mr. John Lange with us and he would like him to brief everyone on that before we have our hearing.

7:50 P.M. - PUBLIC HEARING - OFF-STREET PARKING - CENTRAL BUSINESS DISTRICT & FEE IN LIEU OF PARKING:

Mr. John Lange thanked the Mayor and the Board. He said he would just like to spend a few minutes going over the agenda for their study and the conclusions that they came to. He said that they were asked to examine the parking situation in the CB district and to come up with alternate solutions for the payment in lieu of parking. He said they evaluated the available parking. They did multiple visits to check out the parking situation at different times of the day and in their study it became clear that there is sufficient parking there, especially with the lot behind Lafayette Avenue.

He said his name is John Lange and he works for Frederick P. Clarke and Associates, a Planning Firm in Rye, New York. He said that he

is also the Planning Consultant for the Town of Ramapo, the Village of Ossining and a few other communities.

Attorney Rice said he would like to give some background before we start. He said that for many years, it has been apparent that when a store or restaurant or other concern in the business district tries to establish itself there, they can't comply with the on-site parking requirements. Obviously, there isn't room on the lots to provide the parking. So for many years the zoning laws had a provision that allows the payment of money in lieu of parking. And it becomes fairly expensive if a particular concern say has a deficiency of ten parking spaces, just to pick an example. It could be \$40,000 or more that they might be required to pay. Over the years the Board of Trustees, for a number of years, routinely essentially waived it. They set the number at zero. Then a number of years ago there was a study for the downtown area. At that point in time they decided that it would be appropriate to start charging so that they can build up a fund to create new parking spaces. This Board was very concerned with that because it apparently has become a major impediment for businesses to be able to locate in the Village and just one of the examples is that there was a Subway Sandwich store trying to locate here. And he doesn't remember the exact number but they would have been responsible for 20 some odd parking spaces or more and that just wasn't going to happen. If you applied the money in lieu requirement times the parking spaces that they needed, they just would have walked away, quite honestly. So they were trying to come up with a solution leaning towards no payment in lieu of parking. But there are some uses that certainly have a greater impact and may require it. And also some of the uses that ordinarily wouldn't have that big an impact - an existing store, for example, you wouldn't want to hit it up if somebody was changing the store or making it a little bit larger or something like that. But if there is a substantial enlargement or if someone were to create a use on a vacant lot, then in those particular instances, there would be a parking requirement. So that is basically the background. We are trying to come up with something so that it doesn't become an impediment to stores located in the Village but there has to be some flexibility for those instances where there will be a large parking demand. So based on that he thinks that John can describe where we went with this study.

Mr. Lange said that what they found was that when they studied the area was that the payment in lieu was actually becoming, just as Terry said, a deterrent to attracting new businesses to the central business district. That is just the opposite of what you would like. You have a downtown that is based upon a complete row of commercial structures on the first floor on either side and that is something that you really want to keep. And when we looked at the requirements there, the practical difficulties, as Terry mentioned the fast food restaurant would have to provide, say, 30 spaces or payment for 30 spaces. There isn't the room nor is there the money for someone to pay \$100,000 just to come in before he starts his business. So that really acts as an effective deterrent. Office spaces require 5 spaces per 1000 square feet so if you had a 50 x

100 square foot building three stories tall, you are talking about 100 spaces again. Really it's an overburden requirement. These parking requirements when we looked at it really were built on taking ordinances that existed for what we call strip developments, where you have some fast food restaurants that have parking around them. You have banks that have parking around them. Not for downtown area where the design is based upon a continuous row of stores. And you have a good continuous row of stores. You haven't had any fires in the downtown area to affect that. So there really is no need to have this payment in lieu and there is plenty of other spaces available with the Parking Authority or in the commuter lots. The area back behind Olé Olé. There is plenty of room to park there. They never saw that all the spaces were used there. So their recommendation is that you eliminate the payment in lieu of parking for office uses, for fast food. These tend to feed off each other. The people that you have working here are the same people who are eating there. So they don't need to park twice. So he thinks for those it is fine. He said he thinks where you have the banks and the other traditional downtown establishments that have drive thru's, you do need the parking. So what we are doing is kind of mixing and matching and eliminating some and keeping it from others. And if somebody comes in that doesn't meet those requirements, we have the ability to still provide the payment in lieu should they want it. Suppose you did have a fire in a place that had to be demolished or if you had a substantial increase in a commercial establishment or an office place. Substantial meaning maybe more than 50%. We left a provision in there to go ahead and provide it should that happen at the time. We don't really see that happening. Most of the storefronts that you have are going to exist as storefronts with some other uses upstairs. We don't see a huge influx of office space coming to one particular space. We think we can work that we can help attract businesses by eliminating that parking requirement.

Attorney Rice said that before the public speaks, we are going to continue this public hearing on this local law as well as the other zoning local law that we are going to talk about later. These local laws have to be referred to the County Department of Planning and we have to await their review and recommendation so that once we have the public comments tonight we are not in a position to adopt it. So we will continue the hearing until the April meeting. And he should also add, by the way, that it was also referred to the Village Planning Board as is required under the zoning law and they recommended approval.

The Mayor asked if anybody would like to come up and question or comment on this proposed change.

Tara Agan of 23 Meadow Avenue said that she was wondering about the designation of shops - just as fast food. Are we talking also about boutiques or other kinds of stores that we would include in this waiver. She asked if that was part of his study. Mr. Lange said that any existing commercial establishment basically would be

exempted unless they have an expansion. So anybody coming in who is occupying an existing space would not have to pay the fee. He said the idea is to maintain as many of the existing businesses. You don't want them to have the burden - of course, existing ones wouldn't have to. But if somebody came in to occupy that space doesn't necessarily change the type of use or have a significant increase in parking they would be exempted from payment in lieu of parking.

Ms. Agan asked if we could put other kinds of stores or shop names. Not just fast food. Given the ability to bring in other kinds of stores that are smaller boutiques, etc., she is not clear what we are including versus not including.

Trustee LaCorte said that his understanding, as Mr. Lange had said before, that pretty much the payment in lieu of parking requirement as we discussed is going to be eliminated except in circumstances where there is a major new construction. If somebody builds a large building or if they alter the building significantly. The problem we are running into now is just a different type of business is moving into a storefront. It could go from a retail place selling books to a Subway using the same size building but because it goes from retail books to fast food, it comes along with it a parking requirement of 20 spaces. And this was a Subway example. And in addition what kind of started this six months ago is that this came up originally and at the first attempt, we tried to provide an exempt from 0 to 5 spots where if you only had needed to pay for 0 to 5 spots, we allowed you to secure yearly permits. Which were much cheaper. So instead of coming up with let's say \$15,000, you would spend \$800 on permits. And that kind of helped. But it was really only a stop-gap measure because there is a situation where a restaurant just wanted to expand to a storefront right next to where he was that he thinks was just some sort of shop and he wanted to have a few tables in there and suddenly they told him he had to have 8 parking spots. So we want to make sure that this is clear that this pretty much applies to any type of business.

Mr. Lange said virtually any with the exception of a significant expansion. And we left the wording there somewhat liberal to give the Building Department and the Planning Department more discretion.

Ms. Agan said that as an active Chamber member and representing her own opinion as a Chamber member, she thinks this is the time to thrive in this economy, not just survive. She said she would like to see more - she would like to see this rapidly get accepted by the Board only for the standpoint of we really have to put some more businesses inside of those stores. We are at a critical time where, especially in the New York City area, we have seen a number of lay-offs in the financial service industry. We have a lot of entrepreneurial spirit in the New York City area and she thinks we should be capturing those kinds of business opportunities here in Suffern. We have a unique 2 ½ mile radius. There is no other place and she would even argue that we are better than Nyack in this to

attract the kinds of businesses that will take Suffern to 2010 and beyond. So if you can act more rapidly on this request, she would appreciate it and she knows that there are several other Chamber members here tonight that are looking for the Board's support.

Mr. Lange said that he would like to add one more thing. He said we did survey a number of communities like Suffern that have a railroad station, have first floor commercial and some other uses above it. Everyone has stopped enacting, even though the legislation is still there, their parking and their payment in lieu of the downtown village areas. It just doesn't make sense. It was done at a time when, again, it was more for strip malls. He said that he thinks we are beginning to follow what other people are doing.

Michael Curley of 84 Orange Avenue said that he agrees with the proposal because he thinks it is needed because the reality is that we don't have any big funds sitting anywhere. Everyone for the most part has got exemptions to these laws over the years anyway. So it is not like we have a big fund of one hundred grand that we were putting aside somewhere. It didn't exist. So anything we are doing here is really something that already was happening but people are coming up and saying hey, can we do this, can we do this and people give exemptions. Number one. Number two is that he agrees with it because he does think that you do have empty stores and you need to give them parking. But if you don't do phase two of this plan, and phase two would be that. He doesn't think there is an abundance of parking in Suffern. And he thinks that parking could get eaten up very quickly. So what he feels is what you have to do is also, and he will be honest, Mayor Keegan, you said plans years ago about moving things down to the ballfield. If you don't move some of the commuter parking a little bit further away from - it's still in walking distance - or if you don't create commuter parking, you are going to have a problem with overflows on the local streets and you are going to have a problem which is not going to be enough. So he doesn't think that this, in itself, even though he agrees it is a good thing. If a guy comes in or whoever it is and they want to open a business here, they shouldn't be hit on the top of the head - hey, you owe us another twenty grand. After spending a hundred grand maybe they will try to even get open. But if you don't - if Suffern doesn't address the second part of this - he calls it part B - it is all for naught. Because he disagrees with Mr. Lange that there is an over-abundance of parking. Being that he has been downtown for twenty years. There is not an over-abundance of parking. And with this here - and he thinks that capitalism allows any kind of business - but if too much of one business comes in, forget about it, it's done, it's finished, it's not going to work. So he thinks that it needs to - and he agrees, go ahead with it - but maybe look into going to the next step so that we don't have overflow parking on side streets. So when everything is filled up when the economy gets better to replace the parking. All you have to do is read the paper once a month and you'll see Nyack's problem. Well, we don't want to be there. He doesn't want to be Nyack. He likes being Suffern. But he definitely doesn't want their

parking problems.

Dave Gutierrez, 23 Meadow Avenue, said that he is an active Chamber member and that now that we are engaging the Parking Authority is there any thought to utilizing their two million dollars for a commuter parking - their two million dollar funding commuter parking structure. And how can we look at our current parking situation when we are not looking at aggregates and potential type of parking solutions that we could create using that funding. And although he understands it to be for commuter parking, giving the chemistry of the way that the economy is, there might be the opportunity to create the opportunity for commuter parking to accelerate in our Village but at the same time create the kind of additional foot traffic that we are wanting for the downtown space. And he understands that those funds are either from the MTA or DOT so we do have about two million dollars to look at. And then to him, fast food - can he ask how many fast food restaurants do we - under the classification of fast food - how many fast food establishments do we have in Suffern right now.

The Mayor said well Dunkin Donuts if you want to consider them fast. Mr. Gutierrez said so Dunkin Donuts and Subway. The Mayor said two. Trustee Meehan said there is one coming in. Mr. Gutierrez asked what is coming in. Trustee Meehan said Frank n Stein.

Trustee Haggerty said he would like to say one thing. Unfortunately, the Village does not have any say as to what comes in and what does not come in. It is the people that own the buildings downtown that will rent to anyone who comes to them, and he guesses he can't blame them too much for wanting to use the property. But the Village or the Chamber right now does not have the authority to determine what business is coming in and what is not. He said he wishes that they did. And maybe they should speak to the owners of these structures and tell them the problem downtown. But the Village cannot agree or not to agree on what businesses should come in. Mr. Gutierrez said that he thinks that is great. Trustee Haggerty said that is a big problem that is not being mentioned here. Mr. Gutierrez said that is great feedback and there is actually a committee forming, a citizen business committee forming, to kind of bring back our landlords so that we can all come together and have kind of a group aggregate look as to what we might think our intention for downtown Suffern is. But if the path of least resistance is for fast food restaurants and offices to come into downtown Suffern, he thinks a couple of chains is one too many. He thinks that Dunkin Donuts and Subway is good. He said you said there is one more coming. He thinks that is where the balance needs to be - we need to really start thinking in aggregate at what it is that we are going to do here. He said that he thinks with things like the upcoming festival when people see the kind of life and creativity that is going to happen here, he thinks that just from that seismic event alone that we are going to get a flood of kind of niche boutique kind of stores and he would like to see them to be in here. And other than a couple of fast food restaurants if it is about offices the only other thing he sees benefitting from

this is Brian Brooker's building that requires 75 parking spots for his office tower that is going in that empty lot by Hacienda. So he is not really seeing the bigger look. We have to really think about what could we put in here and how does that alter the current law that we are trying to pass. And if we can build something, let's say, across from the Post Office. It is a giant sink hole. If we actually dug down and did a multi-layer parking lot and did the whole top of it green so that we are also not only offsetting our carbon imprint with green and trees and all that but it could also be a park. Put the cops in the lower part of the parking lot so there are no security issues and we could bring in our commuters and then what we are doing now is really consolidating our parking. He said he does agree that we don't have as much parking as we think we do, but he also thinks it is incredibly scattered. To him this is one important component and he thinks we need to look at - again, we have to look at Suffern in aggregate.

Trustee LaCorte said that just so people are clear on this. Two million dollars comes up all the time. It is through the DOT and it is for commuter parking. So what the Parking Authority has worked on in the past number of years especially in the B lot was to move where we had a large number of commuters in a main shopper lot and try to get them further out on the Village closer to where they get their transportation. Because typically the commuters are the people who come in, park their car, get on the train or the bus, come back, get off and go. We would like to have them spend more time in the Village but that is typically not the way it works. And it was to the detriment of shoppers who want to come down to the Village during business hours and couldn't find spots even in the B lot because the B lot was being occupied by a large number of commuters. So we moved those commuters off those lots so that the B lot is pretty much all shopper parking now. The problem with the two million dollars is that once you take that money, you then are required to provide commuter parking. So if you have a lot that is like a free and clear owned Village lot, we have full discretion to do what we want. We could say shoppers only, no commuters. Once we take money from the DOT and use it on that lot, we are then restricting that lot. So we can't take the money, build a garage and say this garage is for shoppers only. No. Once we do that, there has to be commuter parking. And interesting what happened with the Orange Avenue project was that after the original developer left, River Development, there was an article in the paper talking about the Parking Authority and what options they were looking at for Orange Avenue and one of them was to use that two million dollars to buy the property. DOT said no, we are not going to buy the property for two million dollars. What they would do was say, listen, the Village could buy the property and then we will lease it from you and pay you based on how many spots you have there for a period of time. And if you use it for x number of years, then the land becomes yours. Ginsburg Development saw that article and then came up with the idea of developing the property. So it is something that is great. It is two million dollars but we also have to be cognizant that we don't want to put a situation where we are taking prime shopping parking and turning it into

commuters. So this is something that they are always discussing at the Parking Authority and he is happy that we renewed their charter. There was some discussion about abolishing the Parking Authority which he felt would have been a tremendous mistake. They have been very progressive. He knows they have worked on park and ride and other issues to try to use some of that money to get the commuters taken care of but also to focus a lot of our downtown on shopper parking for commerce.

Trustee Meehan said the other thing is that the Parking Authority was successful in planning which would be bus park and ride. This would be a hundred lot parking facility and would be located slightly outside the Village of Suffern and the Short Line bus, or U.S. Coach, or whatever, but the bus that travels to the Port Authority would actually go to that lot and pick up the people who are parked there. The Village is certainly ready to go on that. And the Parking Authority is ready to go on it. And the whole thing is being held up by the Town of Ramapo. It has been held up for several months. He said that he knows that the Mayor has been trying to contact them and unsuccessfully and he knows that the Parking Authority chairman, Mr. Shedler, has been trying to contact the Supervisor, unsuccessfully, and he hopes that maybe some of the folks in the Chamber of Commerce would try and contact their Supervisor and hopefully the Supervisor will return their call. Because he is not returning the Mayor's call and not returning Mr. Shedler's call.

The Mayor said that he actually found some information this week on that. One of the biggest reasons that he thinks that the Town of Ramapo is reluctant to give up that land is because that is where the Fire Departments have their turkey and ham shoots a couple of times a year over there. And it is right off of 59 and if they can find another place to do that, to have the shoots, he thinks the land might become available. The Mayor said he can see his point in not wanting to take a money maker that the fire departments get extra funds every year and taking that away from them. Trustee Meehan said then he shouldn't have promised the land.

Mr. Gutierrez said then two things to follow up. So you are telling him that shoppers cannot use commuter parking. So there is no way to zone a multiple use and use those funds. Trustee LaCorte said that you typically get paid per day per use per permit. That is how that typically is done. You negotiate a price and they say, okay, if we build this garage and spend a million dollars, and he is just making up numbers, you need to give 178 spots for a period of 10 years and then if we lay out the money, they will write us a check back - 178 based on \$3 a day every day and that math will pay it back. Is it possible after 7:00 p.m. that someone could use it, he thinks that is possible. But in terms - it can't be, it needs to be for the priority of a commuter and that land becomes restricted for the period of time. If we decide to flip it back, we have to pay back the money. Mr. Gutierrez said that he appreciates Mr. Meehan's invitation to include our Town Supervisor and possibly we might want to consider that parking structure to be part of the Orange

Avenue development project. The Mayor said that he wanted to bring that up. He said that he thinks he even touched on this with him. About 15 years ago, and it could have even been 20 years ago, there was a proposed parking garage in the ballfield and the west ward residents banded together and came out and said they had enough traffic over there and they didn't want all this traffic. Now, we found out that there is a road actually going from the ballfield out under the Thruway, along the river to the Fourth Street bridge. So he sat down about a year and a half ago with the MTA, NJ Transit, about the trains idling and we had a problem with a handicapped lady who was crawling under the fence. He said he brought it up to them and asked if they could possibly put a facility, a parking garage, similar to the one down on 17 in Ramsey in that lot with the ingress and egress going out to the Fourth Street bridge in Hillburn. He said that was a thought and we don't know what Hillburn's thoughts are on it. But at that time the MTA and NJ Transit thought it wasn't a bad idea. Right after that they started saying they had financial problems and they were running out of money, and so forth, so he really never heard anything after that. But if that were possible, that would be the solution to everything and that would free up all of our commuter lots for shopper parking. Mr. Gutierrez said he was thinking more across from the post office and he thanked the Mayor for the information. And he will definitely get in touch with the Town Supervisor.

Beth Koppel of 30 West Maltbie Avenue said she had a question. She asked what type of business would not qualify for a waiver. Mr. Lange said that banks and other facilities with drive-in facilities obviously have to have a certain number of lanes and parking spaces associated with them. The banks in town for the most part have them already so it is not that they would be going for a payment in lieu. Other facilities might be a restaurant that is providing valet parking now. They probably aren't going to need that. They are going to solve their parking problem a different way. What we are trying to do is go on a case by case basis. Look at what the real parking requirements are and if they haven't changed much from the existing one then there should be no payment in lieu. If you are going to require twice the number of spaces then some accommodation has to be made either in terms of the spaces or the payment in lieu for those spaces.

Ms. Koppel said that her concern is that if our goal is to draw people into Suffern by bringing viable businesses, it sounds like most people in here are looking to expand our town and our Village and make it a viable Village that is flourishing that is going to clearly bring in more traffic and businesses that are going to require more parking so what she is understanding is that these businesses that are going to be coming in are still going to have the same issues that the businesses are having right now which is not qualifying for a waiver once again.

Mr. Lange said there are a couple of issues here. Qualifying for the waiver is going to be more automatic now. If you are not expanding the use and you are not bringing a significant number of

spaces you are not going to be required to make any payment. The second piece of this is, and one of the gentlemen who spoke said there are other follow up pieces to this. Part of the design of the downtown, the effectiveness of the downtown is to be able to take somebody from the outside and get them in downtown and to a parking facility so they can shop. People think that the parking has to be right in front of the store and that is not necessarily true. It is actually good health for us to walk a block or so and as part of our healthy environment that wouldn't be the worst thing. He said they talked to the Board about several opportunities to create walkways through the stores back to the parking. There are lots of different things that can be done design wise to facilitate the existing parking lots that are there. He said he was a little misquoted in saying that we have an abundance of parking. We have an abundance but it is not exactly where you want it in each place. At no time when we went at a variety of different hours, during dinner hours and during the early morning hours, did they see people circulating for parking spaces. There was always sufficient spaces and it was a question as to how far people want to walk. Ms. Koppel asked what time of the year it was done. Mr. Lange said it was done over a period of two months starting back, he believes, in October. He said they tried to get a good distribution of times and events. And as a person who works in the Town of Ramapo, they come down here quite often for lunch and he can say that they have never had a problem finding a place to park at lunch time or visiting Mr. Brooker's office. There is always parking in the rear. It is very convenient compared to a lot of other places that he has had to travel to.

Ms. Koppel said that she had another question regarding the DOT funds that keep popping up. Is it specified specifically that it cannot be a multi-use building. Or does it have to be a structure solely for commuter parking. Trustee Meehan said solely for commuter parking. Trustee LaCorte said not a structure necessarily. Ms. Koppel said she is talking about the structure. Trustee Meehan said not a structure. Ms. Koppel said that let's say that the structure is four stories, two stories are commuter parking, two stories are other use - designated for other use and paid for by other funds. The Mayor said he believes it all has to be for parking. Trustee LaCorte said that you could build something bigger but the Village would have to pay for that part of the structure. Ms. Koppel said yes, absolutely. Trustee LaCorte said it can be. Yes, you can sit there and build a three story structure and use their funds towards it. Ms. Koppel said towards the commuter parking aspect. Trustee LaCorte said that would have to yield 200 spots. If there were 50 extra spots and no money would go to that. It would be Village money to build it. Ms. Koppel said there is no such thing as free parking. Trustee LaCorte said exactly. Ms. Koppel said that is the bottom line. She said if it could be a multi-use building then actually Dave's suggestion regarding a multi-level structure in the lot behind Lafayette across from the post office sounds like a viable option or can be a viable option.

Randy Ortiz of 11 Fairview Place said that he owns a business

downtown and he has been downtown for 16 years. He said he sees some other people that are also chamber members that have been downtown for many years and he doesn't mean to offend anybody but he knows that other speakers have gotten up here and they mentioned that they are chamber members but the only one that has got up here and actually has a physical business downtown is Mr. Curley. And it is true that you are paying for a parking spot or paying any amount of money for a parking spot you are not going to create a parking structure with \$20,000 that somebody has to pay to go into a store. There is no question about that. Something is wrong with that picture in doing it that way. But he thinks it is pretty safe to say that the payment in lieu of parking, he thinks, has helped create a certain atmosphere of stores that we have and businesses that we have downtown. If you lose, and he doesn't know if this is the answer, but it certainly has helped to keep the quality of businesses that we have downtown. He doesn't know what the answer is. And two million dollars, and even if the Parking Authority had two million dollars in some sort of reserve fund, that is not going to build a parking structure. There is just absolutely no way that that is going to build a parking structure. So you have to be realistic. He said he doesn't know what the answer is but he doesn't know if there shouldn't be some sort of regulations kept in place.

Vince Crapella said that he has been in town 23 years and he thinks that it has been a terrible impediment having this parking rule that you have to pay for so many spaces. On the average in the past 4 years we have had six to seven empty stores every year. And he knows businesses that would have come into town, and they were little boutique-type businesses, and when they start counting what the costs are going to be and they factor in this parking fee, they just changed their mind. He said he agrees with everything that Mike Curley said. This is good but you have to work on more parking. It seems like we have a lot of parking but we really don't. And he agrees with Mike and he agrees with Tara. He said he disagrees with Randy, who is his friend, that it kept a certain quality of stores in town. And if you look at some of the stores that have come in and gone out of business, they are not the greatest stores. We have a future and if we solve this parking problem, he thinks the best part of Suffern is ahead of us as a Village. So again he agrees with Mike, he agrees with Tara, and he agrees that this is fine but you have a gray area and your gray area is that if someone comes for a waiver, you don't know what administration is going to be here, what Trustees are going to be here and it is going to be interpreted how a particular Trustee or Mayor feels about the Chamber's wishes and how they feel about parking. So that gray area has to be solved because some businesses will be using more parking spots at any given time of the day and others will be using more. We do have a parking problem on the street at lunchtime. You can't find a parking spot. So that is his opinion.

Alfred D'Ambrosio of 4 Cross Street said he agrees with both parties again. He said he won't include or exclude Randy because he

wasn't paying that much attention to what he said. So maybe there was merit in it. That is between you two. But the parking problem is critical. He has seen a business that he liked very much go away because no parking. So he thinks that parking should be addressed, some say second but he doesn't know, maybe first. But it is a critical problem that has to be addressed.

Jo Corrigan of 46 Park Avenue said that she agrees with this plan but she thinks the verbiage needs to be tightened up a little bit and played a little bit better as far as what businesses are going to get what. But instead of, she is going to address Part B, which is the parking, and a very wise neighbor of hers came up with an idea and they are unfortunately not here this evening so she is going to speak for them. On one side of the street, how about on-side parking - you know, head-on parking into the Village - and the other side be parallel parking. She understands that is a lot of cars pulling out but if anybody has ever tried to sit behind her while she is trying to parallel park, they are going to be sitting there for 15 minutes. So maybe head-on parking on one side of the street might be an alternative way of getting a lot more cars on the street than just a few spots with parallel parking. And nobody parks in the lines anyway. They can't fit. That is all she has to say.

Bruce Simon of 31 Utopian Avenue said that he had a question that he guesses he has to address to the gentleman. He said you say we have, and he doesn't want to misquote him, we'll call it sufficient parking for our current status. There are a lot of people working to get us a pretty much maxed capacity with storefronts. Get all these empty storefronts filled. Get businesses in here. If they were all filled, what kind of parking situation would we have then.

Mr. Lange said again the issue is not capacity. If every storefront were filled, there would be sufficient capacity for parking. It just wouldn't be in front of the store. It would be behind in that north lot. That is where most of the spaces are available. And he has never come to Suffern where he has seen that anywhere near totally utilized. Could that area be better utilized? Absolutely. Could there be better signage directing people to go there? Could there be incentives for people to park there to go shop? There are all sorts of things that can work into that. But it is not a sheer parking number. We have the capacity and we need to better utilize what is there.

Since nobody else spoke, a motion to continue the public hearing at the next Board meeting was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

8:15 P.M. - PUBLIC HEARING - ESTABLISHING A SCENIC OVERLAY DISTRICT AND REGULATION THEREFOR IN A PORTION OF THE R-10 ZONING DISTRICT

The Mayor said we will now open up the floor to public hearing establishing a scenic overlay district and regulation therefor in a portion of the R-10 zoning district. Attorney Rice said that

before they start, let's just go to the background on this briefly. There was one particular subdivision in the Buena Vista area that was approved by the Planning Board and certainly the Planning Board had to approve it because the lots complied with all the minimum lot size and setbacks and so forth. So there really wasn't any choice. When an applicant complies with the zoning law for a subdivision then the Planning Board quite obviously has to approve the subdivision. But it was felt that the Buena Vista area in particular had some unique attributes as compared to some of the other neighborhoods in the Village including oversize lots and the number of instances so that owners of lots had the potential of either adding another lot and just barely complying with the setbacks and so forth and perhaps knocking down an existing dwelling and building the two or three additional dwellings. So it was proposed and Dagan and he and John sat down and went over the area after John did an initial survey of the area within Buena Vista where the lots are more susceptible to that particular consideration and based on that, John did a report and we wrote a local law and John will describe the procedures as far as what is intended to be accomplished by the law and procedures involved.

Mr. Lange said the Buena Vista neighborhood has the ponderence of larger lots than the zone permits - a 10,000 square foot lot. Some of the lots go up to 40,000 square feet. So when someone decides to sell their house, if someone decides to redevelop the lot, there are a lot of different ways that they can do that. And the town - the Village - was looking to provide mechanisms that would control the type of development there. Not to restrict people from developing but to do it in such a manner to preserve the unique character. Character is the size of the trees, the space in between the houses, lining up the front setbacks, preserving any views. He said they discussed a variety of alternatives. The first was to actually rezone a portion of it for the larger lots. And if he can refer to this drawing a little bit, and he is not sure how well they can see it, the orange lots are the largest - 20 to 40,000 - the beige ones are 15 to 20,000 and the yellows are 10 to 15,000. And this is the area that we were particularly concerned about. As you can see, we blackened in the structures that are on those lots and there is still a lot of room around those houses. So what they are trying to do is control the amount of redevelopment that occurs in that area so that we don't have people kind of maximizing the building and putting in a greater number than we would expect that would violate all of the three steps that make this a unique neighborhood. This is Good Sam, this is Route 59. This is Good Sam. This is the area behind it. He said he knows it is hard for people to see there. He said that what they developed was the scenic view district. It is what they call a floating district or an overlay district. Not a floating. An overlay district. And in it they will give the Planning Board or the Building Inspector, depending on the particular item they are looking at, the ability to double setbacks to preserve trees, stone walls, and all the things that make this neighborhood a unique place. So they put those regulations into this overlay district and the boundary of that district is along Vista Way, Sylvan Way, Cypress Road, Forest Drive, and Woodland

Drive. They felt it would be most effective in there because those are the areas where you have the largest lots. So the ordinance is very simple to exercise. It just says that if somebody is going to do something in that area, for instance, if it is a single home all he has to do is apply for a building permit. Here he will apply for a building permit and just go over with the Building Inspector and say all I am doing is this, this or this and I am not impacting this, I'm not changing the setbacks. And if he is doing something we will have to send him to the Planning Board. So it is an additional step that a homeowner or a developer might have to go through if he is doing something that would jeopardize the character of the neighborhood. This is really a kind of a touchy, feely protected character. The view, the tranquility, the scenic values within that neighborhood. The zoning says it is kind of rigid. You are back thirty feet, you have 10 foot sideyard, so much rear yard. Here it is giving the Planning Board the flexibility to do things that fit the neighborhood. For instance, if this gentleman here decides he wants to redevelop his property and he wants to move a whole bunch of houses clustered, he'll go to the Planning Board and he'll say what he wants them to do is that he wants them to measure how far everyone else's setback is on the block. So if the farthest setback is 40 feet and the smallest setback is 20 feet, you have to be between there. He is not saying exactly where. But you don't want to have it set way back from the street or way up front on the street. So they are using what is there as a guide to help them guide in how to develop their property. That is it in a nutshell. The regulations are not very complex. It just gives them the ability to look at what is there and do things that fit the character or that necessarily just fit the zone. If you did that, then everything in this district would look precisely like this district below. It is a denser development. We are trying to maintain some more of the open space.

Attorney Rice said that it is basically an innovative planning tool that gives the Planning Board a little bit of flexibility in planning developments that may occur in that area. As with the other local law, we haven't received the County Department of Planning recommendation as yet so we will not close the public hearing tonight. We will be continuing it until the April meeting so that we can get their input. In addition, we want to make sure that everybody who owns a lot in that particular district gets individualized notice so that they are aware of it. It is not legally required but he thinks it is something they all agree should be done. Trustee LaCorte said that when this originally happened there was a lot of concern in the neighborhood because the lot size is one thing. He doesn't know if they are officially historic homes but you can ask Craig Long. He looked into this a lot. Because the one house that was originally knocked down that was built into three was like an historic house built in a nice style by an architect. But he guesses they had a lot of problems and ultimately couldn't be saved so it was knocked down. They were trying to save the house. If you look in that neighborhood and if you really drive by there there are houses in very different styles. Not like a lot of the Village which are your subdivisions.

Like where he lives and throughout the Village. And it is a really great neighborhood and as you said because the lot sizes are so big, you don't want to see a situation where somebody knocks down an historic house and builds three houses there. In addition to just the aesthetic aspect of it there are problems there with flooding and water and on some storms the bottom of Yorkshire on Sylvan there floods a lot. So when you add more homes and you pave over more, you potentially get more flooding. But on the other hand, because of the way you do this, when you add more restrictions to prevent that, then you are restricting landowners from doing things that may be in the normal course of business that don't involve knocking down houses and building three houses. So, as Terry said, he thinks it is important and again we want to make sure that for the next hearing on this that everybody in the neighborhood does get notice because it doesn't seem like there is anybody here because it was only published in the newspaper. It is an important issue in the neighborhood.

Since nobody spoke, a motion to continue this portion of the public hearing for the next meeting and she asks that the Buena Vista residents be notified that we are continuing this at the next Board meeting was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

8:30 P.M. - PUBLIC HEARING - AMENDING CHAPTER 254-64 OF THE CODE PROHIBITING PARKING BETWEEN 7:00 A.M. AND 9:00 A.M. WEEKDAYS ALONG WASHINGTON CIRCLE

Attorney Terry Rice said at the last Village Board meeting, we were going to deal with this issue and there were a number of people from the area that came and spoke. We kind of thought that the conclusion was that the neighborhood wanted no parking between 7 and 9 on weekdays which is the way that we have, more or less, uniformly done throughout the Village particularly with respect to commuter parking. But in fact the preference of the neighbors on Washington Circle is that there be no parking 10 to 2 on weekdays. So what the Board is going to do is they are going to not hold a public hearing on the 7 to 9 proposal and hold the public hearing the same night as our budget is presented. Trustee Abato asked the Village Clerk if we had a date. The Village Clerk said not yet. She said she hasn't received the budget and it has to be presented to the Board before March 31. So if you want to set a meeting. Do you have your budget ready to be presented? What day do you want it. The Village Clerk said she has to present it to them before March 31. The Mayor said to make the date March 25 at 7:00 p.m.

Trustee Abato said that she just wanted to make a quick comment. She said she actually went over to Washington Circle after Mrs. Wilson came to the Board and discussed it with them. She said she has to tell them that it really disturbs her that there was no one willing to work with her. Trustee Abato said that she knows that Mr. Brennan has made every effort to encourage his employees not to park there but the unfortunate part is that he can only ask them. So she went over one morning and she caught a couple of the

residents over there going to work and they were very happy that Mrs. Wilson has been coming here and speaking for them. They are very excited that something is going to be done about this. Trustee Abato said that she has to tell them that it was not a nice scene over there. It really does look like a parking lot - an employee parking lot is what it has really become. And that really is such a beautiful place to live over there. And she knows that a lot of them bought their houses because it is such a quiet neighborhood that is not traffic-ridden. So she is very happy that they are going to be able to help them in some way and she hopes that they will encourage their neighbors to come out to the public hearing. And she will let Mrs. Wilson know if the date changes. She said it is March 25 at 7:00 p.m.

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

8:40 P.M. - PUBLIC HEARING - NEW ROCK BAR AND GRILL TO PERMIT LIVE ENTERTAINMENT

Attorney Rice said the zoning law requires that any establishment in the central business district that wants to have live entertainment requires a special permit from the Board of Trustees. This is for the New Rock Bar and Grill at 26 Lafayette Avenue. He said the matter, because it is on Route 59 (Lafayette Avenue), was referred to both the Village Planning Board who recommended in favor of the live entertainment as well as to the County Department of Planning, which by letter dated December 16, 2008, recommended in favor with the caveat that the Village must be satisfied that on-site parking in nearby municipal parking are adequate for this more intensive use, which is one of the criteria in any event under the zoning law. Attorney Rice said that now, normally, as the Board knows, when a permit for live entertainment is granted it is restricted to certain days, certain hours and also restricted as far as duration, usually six months or a year, with the additional provision that if there are problems in the establishment associated with the live entertainment then the Board of Trustees reserves the right obviously after the owner has an opportunity to be heard to revoke the permit.

Rob Moussavian said he is the new owner of the New Rock Bar and Grill and what he is asking for, and he believes Mr. Rice has the letter in front of him, and what he has requested is to have a D.J. on Thursday, Friday and Saturday nights to bring in the larger crowds to make up for the high rent that he is paying. He also anticipates having a karaoke night and he also anticipates bringing in a local band just to bring people into the establishment who generate income. He doesn't intend to make it a Manhattan type night club. He doesn't anticipate any violence and any problems or any issues. And this is what he is requesting at this time. Attorney Rice said that Thursday through Saturday would be inclusive - the karaoke or local bands would also be Thursday through Saturday? Mr. Moussavian said no, Thursday, Friday and Saturday nights are the nights he is requesting the D.J. One of the

other nights, whether it's Tuesday or Wednesday night, he would like to have karaoke and the other possibly bring in a local band once a month, twice a month. Just see how it goes. Trustee Abato said that only two nights you aren't going to have live entertainment. It will just be through a cd player which will be Sundays and Mondays. Mr. Moussavian said that is correct. Trustee Abato said that she also notices that you are not giving us an hour of operation. You want to just have it - we really can't do that. Unfortunately, you have to. Mr. Moussavian said that something he is anticipating for Thursday, Friday and Saturday nights since those are generally later nights. He said he intends on having a D.J. come between 8 and 9 p.m. and keeping him there until 2 a.m. On the karaoke nights, the weeknights, it is going to be a much earlier night. Attorney Rice said what time. Mr. Moussavian said no later than probably midnight. Attorney Rice asked what the local bands would consist of. Mr. Moussavian said a three-four man set. Attorney Rice said that would also be by twelve? Mr. Moussavian said yes. Trustee Abato said she just wanted to make sure she had this clear. Midnight on the band, 2 a.m. on the D.J., and midnight on the karaoke. Mr. Moussavian said correct. He said that when they do leave - when he cuts out the karaoke or the band, with the cd player or the Ipod player, there will be music that will be played at a normal level where it doesn't bother his neighbors.

The Mayor said that he thinks we have a lot of establishments with live entertainment already. We have had a few complaints about one or two of them which we have addressed and he thinks, he for one, it is a good thing to want to bring people into the Village, and we want new pub owners to thrive and he thinks if everything goes well and we don't get the complaints or the problems or the trouble then it is a good thing for the Village. Trustee Abato said she thinks the karaoke is great.

The Mayor asked if anybody would like to speak on this. Trustee Abato said that she just had one quick question. She asked Mr. Moussavian if he had adequate security people in the building? Mr. Moussavian said he is currently working with the State Liquor Authority. He said that he intended to actually work with local PBA to see if he could arrange something but the State does not allow that. They don't want off-duty police officers there. So he has to plan accordingly and get the right security personnel registered with the State. He said he doesn't know what type of crowd he is going to have - how many people are going to show up. He doesn't even know if he is going to need it. If 10 or 15 people show up. But if he sees after the first month that this is a good thing, it turns out to be well, we will. Trustee Abato said that initially you are not going to have any type of security in the building when you first try this. You are going to see how it goes. Mr. Moussavian said correct. Trustee Abato said and then take it from there. Mr. Moussavian said correct. Trustee Abato said there will be nobody at his door and there will be nobody patrolling inside the building. Mr. Moussavian said at the door there will be somebody checking ID's. They are not going to necessarily be security personnel in the beginning. He said his first month he

doesn't anticipate. Trustee Abato said that she knows it is a big cost. It's just that, unfortunately, we have had incidents in the past and she just wouldn't want him to be caught by surprise that you are going to need something and not have it. Mr. Moussavian said that if it will make the Mayor and Council happier, he could definitely coordinate that and make it happen.

The Mayor said since there are no questions or comments on this, he needs a motion to close the public hearing. A motion to close the public hearing was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

A motion to approve the request for live entertainment was made by Trustee Meehan, seconded by Trustee Abato. Attorney Rice said he would say a number of things - subject to a limit as set forth in the letter from New Rock Bar and Grill - it is undated but for identification, we will put today's date on there, 3/2/09. Live entertainment consisting of a band with three to four musicians is authorized Thursday to Saturday with music to end on or before 2:00 a.m. In addition, karaoke is authorized on Wednesday night and a D.J. on Thursday night, with such entertainment to end by 12:00 midnight. The special permit is for a period expiring December 31, 2009, subject to renewal, and that the special permit is subject to revocation by the Board of Trustees upon notice and an opportunity to be heard if the live entertainment or establishment results in any disturbances or problems and the Board further reserves the right to suspend live entertainment until a hearing can be held on the revocation.

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

NOES: None

ABSENT: None

AUDIENCE PARTICIPATION:

The Mayor said at this time we are going to open up the floor for audience participation. As always, if you come up and you have an issue or a question or a concern, we just ask that you state your name and address for the record.

John Mallon, Suffern PBA president, said he came here to address a *Journal News* article from February 19 concerning the contract negotiations they are going through. Mayor Keegan's comments were untrue and not based on any facts. He asked if anyone wanted to see the article. The Mayor said he would like to see it. In the article you said we had five or six meetings - you recall five or six meetings. Totally untrue. You had three. He said he would give the dates - 4/11 - Dagan LaCorte was there, you were there, the Chief was there along with their negotiating committee - Ann Cawley and Jimmy Giannettino. The second one was 5/13 - Dagan LaCorte was

there, you were there, Chief was there along with their negotiating committee. The last one was 7/25 - you were there and just their negotiating committee. This was the first offer you gave us. And in that article you said that we didn't respond quick enough. We responded immediately. We gave you back that offer immediately. We turned it down. That day, that minute. The Mayor said are you talking about the first. Mr. Mallon said that was 7/25. We gave it back that day. There was no delay in the response. You said there was a delay in response. When you throw something out then you want it back. It's not true. The next offer wasn't until the first week in November. It was dated November 4. He picked it up from the Village office from you - sometime after November. In between that time - between 7/25 and November 4 - he asked him personally and he asked Chief Osborn to ask you what was going on with negotiations. That was over three months. You stated that the Village Board did not get back to you for three months. That is what you said. After the November 4 offer, you said you didn't - and nobody responded to you quick enough. Our attorney sent you a letter on November 10. Mr. Mallon said he has a copy of the letter here and December 22. No response from you until January 8 when you said what is going on. Is that not a quick enough response. I asked for further negotiation back on November 10. You gave us the offer sometime after November 4. The Mayor said your attorney sent us the letter. Mr. Mallon said that was very fast. The Mayor said in negotiations you said you wanted informal negotiations without an attorney. That is why we didn't respond. Mr. Mallon said we sent you a letter on November 10. The Mayor said the only letter he got from him was the one requesting all the information. Mr. Mallon said no, no. November 10 and December 22. Do you want to see it? The Mayor said he doesn't have a copy of anything right now. If he had known you were going to come up, he would have. Mr. Mallon said he also sent the packet to the whole Village Board. The Mayor said excuse me? Mr. Mallon said he sent the packet to the entire Village Board with these letters in it. So did you tell the truth in the paper or are we just. The Mayor said when he said eight meetings, he didn't say with you. He said he had eight meetings on the PBA. He had a meeting with Clarke and also with the Village Board. Mr. Mallon said Clarke is not the PBA. Mr. Mallon said we didn't have any meetings. The Mayor said if he talked about negotiations. Mr. Mallon said you misinformed the public and he doesn't appreciate it. And the PBA doesn't appreciate it. Is that what you are going to say. Are you just going to say it didn't happen? The Mayor said again you are just throwing dates at me and times. The Mayor said he doesn't have that information with him right now. He said he acted in good faith. He has done contract negotiations most of his career. And again if the time frames aren't suitable to people. Mr. Mallon said the time frames aren't even close. The Mayor said he really doesn't want to go into what went on in these negotiations or talk about too much because he has been involved. Mr. Mallon said not into specifics. He wants to know why you said that we didn't respond. You said that the PBA did not respond. The Mayor said our latest proposal was to you which expires in a two month time and he never heard anything. Mr. Mallon said you definitely heard something. He has a letter right here - November 10. The

Mayor said the latest proposal. "I hereby request a meeting to continue negotiations." You gave it to me November 4 or sometime after that. The Mayor said he didn't see that response on November 10. Mr. Mallon said you didn't see that? Do you want to see it? The Mayor said yes, he would like to. He said you may have it now. The Mayor said you made a proposal and we came back with a proposal. You made a proposal. We came back with a proposal. The Mayor said that what he said in the paper was that at this time we are talking about salary and benefits. Mr. Mallon said what you said in the paper was that the PBA was unresponsive. That when you throw something out there they don't respond quick enough. Untrue. The Mayor said he notices you said in here that Keegan was stalling too. Mr. Mallon said you were. You were unresponsive for three months. You told us you were checking with the Village Board. Three months is not a long time between offers and meetings. The Mayor said that unresponsive means that you were given a proposal - the Village Board gave you a proposal. Mr. Mallon said we turned them back to you on the 25th. The Mayor said it expired in two months and he didn't hear anything on it. The Mayor said he came up to him and he saw him, and he knows he works midnights and he doesn't see him much, and he said what is going on with the proposal and you said "I don't know. But wait until you see our new demands." The Mayor said he doesn't know. He thinks we have gotten back to you, he has gotten back to you. Mr. Mallon said you haven't. He said he just laid it out today. The Mayor said that as soon as we started the informal negotiations a year ago, Clarke wanted us to get together on Fridays. The Mayor said he got together right away - himself and the negotiating team. He thought we were. Mr. Mallon said you aren't answering the question. It is what you said to the newspaper. We had three meetings. You said five or six. Why did you say that. The Mayor said maybe he was mistaken. Mr. Mallon said you were mistaken, okay. The Mayor said he was mistaken. Mr. Mallon said you were mistaken, okay. And you said we weren't quick enough in our responses. We were very quick. The Mayor said he still says that. Mr. Mallon said the same day, six days. That is very quick. Mr. Mallon said you were mistaken for that too. The Mayor said he still says. Mr. Mallon said that is all he wants to straighten out. He wants it on record. The Mayor said excuse me? Mr. Mallon said he wants it on record that you were mistaken. The Mayor said on the five or six meetings. Okay, he was probably mistaken. Mr. Mallon said and you feel that one day and six days is not a quick enough response. The Mayor said if you thought I was meeting with you, that is fine. The Mayor said he was talking about the meetings in general. And he has met with the Village Board because, of course, when you and I and the negotiating team met, he had to bring that back to the Board. They had to have a meeting. They had to come up with a counter-offer and we had to come back to you. Mr. Mallon said that took three months, right? The Mayor said excuse me? Mr. Mallon said that took three months. The Mayor said he doesn't know about three months. Mr. Mallon said it was three months - 7/25 to November 4. The Mayor said if it was at that time, we didn't have counsel. The Mayor said he knows that they had Mr. Bunyan. We didn't have counsel. And the Board advised him that we should go out and seek counsel so we had to go out and advertise for an

attorney, a special counsel for the Village, and that took some time too. Mr. Mallon said that what he was here for was what you said to the paper - that we weren't responsive. Okay. If you were mistaken, that is fine. You were mistaken. We weren't mistaken. The Mayor said he didn't say that to the press. The press puts a lot of things in that, as he is sure he knows, that people don't say. The Mayor said he knows that he didn't use the word unresponsive. Mr. Mallon said okay. The Mayor said if it is in there. Mr. Mallon said okay.

Tara Agan of 23 Meadow Avenue said she had two comments. One is was there a date in March when you are going to be presenting the budget - the Village budget. Did you agree on that date? She doesn't think they heard that.

Trustee Abato said March 25.

Ms. Agan said it sounds like there is a lot of activity between last month and this month about the cost of things and concern about cost given the discussion of maybe dissolving the Parking Authority to discussions here about our police. She told Mayor Keegan that she thought she gave him a report before on some research that she had uncovered about what people are willing to pay for with their taxes. First and foremost they are willing to pay for the police and she thinks in a zero-based budget activity, if you take the ten million we start with and we understand what the most important thing in this Village, we probably would put the first dollar towards the police. The second thing that we will pay for is the Department of Public Works. People like their garbage picked up, they like their recycling picked up and they like the way that works. And then from there she thinks you have to go through an activity that really starts to talk about what are essential services in this Village and what aren't. So in support of really what she thinks the amazing police work, really why a lot of us have relocated here or have lived here for a long time, is because of what we really think this police force does for us. They protect, they serve, they really engage children in our community and she really encourages all of them to build a better bridge with the PBA. Eight months is way too long to negotiate. As she understands negotiations especially with services like the police in villages and towns and counties across the state. There are negotiations that happen before. Remediation that happens before. We don't bring it into public forums. This starts to show, in her opinion, the dysfunction of our government not knowing what the citizens want. So her request is moving forward - please listen to the PBA, listen to what these police do to us - citizens like herself and other people in the community - and get this resolved. And if it is that hard to do this, then we are probably not focusing our dollars on the right things first.

Dave Gutierrez of 23 Meadow Avenue said he agrees with the original comments regarding our relationship with our police officers. So he reports the last comment regarding our intention to be more connected between our citizens and our PBA. So he is going to list

a few things that are becoming citizen issues here in Suffern and he thinks as we understand that our local government is probably up against budgetary and organizational issues, that we would like to see some of these things happening. One is preserving our local history. From the Orange Avenue discussion that we had, a woman, Carolyn Suffern, came all the way on her own time from South Carolina and basically has been trying to work with the Village of Suffern as she apparently has a Lincoln-signed bible that used to be John Suffern's. He said we have his desk, we have reams and reams of historical documents and he fears that Craig Long doesn't have the resources in which to optimize all of this historic information. If you go to RocklandNY.TV, you will see a number of discussions specifically to Suffern. But there has been a surge in the historical discussion about preserving historical artifacts and we have also been talking to Airmont - Craig Long's father-in-law also has a ton of historical documents. Carolyn actually led them - she brought to their attention that there is a \$250,000 grant that we could go after to possibly use to preserve all of these bits of historic Suffern stuff so he was wondering if he could get a commitment from the Board to work with our new grantwriter so that we can try and tap 250 and preserve what he thinks is priceless for Suffern and to also maybe upgrade our current facility or something like that. Apparently we have access to a ton of priceless Suffern history and stuff. So he would like to know if someone could put him in touch with our grantwriter. The Mayor said he will hook him up with him. His name is Fred Rella. Our grantwriter for a few years now. If you want to get together with him with all of your ideas, he thinks it is a good idea.

Mr. Gutierrez said community farming. He said he had another talk with John Meehan and they were sitting down with the Mahwah Chamber over at NV for a chamber event and he had expressed continuing interest in community farming. So he would like to get a commitment from him to meet with the Rockland Farm Alliance who is very excited to meet with you and understand how they can work with you to create community farming solutions in the Village of Suffern. Can we work together on that. Trustee Meehan said he would be glad to. Just contact him.

Mr. Gutierrez said there is some additional concern around our antiquated water processing plant by the ballfields. That we are actually emitting out of code or however it is described affluent. Meaning the water that we are ejecting directly into the Mahwah River is in fact not meeting up to the code set for it as far as what clean water is. Is this true and what is the status? The Mayor said he doesn't know where you heard that but we are under State guidelines to have that water going into the river. Mr. Gutierrez asked when was the last time we had it tested. The Mayor said they came in and tested he believes - actually the guys down at the plant test it every day. The DEC tests it at least every six months. They do random tests. Mr. Gutierrez asked how it is related to the horrible smells that we get in the west ward. The Mayor said the reason for the smells are because the digesters, as they call them, are open. The Mayor said he has lived there for thirty years

and he has been smelling it for thirty. And he is actually happy with the way over the last few years that he can hardly smell it anymore. So something has been done. There have been scent captures put in. They spray out into the air and grab a hold of the foul odors. They are getting rid of the waste, the sludge, quicker instead of it piling up. But until you cover those tanks you are going to smell it. He said he knows he asked the question about 15 years ago and at that time it was like a million dollars. Mr. Gutierrez asked if they created an independent study, would they have the cooperation of the DPW for them to do an independent measurement of the water. The Mayor said sure. He said you are actually talking about the sewer plant, correct? We have a water and a separate sewer plant. Mr. Gutierrez said our wastewater plant.

Mr. Gutierrez said he wanted to change the subject of the cell phone tower that is hidden as a flag pole across the street from our school in front of Village hall. Is there a report that measured the effect of the microwave emissions. The Mayor said yes, that is one of the first things this Board did when they got in. They got all the information on that. We went on line and had experts look at it and basically the report came back where it was real minute. Mr. Gutierrez asked where he could get a copy of that report. The Mayor said we have it on file.

Mr. Gutierrez said he wanted to address our soccer field. There has been some discussion for about a year now about getting soccer fields down by the ballfield and it originally started as an issue about how to better integrate with our Latino community but what we are understanding is there is the possibility to rent the land where that old building is for a dollar from Orange and Rockland. He said he was wondering if we could almost look at that whole area if that is the case and possibly put in some volleyball fields. The Mayor said it is funny you mention that. Because at 8:00 Wednesday morning he has a meeting over at Orange and Rockland to talk about issues like that. He said he has been in contact with Neil Winters. Right now they have three test wells. They are tearing the building down. They have to clean up some old tar under the ground that has been there for years. And they said after the wells, they test the ground and clean up after about a year or two, they will be selling the land back and of course the Mayor threw at them if Suffern could have first dibs on it. And that would be a great spot for a soccer field although he has already spoke to Dan, although he doesn't see him here tonight, and they want to make the outfield at Vilardi Field a place to play soccer. He said a soccer field is bigger than a football field. To have a regulation field, you need a lot of space.

Mr. Gutierrez said that Nick from the hardware store said that he has access to grant money that could actually help fund that so he would love to put the Mayor on the committee with them as they would love to accelerate that opportunity. And then the final thing is that his last statement is more about a cohesive Village Board. He said he has been working with the Village of Airmont who is

celebrating an election coming up. Whereas they are celebrating the potential of their entire village board finally being in unison, the ability to agree and disagree on all issues. He said he always wanted Suffern to be the kind of town where people would look at Suffern and say hey, we need to be more like Suffern. But he thinks Airmont is moving rather quickly to that intention and he, at this point, would love to say that he would love to be more like Airmont. They look at everything in aggregate. They have created citizen committees. They absolutely work together. He hears about the name throwing and stuff at the last workshop that we had because the cameras weren't rolling and he is telling them that we have the ability. We are in a very critical time in Suffern. The citizens are activated. We only want to work with our local government and the more that we work together in unison and the fact is that he doesn't think as he has interviewed Assembly people and other Mayors and other Legislators it appears that they are not willing to work with us because they feel that our internal mechanism is in disorder. And he feels that if we can really come together and make this happen and work best together, that resources will just start pouring in and he can guarantee that there are communities of citizens that would love nothing more than to work closer with our Village government. And he looks forward to the future.

Trustee Haggerty said that it is nice to hear that some of these make-believe villages are attempting now to become a village. But he doesn't think that coming to the Village of Suffern is going to solve their problems. He thinks it will only create more problems for the Village who has plenty now. We have all kinds of services, as you know. The Police Department, a terrific Fire Department as well. And he really doesn't think that we should be taking care of the Village of Airmont. He thinks it is about time that they took care of themselves. Either that or go back to part of the time.

Trustee Meehan said that an allegation was made that members of the Assembly or members of the Senate were reluctant to deal with the Village of Suffern because of one reason or another. Well, he will compare the amount of money that we receive for member items to any other village in Rockland County. We get more money per capital from Senator Morahan, from Assemblywoman Rabbitt, Assemblywoman Jaffee. So he doesn't know where that information came from. A lot of things you said were correct but that was way, way off.

Michael Curley of 84 Orange Avenue said that he didn't know if the Board noticed that this week there was an article in the paper where Chris or the Sewer Board in the County - he said he thinks Chris St. Lawrence is in charge of it. And what they have plans of doing is taking waste from Orange County and processing it with the Rockland County sewer plant. He guesses his point is that what they are doing there is that Chris St. Lawrence is taking the asset of that sewer district and using that asset to make more money. Mr. Curley said he is going to lead back to an old story with the water in Suffern. He said he is leading back to that because we have the ability to take one of our assets and make money off of it. He said

he just wants to remind the Board that Chris St. Lawrence was very vocal in telling us what to do with our asset. And Mr. Curley just wants to keep that in mind especially now when he sees a PBA president come up here and he doesn't want to get into who is right and who is wrong with the facts. The only thing that came to light with him was that we have a situation, we have a problem. Maybe it's money, maybe it's not. Where we have money sitting there is the water. So just keep in mind. Don't keep a closed deal on that. And he will point out again. That water, any deal that we ever make with United Water, that water flows. We catch that water. The water we do not catch runs into the Hudson. So it is an asset that we have the ability to hold it and sell. But it does. It flows. And if we don't. And he understands that some people don't like, they say okay, it's not an asset. But it is an asset. It is an asset that the Village of Suffern has a right to use. If we take an asset like that and we don't want to use that asset we can sell it for multi-million dollars. And we could then take that multi-million dollars and use it to offset against any increase instead of getting the large increase which we all just received. So there are other ways to accomplish the mission. Back to the PBA president and again who said what is irrelevant to him but maybe the whole Board should be involved in negotiations. Another point that he brought out is that at the last meeting was that the Board brought out that Terry Rice wasn't as busy any more. Maybe we shouldn't be paying an outside guy and Terry Rice should be directly in those negotiations. We are a small community. This can be fixed quick or else you go to arbitration. Now due to some knowledge that he has from years ago with litigation. If you look you will find that Suffern police department, even though many people might say they are paid excessively, they are still paid one of the lowest. So if you go to arbitration, chances are you're not going to win and you are going to have a disgruntled police department. He said he would rather work with the police department and find other ways to find assets to sustain money. And he will leave that alone for now with the water. He has talked about that for a year.

Now he will go back. Has there been any results on the federal stimulus money. Do you think there is any chance Suffern could get a piece of that or what. He said he knows that Mr. Meehan mentioned that you knew the congressman which is good to have friends in high places. And he hopes that we are using these high place people to accomplish something for the betterment of Suffern. The Mayor said that he knows that Mr. Curley mentioned about Squires Gate the last time he was up. Did anyone notify Mr. Schumer and Congressman Engle. The Mayor said that right now we talked about at the workshop that we are looking at sending up a letter and a package to Mr. Schumer and basically looking at any kind of money that we can get for Suffern - whether it is flood money or right now, as you know, we are doing a \$367,000 facelift on the water plant. And he knows that they are looking for shovel-ready projects. The Mayor said he spoke to the DOT about the Squires Gate deal and he said there is nothing anywhere close to shovel ready in Squires Gate. They want another 1.2 million dollars just to start a new plan for a design. So what we are looking at, and again we addressed our

department heads, to see and he knows that we need a few things in each department. And when he says a few things he means that we are talking money - a pump for one of our wells, we need a machine which he can't think of the name of it right now for our sewer plant which is \$160,000. Trustee Abato said centrifuge. The Mayor said and if we can get these things fine. So we are going to at least - and he knows that we have 180 days. This thing has been extended and we are going to work up a letter in the package and send it up and see what we can get out of it. Mr. Curley said that he watches News 12 sometimes and he notices they had their Congressman, and a good thing for John Meehan's connection here, they came to their neighborhoods and they viewed the projects and they walked them through. Maybe we could work on that to get them to actually see instead of just a piece of paper going up there. Because we are all here for the same goal. Not for us to pay for it. Let the Federal money that we paid into already pay for it.

Attorney Rice said that he is not up there twiddling his thumbs. He is still very busy but it is not six days a week right now.

Trustee Haggerty said that one other thing in response to Mr. Curley's statement. He said he spoke to Stan Faulk, who is the chairman, to find out about, because we were told mistakably at a meeting a short time ago that Suffern was #1 again - and he doesn't know when we weren't in first place - for flooding in Mahwah. He said he called Stan and tried to get some more information on it and he said no. What they need is they need more money to continue the plan and they need 1.2 million from each State - New Jersey and New York - for design - approximately \$165,000 each from Suffern and Mahwah. That's assistance and ready to go. He said he doesn't see that to get back to the flooding. Flooding is no further ahead now than it ever was. Mayor Keegan said that in fact he is the guy that the Mayor spoke to last week and we are now #2 on the list - we dropped down a notch.

Dorice Madronero of 4 Regis Court in the make-believe Village of Montebello said that she does spend quality time in the Village - the real Village of Suffern. She said that she heard the comment about the sewage treatment facility and she must say that initially when hearing about it being potentially water-quality drinking she thought ugh, why would we do that. Indeed all water is eventually just recirculated around the globe. But she speaks to the comment that you made - first of all she has no particular allegiance but the Supervisor of Ramapo is not the head of the Sewer District. He is a commissioner. Just to clarify that. He is the chair of the solid waste authority but not the sewer district one. With regard to the reuse of that sewer plant. In fact, if you look at the final environmental impact statement by the Environmental Protection Agency, the EPA, the statement in there reads clearly, and she thinks it is on page 6, in fact, that highly treated effluent would be used to recharge the United Water New York well-fields. So that is actually the EPA's final statement on that. So United Water actually benefits from that and what needs to be looked at is if Tuxedo, although the County Executive is quoted as saying that he

hopes that doesn't happen because then that might bring further development and she is wondering what he is not seeing in Rockland County that his concern is now in Tuxedo. But with regards to Suffern's water authority that you have here and you have control of that in waste management, it would seem to her that it would be much more forward thinking to - there is a state law actually that you can join water districts or create water districts joining - and really, water is not a village by village. There really aren't boundaries on water and there are certain levels that once it drops to a certain level - that is why New Jersey sued New York - that you might want to consider even asking Ramapo to indeed create a water district and get United Water to tend to places other than Rockland County. That is very doable. And it is something that you may want to be a little more forward thinking in that and consider bringing communities together in that way to create your own water district. That makes far more sense than trying to sell water. It is the existing company now that is the purveyor of water but it would seem to be much more sensible to have better control not only of the waste treatment but of the water flow here within the County and certainly Suffern could be a key role in that. The Mayor said we did look into that and that was suggested but people that advised us said that you want to stay away from a water district because if you get the Town of Ramapo involved and again it didn't come from him that the Town of Ramapo will eventually want to take over the sewer system - the sewer plant. He said he doesn't know. That was brought up and we had people in the room that talked about it way back when this thing was on the table. It is something that we looked at and we can look at it again. The Mayor said he feels that Mike Curley has a good point. If you are in a deficit and you can find a way to get out of it you look at ways to get out of it. One way was to sell off some water which again, we have open government here and people come down to Village Hall as they are tonight. We will listen to people until 11 o'clock at night if we have to. But we listen to people and people showed up and said don't sell the water, don't sell the water, don't sell the water. So that's what we did. We didn't sell the water.

Ms. Madronero said that personally she thinks that is a very wise decision. If you look at the projections and the modeling for future water use you haven't fixed the flooding problem. If you are able to perhaps address that and capture what you are just letting run away when it floods, that might be a part of your solution. Letting the water just flood away you think is a good idea. Trustee Meehan said there really is no connection. The flooding problem actually is a back-up problem when it does flood. It seems logical that would but it doesn't work that way.

Ms. Madronero said there are engineering things that can be looked into. Anyway, just as far as looking forward as Suffern is looking to develop with the Orange Avenue project and whoever you are bringing in, those people would require services. Water being one of them. So it just seems to hang on to your key assets at this point. And she just couldn't let that waste treatment situation go unaddressed. She thinks you have to go back and look at documents on that.

Mike Curley said that he apologizes for misspeaking on that that he is the commissioner. But there is no doubt that he is behind it and he says that straight out and full with number one. His point is that Suffern, and he knows that she doesn't pay Suffern's water bill because as you say, you live in Montebello. Mr. Curley said that a lot of people live in Suffern and he is talking about the Suffern water bill and he doesn't know what her water bill is nor does he care. But his point is simple. If we can make it easier, especially extreme times deserve extreme measures, if we can do that even for a limited time to help the people in Suffern, he is for it. And if it doesn't help you in Montebello, he just doesn't care right now. He is here to help Suffern. He is not going to hurt you. But he is not here with a master plan to help Rockland County on everything. His simple plan is to help Suffern. And if it even helps us to help the budget so that we can do better with the police department or we can do better with the parks, or we can do better with anything, then he is all for it. And that is his point. So if he mis-spoke on that. His point was that there are certain people willing to. And if he didn't say it right, he apologizes. There are certain people willing to come down and say don't do this with your own water. Like Chris St. Lawrence did. Had a special meeting. Don't do this with your own water. Well, you know what, that is what he did. You might have missed it. It was over on Route 202. A special meeting. And he sent forces from the outside into the Village of Suffern to convince us what to do with our water and that he doesn't like. And he will tell them why he did that. He did it because he knew because they wanted more co-ops over here where the sandpit is. There was a plan. Mr. Curley caught the plan ahead of time and he spoke about it honestly and straight forward. He said that Mr. St. Lawrence had an agenda. You can't tell us not to sell our water and then say go ahead and build another 500 - that he is going to sell this property for 2 million dollars for a quarry where they will use as much water. There was a plan. He looked ahead. People here missed it. Mr. Curley said he apologizes for keep pushing it but that is what he feels and that is what happened. And he will tell us something else. He already knew about that quarry at the time he knew about telling us about the water to stop. Because there were already plans being drawn. So he may be able to pull the wool over some people's eyes. But he is not in the mood at this point of his life.

Trustee LaCorte said that we were talking about Federal stimulus and he doesn't know if the Mayor or Jack had talked about it. But his understanding is that the ship has kind of already sailed with respect to the stimulus from the Federal government. That the State has now been given a large amount of funds to a block grant program to allocate those funds to individual municipalities based on projects that they proposed. So he does know that all Mayors were reached out to. They were sent a letter. Also via e-mail with a link to a website where they could apply and that Mayors and Supervisors have been meeting with the Governor's office as we speak. He actually understands that Clarkstown even hired a firm to advocate for this. He said he saw this morning that Mayor Brown of Buffalo was on Bloomberg TV talking about this. So right now we

shouldn't be reaching out to Schumer. We should be reaching out to the Governor and working with our State Legislators in terms of coming up with what projects are beneficial for the Village. As his torts professor said "right church, wrong pew." And right now he thinks we may be missing the boat by not working with the Governor's office. The Mayor said that Senator Schumer is the name he got. You can work with the Governor. When you meet with him, you are going to meet with him and Congressman Engle. He said he got this information from Richard Ackerson who had lunch with both of them and they said the money is there from the stimulus and there has been an extension on it. He said he hasn't heard any recommendations, any comments, any suggestions from any of the Board members except Mr. Meehan who has met with him a few times and brought this up. The Mayor said that if there are ideas he certainly thinks that as a group we need to address them so that we, for the betterment of this Village, see what we can get out of it. Trustee Haggerty said he thinks so too but he thinks we ought to communicate with each other if there is a problem on what we should do. The water was knocked down long before Supervisor St. Lawrence got involved. It was already a gone, done deal. It wasn't going to happen. So Supervisor St. Lawrence did not convince the Village of Suffern not to sell their water. The Village of Suffern decided that. The Mayor said right. We made the decision. Mr. Curley spoke from the audience and could not be understood.

Trustee LaCorte said he wanted to continue this because this is really important. It is not often when the government spends 800 billion dollars of our money. He said he is not trying to be combative here but we just want to get our share of the money. And obviously it is something that is fast moving. It was only passed a couple of weeks ago. His understanding is the way it worked is a lot of municipalities went directly to Washington. They can call it pork or whatever it was and were able to get earmarked in there money for specific projects at the Federal level. He said he does believe actually that that was something that New Jersey and New York did through the Access to the Regions Corp, the ARC tunnel. That was a big project that both Governors were strong advocates of and he believes that they presented testimony to Congress to get the other half of the money and he believes they did to complete that project. So that obviously benefits Suffern in the long run because getting that one seat ride to Suffern is going to be the biggest catalyst. That is huge and that is the future of the Village. Trustee LaCorte said that project seems like it is well on its way at the Federal level. The other thing, and again, Mayor Brown from Buffalo was talking about this, a large portion of the money that New York is receiving for infrastructure is in the form of block grants which are going to be administered on the State level on a discretionary basis. So he is more than willing to reach out to try to find out who Clarkstown is using to find out exactly who best we can get to get our share of that money because maybe federally Schumer is still available but it seems that again the full discretionary money, and he thinks it could have been 20 billion dollars - 20 or 40 was the total to New York state for infrastructure. So he thinks that is something that we should look

into and work on the State level. He said he will call the Mayor tomorrow and find out what we can do to get moving on it. The Mayor said he thinks we need to do that soon because if we let this money go by then we are really not doing our jobs. He said he knows that we went out and we sought a really good grantwriter a couple of years back and we found out that if you don't put in, you are not going to get. And because we did that we've had fire trucks, street sweepers, dump trucks. We've gotten things for this Village that normally would have cost the taxpayers a lot of money. So we are looking into this again. He said he is meeting tomorrow with Tom, our Treasurer, on this and Riddick Associates because he is trying to get the one shovel-ready project - the facelift on the water plant - at least give that out first. Again he has been told on this that if there is not shovel-ready projects, they don't want to be bothered with it. It is a tough thing to try to get this thing shovel-ready. You have to have everything together when you go with this. So again, we will work on this as a team. Trustee LaCorte said he will reach out tomorrow and he will get in touch with the Mayor. He wants to see exactly what they are doing. If we have to spend a little money to get a lot of money then it makes sense. We want to get the people who are going to get us access to the funds. Trustee Haggerty said he thinks that it is a good idea to talk to Schumer as well.

Ms. Madronero said that she is still Dorice and she is still from that elusive Village of Montebello where a neighbor of hers, Terry Rice, is also in Montebello. She said again, just to follow up on a comment, and she doesn't wish to belabor this but water is a regional issue. It is not an isolated issue which just exists within the Village of Suffern. The water flows through it. And with regard to the comments and she understands, she would hope, that this Board has an open mind to look at things in a broader scope of issue with regard to water re-use and flood mitigation and the water, perhaps, reaching out. And she certainly is not here on behalf of Mr. St. Lawrence. She doesn't know what his plans are by the suggestions and what is going on but it just makes good common sense. So she is all for being good neighbors and she thanks them for their indulgence.

Dave Gutierrez of 23 Meadow Avenue said that he has to tell them. He is listening to a bunch of different stories and, if he can be direct, he doesn't think this group has any idea the focus of what they want to do and how they are going to go about getting the money. You know a guy who knows a guy. You know a guy who is way up here. And Dagan has a ton of information but none of you are working together. And you can snicker all you want Mr. Meehan but quite frankly this group has no idea of what they are doing and if we are going to waste our opportunity to fix a wall at the power plant - are you kidding me? We've got Orange Avenue, we've got the quarry, we've got flood mitigation, we've got all this building going on. We've got people in this room right now that manage 6 billion dollars for their businesses. We've got people who do marketing on a bunch of different levels. We've got researchers, we have bloggers and to not even include the community and what it is

that we think we might need, he said he really is very disappointed. He said you have absolutely no connection on this Board and this is exactly why, and he will definitely confirm his earlier statement as to why no one will work with this Village. Morahan or not. So you get 10 million from wherever, you could be having 40.

Trustee Meehan said he wanted to comment. He said he met with the Mayor and the department heads and the Mayor wanted the department heads to get proposals together as soon as possible and it was his understanding after talking to Mr. Ackerson who had met with some State officials it was almost like a first come, first serve and they were going to send this up. So the Village is being very proactive in this area. And he doesn't know if that has come across. But it certainly came across at the meeting that they had with the department heads. Trustee LaCorte said why would you not inform - he knew nothing about this and he has a wealth of information. He watched a 20 minute interview this morning with Mayor Brown of Buffalo and he was talking about how they are going to base it proportionately based on poverty levels, based on shovel-ready, based on all those things. So a simple e-mail to Board members saying what's the input. He said that maybe he is no longer deputy mayor but he has obviously carried the ball on a lot of issues and he has some insight in financing and realistically when he heard tonight that you are talking about calling Schumer's office, which is nice. The Mayor said we talked about this at the workshop. So why wasn't this discussion going on. The Mayor said he mentioned it at the workshop. Trustee LaCorte said we talked about the wall at the workshop. The Mayor said you said it was a great idea. Trustee LaCorte said we talked about the wall. The Mayor said you didn't talk any more about this. Trustee LaCorte said that is not true. We didn't talk about it. We talked at the workshop about a particular project that he brought up saying that we should be looking for something - the Mayor said you didn't bring it up, he did - into the wall, into the wall. Trustee LaCorte said yes, we talked about the wall. But beyond that where are we getting the money and what we are doing. We should all be working together and not missing the boat. This isn't about him and it isn't about the Mayor. It is about getting the right money. Let's get together and talk about it. He is just responding to Jack who is saying we are doing something. We are obviously - Mr. Gutierrez is right. We are not doing enough. We are not working together. We are not on the same page. We don't need to answer his question. He has his concerns. Let's move forward and let's make sure that we are firing on all cylinders and looking at every option here. The Mayor said he agrees with him. The day after Mr. Ackerson met him, he had an emergency meeting with department heads and he asked them to come up with projects that might - and most of these projects probably won't even fit into this stuff. He has been told by the head of the DOT that most DPW items get approved by the DOT. They may not fit into this. The Squires Gate flooding issue is no where near shovel ready and they are not going to even address this. So we are starting from the ground up. He said he hasn't heard anything from the department heads. He met with them. He said he wants some

information from them. As soon as he gathered that information he was going to let the Board know and we would go from there. And as he said at the workshop last Wednesday, we only have 180 days to go after this thing. He said he is willing to work with anybody on this thing. If there is money out there, we would be stupid not to go and grasp it and try to get it. And if we don't, then shame on us. Trustee LaCorte said that as he said earlier the one thing is that it seems that the rail project is a top priority and that is starting this year and hopefully will be expedited and that, although we want to get money directly to the Village, will have the longest term-positive impact to the Village economically. Because when we get that one seat ride, it is going to impact us in so many great ways so it is good that the second half of that money is going to be provided.

Tara Agan of 23 Meadow said that here is how she understands the stimulus. There were 8,000 earmarks in the stimulus bill coming from Democratic congressional and senate members. If your earmark was not included in that then to Trustee LaCorte's point, you now have to start working with your local government at the Governor's level, at the State legislature level, period. So we have missed that train. That has left. Number two. She has also seen some updates from, and she sees in the audience, Mr. Ryan Karben. Ryan Karben has already brought the city of Spring Valley down to Congressman Engle's office. He has already met with the new Senator Gillibrand. He has already met with the folks that are trying to represent the kinds of projects that need to move forward faster. She said she doesn't see that in this Village. She said she sees a lot of conversation about well maybe if we do this, or maybe if we do that. The other thing that she is really surprised at and she doesn't know if anyone is here from the neighborhood in Squires Gate, but gosh, those poor people for how many years - 20 years - don't have a resolution. We knew on the first Tuesday in November that Obama was going to be president. Why aren't we helping that neighborhood understand how to get the money. How to be shovel-ready. How to take advantage of this. If she was somebody in that neighborhood she would just be beyond herself that we are missing this opportunity and she would ask and plead with this government to be more full-time. The part-time government statement that was last month becomes even more apparent as we move month to month. Not only in this election cycle for some of you. But also in the day to day activities. We need more from them. That is what everyone of them are giving. People are working two and three jobs in this economy. People are making choices - hard choices - to do the right things faster. People are trying not only to survive, as she said earlier, but thrive. What they need the Board's help with is cooperation, collaboration and getting it done. And if there is anyway that she can help do that, if there are other people who she sees at these meetings, who have fresh ideas who can help you go faster, let them help. She manages a very big business on behalf of her company, which is a Fortune 10 company. It doesn't mean that she has a lot of time on her hands, but what it does mean is that like herself there are many of them willing to step in at this critical time and make better decisions with you, not against you.

So please, we need to move forward faster. Somebody has to figure out how to get to Engle, to Paterson, and to the people in this government. But, P.S., are Democrats, which all of you are. And we need to move faster. If we are only going to get something that Corzine and the State of New Jersey has secured, shame on us. This is about being smart. So she would really request that we put our emotions aside and we move forward and we make this government work better. Because frankly, Trustee Haggerty, there are people in other parts of the Town of Ramapo that are working better together, that are getting the assistance of the Senator Morahan's team, of Assemblywomen Jaffee and Rabbit's team. And she is sure we have a lot of earmarks, Deputy Mayor Meehan, but at this point we don't have enough if this Village is not moving ahead faster. She said she feels like Curley at this point. She is passionately saying how can she help. How can other people help. How can we remove the politics over the next nine months and make this government make better. Because she doesn't want to keep coming to these meetings and talking about what if, some day, I have this connection, I called this person. She wants to know what our plan is as a government. She wants to know how they want her to help them activate that plan. And she is sure that there are other citizens in this room that want it. And if that doesn't happen, there will be a cause and effect by the citizens and by the voters of this Village come September and come November. There might also be a very strong Republican candidate that captures some of their attention. There could also be an Independent candidate. So, beyond the Democratic primary, Mr. Mayor and Mr. LaCorte, she wants a government that functions now. And if it doesn't, there are a lot of them that are willing to really find one that does. The Mayor thanked her for her opinion.

Beth Koppel of 30 West Maltbie said she really needed to express one thing. She said that someone from Montebello got insulted. She said we need to work together in order to get things done and from what Trustee LaCorte mentioned earlier about not being notified about certain issues, you just need to communicate better and work together because nothing is going to get done if you are not working together. Just like what Tara is saying. If you need help from the community, which you should be getting help from the community, the community is willing to work with them. She is willing to work with them. Tara is willing to work with them. It's a cohesive force. We are a small village. We are not above Montebello. We're not above - there is no such thing as a fake village. They might have less services than we do. But you know what? They are doing what they are doing. And she just doesn't feel that name calling should be part of her Village. The Mayor said that he didn't think it was a member of this Board that insulted this lady from Montebello. He thinks it was a member of the audience, if anyone insulted her. The Mayor said he didn't hear anything. Ms. Koppel said that actually Trustee Haggerty mentioned, and she is probably going to misquote it, the fake village, the make-believe village. Trustee Haggerty said the make-believe village is what he said. Ms. Koppel said that is insulting. Trustee Meehan said it may be insulting but it is accurate. Ms. Koppel said

if that is how you feel, she thinks that says it all. She is done. Trustee Haggerty said they don't provide one service for their people. They are looking for the villages, particularly Suffern, to help them out. We can help them out. Mayor will be happy to tell them how to keep some of these. Ms. Koppel said that she thinks it is ridiculous to insult residents of a different or neighboring region or neighbor of ours because of your personal feelings. Or to even deny an apology. Trustee Haggerty said he doesn't think it is ridiculous. It is accurate even if you don't approve. Ms. Koppel said she apologizes.

The Mayor said we are losing order here.

Mr. Gutierrez said you should harvest the knowledge from the community. The Mayor said he has been here 46 years. He said he doesn't have to preach to him. The Mayor said he was in Suffern before Mr. Gutierrez was born. So to stand up there and tell us that you don't like the way this Board is running this Village the Mayor has a problem with that also. Mr. Gutierrez said he was stating an observation. The Mayor said he is insulted. The Mayor said they ran unopposed last year so some of these people in this room must have thought they were doing the right thing. Mr. Gutierrez said that he stated an observation. Trustee LaCorte said the Mayor can speak for himself. He is not offended. The Mayor said good, he will speak for himself. Mr. Gutierrez said that he would like to make a motion, a citizen motion, like a citizen arrest. He would like to have a citizen government board created where we can take the best of the citizens and the best of the Board, which is probably all of them, and come together cohesively and see if we can't knock something out of the park in the next 120 days. The Mayor said he agrees with him. And he has always agreed with him. Mr. Gutierrez said he doesn't want an agreement. The Mayor said but to show up tonight and then he doesn't see him for a month. The Mayor said he told him to come into his office, sit down, talk to him and give him his ideas. Mr. Gutierrez said if his door was open, he would. The Mayor said his door is open every day.

Trustee Abato said that she would like to intervene here for a minute. She said that she has always, and she thinks that she and he have had this conversation, she said she thinks the best part of this Village is the residents and the fact that they are so willing to come forward and to be a part of the Village. And she thinks that they get most of their work done because of them who care about the Village and come to us and work with us and give us good ideas to go forward. She said that she thinks it really is a great idea, and she has always been an advocate of having residents meet with the Board. She said that she even tried a neighborhood program, a liaison program, and unfortunately she doesn't think that many of them meet with their groups. But she thinks that at some level we should really ask the Mayor to consider having a board of residents for us to have involved in, especially in the hard times that we are in right now, and she is scared and she is sure everybody in this room is scared about what is going to happen to us over the next couple of years. She said we hope for good

things. We don't know that that is going to happen. And if we can't depend on each other to carry us through, then what are we doing here. So she would like to also call upon the Mayor to consider putting together a group of our residents who would be willing to sit in on some talks with the Mayor, with the Deputy Mayor, with some of the Board members to try to get a sense of what you are feeling and what your concerns are and where your fears are and how we can go forward together as a Village. Mr. Gutierrez said he appreciates that. He asked who will be the first to make the motion. Trustee Abato said she will make the motion. Mr. Gutierrez asked who is going to second it. Trustee LaCorte said he would second it. Trustee Meehan said what are we doing. Trustee Abato said that what we are doing is involving our residents in a way where we can utilize them as a resource for us to be able to go to and find out what is going on in our Village. To find out what is going on out there. They live here everyday. They pay their taxes, they work, they utilize our transportation, they shop here. Let's get some input. It's a good thing. She is willing to sit down for them. If you don't have the time for it, she understands it. Trustee Meehan said he is loaded with time. He said if someone could just make it a little more definitive - how many people, when are we going to meet. He is always willing to meet with anybody at any time and he does. Trustee Abato said she thinks we need to find out what the interest is first. She thinks we need a place to start and she thinks that's at least asking for residents to come forward who are interested and sit down with them and try to formulate a plan and then bring that back as a follow-up to, she guesses, give a better definition of how this particular group will function and what will happen - if it will be on an annual basis, if it will be a two-term. She said she doesn't know. It would probably be on the same level as the recycling and the other volunteers that come forward to work on different aspects of our government. So she would like to make that motion that we begin that process of formulating a citizens resource group. Trustee Haggerty said that he thinks is this the process to bring in people who are looking to sign a contract with the Village? Trustee Abato said no. Trustee Haggerty said or is this going to be volunteer. Attorney Rice said that all you can do legally is some type of ad hoc committee that has no power but you certainly have the ability to talk to. There is nothing else in the law that would permit anything other than an ad hoc advisory type of situation. Trustee LaCorte asked if he could interject for a second on a separate issue. Trustee Abato said we have a first and a second on the floor. Trustee LaCorte said we need to vote. Attorney Rice asked what the motion was. Trustee Abato said the motion is to begin the process of formulating a community resource ad hoc advisory committee. Trustee Haggerty asked the Mayor if that was a good idea or not. Trustee Haggerty said that he personally thinks that we have the people here already and we just have to sit down and talk about it. The Mayor said he doesn't think we need to formalize it. He said he thinks the Mayor can appoint a committee or ask for volunteers from a committee and we can go from there. Trustee LaCorte said let's just vote on it. Trustee Abato said right. The Mayor said we are voting to look into an ad hoc committee. Trustee LaCorte said to

start an ad hoc committee. Trustee Haggerty said let's look into it first. The Mayor said so does he. Trustee Abato said she thinks you would have to find out what the interest is. We would have to formulate the committee formally and then we would have to bring back the particulars.

Isabel Haggerty of 4 Parkside Drive said that she doesn't know if the people here are aware of the fact that the Board cannot meet as a group unless they are in front of a public meeting. She said that she thinks it is a shame that they can't do this but it is supposed to be called breaking the sunshine law that the State government has put in. But she thinks, and this is one of the problems, that Andy may make a phone call to somebody about the flooding, Trish may speak to somebody else about something else. They can't all speak together at a meeting where they can all talk and discuss and do things together without all the public being around. And she thinks it is a shame. Because this way if they could all talk with what is on their mind. She says she knows a workshop is a public meeting. But they need to be able to go into the Mayor's office and the five of them sit down together and talk about what is most important, how to get things done. And they can't do it legally. So that is what one of the problems is.

Trustee LaCorte said that what Isabel said is absolutely true. He said that everybody here deserves to know how their government runs. It's apparent. Things have not been functioning as efficiently as they were several months ago. And he thinks a lot of people know, hey look, there's an election. And that has something to do with that. And that isn't a reason why government shouldn't function. But unfortunately the dynamic of this Village has changed. He said that he worked closely with the Mayor. He took a lead on a lot of issues but also with respect to communicating to Board members on issues that the Mayor and he discussed, he would reach out to the Trustees via phone in between meetings and discuss things with them and get their ideas on things. Because, look, not everything needs to have a vote. We are not always passing laws on policies or issues which the Mayor pretty much is in a discretion to do anyway. He would like to see what other Board members think. And that was it. Unfortunately now that communication isn't happening. He is no longer the Deputy Mayor and he doesn't communicate with the Mayor as much and so those Trustees that he was communicating with aren't getting the communication. What he thinks should be done more, and he has been trying to do it on e-mail with respect to Orange Avenue and other issues, is sending out e-mails to the Board members and saying look, here is something that is going on. Please send me your opinion. And we get back opinions and that way we can keep the ball moving and we don't have to just deal with this every month. And he thinks that, Mayor, as a suggestion, things are not going to change over the next six months and he doesn't think that he has ever gotten an e-mail from the Mayor to the group of them to send out an e-mail to say that look, I'm discussing stimulus today on the Federal stimulus package. Does anybody have any information, any interest, any suggestions. E-mail me back or call me. And he thinks that if we do

that we can get this government functioning. And right now it isn't. He is being honest here. He doesn't have a relationship with Jack Meehan and he is taking on the role that he did, then he is not getting those communications and something that he cares deeply about - stimulus - and he sits in front of Bloomberg tv eight hours a day and Bloomberg tv has become government tv and this is all they are talking about and he is hearing a lot of stuff and he has some information that may be pertinent so if there is something that is going on, reach out, send e-mails and we can communicate and get this government functioning again. Because this can't last for the next six months. It can't. It is upsetting, it's disappointing and these meetings are no longer fun and productive, which is what they are supposed to be. The Mayor said he agrees.

Trustee Meehan said that he will make it his business to make sure that everyone is informed with everything that he knows. But he would like to say this. For the last twelve years he has been on the Board and he has never written anything to the Mayor that he didn't copy to the Trustees. But he doesn't get copied on a lot of things that the Trustees send, and that includes Mr. LaCorte. So he is just going to say that we are just going to get on top of that and make sure that there is better communication. He said that he is a communicator. He knows how to write. And he finds it very easy to compose and he will be glad to do that and make sure that anything that he is aware of gets dispatched to everybody and everybody knows. We all have e-mails and it is pretty easy to do and we will do it. Let's face it. Primary election doesn't help the cohesiveness of the Board especially when we are split on the election and we haven't been doing well. And it is funny. The women that work in the office look at the Board meetings and say you have to do better guys. And they are right. And Dagan, you are right, and we are all going to get through this election cycle and we will keep the communication lines open and he will make it his business to do that. Actually, right now, it is the only job he has as Deputy Mayor and he has lots of time to do it and he will make sure it gets done.

Trustee Haggerty said that he would like to point out too that the Deputy Mayor is really nothing unless the Mayor is on vacation, out of town or unable to handle something. That's when the Deputy Mayor becomes something other than a Trustee. It is not automatic.

Bruce Simon of 31 Utopian Avenue said that regarding communication it is very easy. If you all set up on your computers an e-mail list that says Suffern or whatever title you want to give to it so if anyone of you sends something to the other one, it goes to everyone. And nobody can claim that they weren't communicated with. Because then everything will be shared to the entire Board. That is a simple one. He said that he just wanted to take one minute and he knows we are moving on. At the beginning of every minute we have a moment of silence for the people who have fallen in service for this country. And he thinks that is important that we do that. He thinks that it is real important that we note that we lost one of our own recently. Sean Flynn. A young man who served in the Navy,

was a Navy SEAL, just lost a battle with cancer. There is a memorial for him this coming weekend at Scarrs. The Mayor said he was going to bring that up on his report. Mr. Simon said he was sorry. He didn't mean to say anything. But he thinks because he was one of our own, he thinks it would be important for all of us to take a moment to take a moment for him, for his family. He thinks they would appreciate that.

Trustee Abato said we still have a motion and a second on the floor. Upon vote, the motion was voted on - with the Mayor and Trustee Haggerty voting no. The Mayor said he was voting no because as Andy says he wants more information on it before he votes on it. He said he thinks these are good things but he doesn't want to rush a decision on it. The motion was passed three to two.

DEPARTMENT OF PUBLIC WORKS:

A) Ramapo Avenue Sidewalk and Curb Schedule:

Village Clerk Virginia Menschner said that we do have to make a motion to advertise for Ramapo Avenue sidewalk and curbs. Mr. Sean Hoffman, who is working with Danny, suggests that we advertise for the bids to come back 3/26/09. A motion to advertise for bids to be returned on March 26, 2009 was made by Trustee Haggerty, seconded by Trustee LaCorte. Upon vote, the motion was carried. The Village Clerk said that is it. Just that Sean Hoffman will proceed with whatever he has to do on Ramapo Avenue sidewalk and curbs.

VILLAGE CLERK:

The Village Clerk said that Mr. LaCorte wants to bring up (H) Authorization to Advertise for the Urban Renewal Plan. The Village Clerk said they all have a copy of it.

Trustee LaCorte said this is two parts. The next big step, and we are pretty excited about this, are for Orange Avenue redevelopment. It is a Request for Interest - Village of Suffern Board of Trustees - we are soliciting interest from qualified real estate developers wishing to construct new housing along Orange Avenue consistent with the Urban Renewal Plan that the Village of Suffern has adopted by Resolution No. 2, 2009 in the Village of Suffern in accordance with Article 15 of the General Municipal Law of the State of New York. Trustee LaCorte said that this document spells out basic guidelines for what we are looking for from developers - prospective developers - who want to submit a proposal to build 100 units along Orange Avenue. Height limits, rules regarding property acquisition, everything that is set forth in the Urban Renewal Plan. It has a return date - he would ask that the return date we originally had was May 15 - he would ask that we push it back to May 30. He said he met with a developer from a large publicly traded development company - one of the big national home builders and they walked around and he said, look, there is not a lot of building going on but the one thing that everybody still wants to focus on are transit oriented villages. That is the future. That is

the next big thing. And it is still progressing. Even in this bad economy. So we are all very confident that we are going to get a lot of interest. So what he would like to do is to make a motion - first to just change the date to May 30. This developer suggested that a couple of more weeks couldn't hurt. He said they aren't very busy but there are a lot less staff than they had. So that kind of cancels each other out. He said we are going to post it on the website. Anybody here in the public who knows anybody in the development community, feel free to have them submit a proposal. There is no cost to pick it up. We do ask that there is a \$3000 deposit that is placed back with the Village when they make a proposal to pay for the cost of reviewing it - attorneys, planners, engineers - so that that is not incurred by the taxpayers and again, ultimately, whoever the developer is that is designated for the project will have to pay the Village back for all expenses that we have incurred up to date. The motion was seconded by Trustee Abato. Trustee LaCorte asked where we should advertise it. Should we advertise in the *New York Times*? Trustee Meehan said the internet. The Village Clerk said *The Journal News* first. Trustee Abato said we can take advantage of every free advertising that we can. Attorney Rice said there are certain builder publications. Trustee Abato said right. That is what she was thinking. Building publications, etc. Trustee LaCorte said why don't we make a motion to get this out and then over the next few days. Trustee Abato said you have the motion. Trustee LaCorte said he will work with Virginia and whoever else who has any suggestions over the next few days. He said to e-mail him and he will make sure that we get this. Let's cast a wide net. Trustee LaCorte said he would like to make a motion to publish the legal notice for the Request of Interest for the Village of Suffern Board of Trustees for the building of condominiums along Orange Avenue, seconded by Trustee Abato. Upon vote, the motion was carried.

A) Approval of Minutes of Regular Board Meeting - January 5, 2009:

The Village Clerk said the first thing she had was the approval of the minutes of the regular Board meeting of January 5. A motion approving the minutes was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

B) Approval of Minutes of Regular Board Meeting - February 2, 2009:

A motion approving the minutes of the regular Board meeting of February 2, 2009 was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

C) Request - Pamela C. Magi, R.N., to have 21st "Walk to Remember":

Ms. Menschner said we also have a request from Good Samaritan Hospital for the "Walk to Remember" which will be October 18, 2009. A motion authorizing the "Walk" was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

D) Authorization for Mayor to Sign Mosquito Control Agreement with

County:

A motion authorizing the Mayor to sign the Mosquito Control Agreement with the County was made by Trustee Haggerty, seconded by Trustee Abato.

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

NOES: None

ABSENT: None

D) Authorization for Riddick Associates to Proceed with Proposal for Well #4:

Ms. Menschner said that we have a proposal from Riddick Associates for Well #4. The failure of the motor and we have a proposal from Metro Pumps and Systems for \$13,180. A motion to continue was made by Trustee Abato, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: None

E) Authorization for Riddick Associates to be our Authorization Representative for MS4 Stormwater Pollution Prevention Plan:

The Village Clerk said this is for Riddick Associates to be our authorized representative for MS4 Stormwater Pollution Prevention Plan. A motion authorizing the request was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

F) Approval of Minutes of Special Board Meeting - February 4, 2009:

A motion approving the minutes of the special Board meeting of February 4, 2009 was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.

G) Suffern Little League: Request for Opening Day Parade - Saturday, April 4, 2009 at 9:30 a.m.:

The Village Clerk said this is a request for the opening day parade on Saturday, April 4, 2009 at 9:30 a.m. Chief Osborn said that he spoke to Gail about this. The Egg Hunt and Breakfast with the Bunny is also the same date. So to alleviate the problem, he is requesting that Little League move their parade to 9:45 a.m. Trustee Abato asked if they knew that that event coincides and they still want to go forward with it. She said she was just thinking

because she knows a lot of families like to go. A motion authorizing the request to have the opening day parade to 9:45 a.m. was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that he just wanted to clarify something for the people that are still here. He said it is sort of in his finance area. He said he just wants to state that he is not a politician and never wanted to be. He doesn't have the right temperament. In regards to having the meeting that the Mayor and the Deputy Mayor had with the head of DPW, Water, Sewer and himself, they came up with, off the cuff, about a million and a half to two million dollars worth of projects that they envisioned are shovel-ready. And they are all in various stages of planning or just about ready to go. And with that said, three days later, the head of the DPW went to Peekskill to the DOT and he brought with him four shovel-ready plans - and they were the Washington Avenue Realignment Project, the Ramapo Avenue Curb Project, the Crosswalk Project, and the Street Lighting Project. And he brought all the plans up there and discussed it with them. And unfortunately he immediately found out that it had to be involving a State road so the Ramapo Avenue project and the Washington Avenue Realignment Project were turned down on the spot. The other two projects they accepted our plans and they are reviewing them. He believes that Dan Haglund would have talked about this tonight. So he just wants the people in the audience and the people in the Village to know that we are doing something. We did make contact. We went to the people who have the money at least for these four projects and they have accepted two of them for review and we just have to wait what the final decision is. So the people are working together. He said he doesn't know about anything about who was at a meeting, who knew or not knew. He doesn't want to get into that because he doesn't know. But that is where we are and he knows that Danny was going to talk about that tonight to let them know. Because this had just occurred. Now back to the boring stuff. He said he is requesting permission for a budget line transfer of \$6700 from the center line striping account to our salt account. As the Board knows, we have been using a lot of salt this winter, unfortunately, so we just need to transfer those funds. A motion authorizing the transfer was made by Trustee Meehan, seconded by Trustee Abato.

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

NOES: None

ABSENT: None

Mr. Zordan said he had given the Board two proposals for our phone carrier and he had come up with a determination that at this time we should just stay with the carrier that we have and they are

going to give us a direct course discount of \$317 a month off our phone bill and then they are going to give us discounts on our variable costs, which are based on our usage. And each one of those are 20 and 22% respectively. So we should be saving, depending on usage, \$400 or \$500 a month just by staying with them. And then signing on them for one year. And then during this period we will evaluate our phone system, the physical system itself, to make a determination to see if we want to get a new system, do we need a new system, and if so how we are going to go about doing that. So he is requesting approval of that contract, pending, of course, Terry's review of the contract itself. Trustee Abato asked Attorney Rice if he has seen the contract. Attorney Rice said he just walked in and wasn't sure what he was talking about. Treasurer Zordan said that is the Cornerstone telephone contract. Attorney Rice said he hasn't seen it before. He will take a look at it. We have gone through deals like this before but just to make sure. Trustee Zordan said we have been using this company for at least five years. Trustee Abato made a motion to approve the contract subject to Terry's review and approval, seconded by Trustee Meehan.

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

NOES: None

ABSENT: None

Mr. Zordan said they are going to give us a hard copy. That was e-mailed to him.

Mr. Zordan said the last thing is that he gave them copies of the budget and he and the Mayor are going to be sitting down tomorrow and Wednesday to go over it and then they are going to sit down with the department heads. And if the Board has any questions about anything, please give him a call.

Mayor:

The Mayor said it was brought up before about Sean Flynn. He said he was going to let everybody know. He said he just got off the phone a half hour before the meeting tonight with John Kanasky, who was Sean Flynn's best friend, and he is making the arrangements. The Mayor said we thought we had a request by the family to use the auditorium and then the community center. Now it seems that the Scarr Funeral Home will be sufficient for the number of people that are coming up from Virginia. There will be a lot of Navy people and a lot of Army and Marine people coming up. Sean Flynn was born and raised in the Village of Suffern. He was a volunteer fireman. He went into the Navy in 1996 and joined the Navy Seals. He has been a Seal for the last 15 or so years and he passed away a couple of weeks ago of cancer. The fact that he was highly decorated, he had 3 bronze stars and 3 silver stars, he believes, and multiple other achievements is one of the reasons that we need to get involved, as

much as the family wants us to, in his remembrance. And one of the things that the family requested was that, and it is kind of a secret and by the time this Village Board meeting is on, it will be passed. They would like a plaque, just a simple plaque made up, of Sean when he was born, when he passed away and his time in the service and they would like the Mayor to present it on March 7 at Scarr Funeral Home at 3:00 p.m. From 1:00 p.m. to 3:00 p.m. will be a viewing. Of course he won't be there but it will be a time to come and see the parents and relatives and at 3:00 p.m. there will be a ceremony, from 3:00 to 4:00 and then at 4:00 p.m. everyone will go to the VFW hall for refreshments and what not. So if it is okay with the Board, and he hopes we can still get in under the timeframe to get this plaque made up. He said he has talked to Gail this afternoon and if we can get that made up by Saturday. Trustee Haggerty said that is an excellent idea. Trustee Abato asked if we needed a motion. The Mayor said he didn't think so. Trustee LaCorte asked what time will it be. The Mayor said from 1:00 p.m. to 3:00 p.m. and at 3:00 p.m. there will be a ceremony - from 3:00 to 4:00. The Navy will be there. It will be at Scarr Funeral Home. The Mayor said he will work with Gail on the wording tomorrow morning and they can get that done real quickly.

The Mayor said Tech Spectrum. We talked about it in the workshop and you have the agreement, which is basically the same as the last one. A motion to renew the Tech Spectrum contract at the same rates as last year was made by Trustee Abato, seconded by Trustee Meehan.

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

NOES: None

ABSENT: None

The Mayor said he has a list here of people who were interested on being on the Citizens Advisory panel for the Orange Avenue project. The Mayor said he would read them off. They are: Chuck Barone, Mel Berkowitz, Joe Brennan, Jo Corrigan. From the Planning Board: Paul Gdanski. And then Jeff Genser, Dave Gutierrez. Village Board: John Keegan, Dagan LaCorte. And then we have Chamber President Aurie Licata and Planning Board George Murillo and finally Jack Rosenberg. So that will be the Citizens Advisory Panel for the RFI project. Trustee Abato answered someone from the audience and said that yes, Jo Corrigan is on it and Melissa Ciccone. She said two women.

The Mayor said he made a motion at the last meeting that we terminate the services of Mr. Karben. He said he thinks the RFI is done. For two and a half months we don't have to worry about attorneys, he doesn't believe, and again Mr. Rice says he can handle that from here out. If you want to revisit it in two and a half months, that is fine. But again, his motion is on the floor. It was tabled. He said we were supposed to have a discussion on it

on Wednesday, February 4 and then it was held off until the workshop on the 25th and it was not brought up at that point. So it was tabled by whoever tabled it and there never was any discussion on it. The Mayor said as far as he is concerned, his motion still stands and we will go from there on it. The Mayor said he believes there was a second on it.

Trustee Abato said that she would like a discussion on it. She said that she did actually motion that we revisit it at the workshop in executive session. That was not done. It could have been done without her. It didn't need to be with her. That has to be done. Because the meeting was scheduled and it was decided at the meeting that it would be brought up in executive session at the workshop and that has not happened. So she would request that we follow the proper procedure and revisit that at a special meeting on an executive session meeting because it has not been discussed and it was the opinion of the Board that it needed to be discussed. So she doesn't think that we have any basis to move forward as there was no discussion on Terry's expertise and Dagan said there are many things that need to be done going forward and she would like to hear more about that as Terry did say that he did not have any knowledge and had not handled any of those dealings before. She said she still thinks it is irresponsible to jump into this without having that information. She said that she is still going to stand by that. And she is still going to ask that we have an executive session to discuss those matters before we make a decision. On letting Mr. Karben go as he has done an excellent job in bringing us to this point and she would hate for our money to be wasted as none of us have that expertise as what we should be doing to go forward that we would do something improper and waste the money of the Village taxpayers.

Trustee LaCorte said that he would like to ask a question of the Mayor. He said that this was brought up over a month ago and we hadn't prepared this RFI document yet. And there was some discussion and he knows that Mr. Karben attempted to reach out to you and there was a discussion with him because he is the point person on this property. Mr. Karben asked if he prepares this document. Trustee LaCorte said he told him he didn't know. He didn't know what to tell him. He said he wanted to move forward but he couldn't authorize him so he said to have a conversation with the Mayor and he had a conversation with you and you authorized him, is he correct, to prepare the document. The Mayor said yes. Trustee LaCorte said that here we are having a discussion a month ago to fire someone and then they call you and say should they do more work and you say yes. And then we say let's do more work and in a short period of time we are now getting this document out. What is very good, and he knows that Mr. Karben has expressed a willingness with Board members and he was hoping to have a discussion with the Mayor that if you said that this was in our conversations last month that this was just a matter of money. In saving taxpayers money. Because there was an issue as whether or not Terry had the ability to do this work, sorry, the expertise to do this work. That it was an issue of money. So, we talked about

the RFI because one of the great purposes of the RFI is any work beyond this point, when we receive back proposals from developers, are going to come with a \$3000 check that is going to pay for not only Mr. Karben's services but the services of Saccardi and Schiff, our planners. While Mr. Karben has been doing work, Saccardi and Schiff has been doing work. Again, we are having many discussions tonight on politics and elections and he wants to save money as much as anyone in this difficult economy but he also knows that Orange Avenue and this project is the future of this Village. And when you have national home builders who want to build this in the midst of what really is a depression, that is a pretty amazing thing. And he is glad that we moved forward and we didn't wait because we are going to get a good developer to build this project. But we are having one set of rules for one contractor and another set of rules for another contractor then we are just playing politics here. And he thinks it is unfair to leave someone in limbo and then say to them, well, okay if it's about money, well I'm willing to work with money until we get past this point, which we are at that point now, where the taxpayers will not be paying any money and again any money that has been paid out will presumably be recouped by developers when we get a developer but then at that point to sit there and say to the person without any discussion - oh, continue to do the work. A directing should I prepare the next step. That's like get the next step, you do it, and then I'll fire you.

The Mayor said he would respond to that. He said that Mr. Karben called him and said the RFI is ready and it has to be approved by the Village Board or you. Do you want to go ahead and approve it now or have the Village Board approve it. It's done. The Mayor told him to go ahead and he would approve it. It was already done. There was no sense saying don't do it if it was already done because we probably already have been billed for it or are on the way to being billed for it. And that is the reason why he told him to produce the RFI which was a one page report which didn't look like you had to be a rocket scientist to put it out and as far as this project going south because Mr. Karben is not on it - lawyers are a dime a dozen and Mr. Meehan has already said that he can find a lawyer for a lot less money if we need one for this project. So the Mayor is not buying the fact that one person is going to make this project go away.

Trustee Abato said that she received an e-mail from Mr. Karben - a copy of an e-mail asking you if he should prepare the RFI. The Mayor said that is his e-mail. The Mayor asked if it was his? Trustee Abato said it went to all of them. The Mayor said he was told on the phone that the RFI was done and needed to be approved. Trustee Abato said that she received an e-mail that said he was asking for permission. The Mayor said that as far as the workshop - you say that you brought it up at the workshop. He doesn't remember that. Trustee Abato said no, no, no, no. Trustee LaCorte said he had the e-mail. Trustee Abato said that at the last meeting she asked for it to be tabled and that we have a special meeting. The Mayor said because you had to leave. Trustee Abato said she went to

Church. The Mayor said okay. Trustee Abato said the point of the matter was that you didn't need her to go into executive session. The Mayor said if you want to table it again, we will table it again. But you know what, we will come back here next month.

Mr. Karben said he would appreciate an opportunity to meet with the Board. The Mayor said no. Trustee LaCorte said he thinks we should let him talk. It is a public meeting. He has a right to talk. We are discussing it. He said that we have some factual questions here about when the document was prepared and what was asked. His understanding was that a document was not sent to the Board members until you authorized it. The Mayor said that he is telling him what the conversation was on the phone. If you go by documents, or e-mails or whatever you like, again, it is not going to change his opinion. Somebody from the audience spoke and the Mayor said that you can't talk from the audience. Audience participation is over. The Board had a month to talk about this thing and nobody did anything. We can table this thing for ever but it is not going to go away. Trustee LaCorte said why don't we just get it done with tonight. Let him speak and then let's make a decision. Trustee Abato said that she wants to speak to Terry and find out what his expertise is and if he can handle going forward if we have anything in the immediate. The Mayor said why are you waiting until eleven o'clock tonight to bring this up. Trustee Abato said because the agreement was to sit down as a Board and work together. Trustee LaCorte said we didn't know you were bringing this up. The Mayor said it had to be brought up. There was a motion on the floor to table it. Trustee Abato said it had to be brought up, it definitely had to be brought up. But we didn't have the executive session that we were supposed to have at the workshop. Trustee LaCorte said we'll wait for Terry to come back and we'll discuss it. Trustee Abato said she is still asking for an executive session on it.

Trustee LaCorte said that someone called Trustee Meehan and said that you are the Deputy Mayor. I heard we are supposed to talk to you about Orange Avenue. Trustee Meehan told them no, that is the former Deputy Mayor Dagan LaCorte. And you gave them his number. Trustee Meehan said exactly. Trustee LaCorte said that if he is leading this project and working on it, and again, if you decide for some reason. If the reason is he is not doing a good job, that is one thing. If the reason is money, that is another thing especially in light of the progress of where the project is where there will be no more outlay of money. So if it is not one and it is not two, then what else is it. Especially if you do want to bring someone else in then shouldn't the person who is responsible for the project.

The Mayor said if you want, we will have a special meeting again this week and go into executive session. Decide when you can do it this week and everybody can get together and we will have a special meeting. Mr. Karben said he would appreciate an opportunity to meet with the Board. The Mayor said he would let him know. Right now it is going to be a personnel issue and we don't bring the people in when we discuss when we have to about them. Trustee Meehan said

that certainly it will be a public meeting. Trustee Abato said it will be an executive session. She said that is what we just motioned for and she wanted him to know that. Trustee Meehan said that every time that we go into a public meeting and the way he understands it and the way that he has understood for 26 years that he has been in public office is that the Board votes itself into executive session. And he would think that prior to that, we could certainly speak to Ryan. Trustee Abato said she agrees. Trustee LaCorte said he thinks that is fair. The Village Clerk asked when the special meeting was. The Village Clerk said she has to advertise it. The Mayor said he hopes everybody can make it. The Mayor said we will have the special meeting this week - Friday - at 4:00 p.m.

Trustee Meehan said he had some old business. He said this should have been on the agenda. He said the Gitlow Tower thing. He said we are just going to write to them and say that - the Mayor would write to them - telling them that if they are going to do an additional 80 units that the Village Board was very interested in the PILOT - applying for Payment In Lieu Of Taxes. Trustee LaCorte asked Mr. Meehan if he already said he would. Trustee LaCorte said he spoke to Adam and he said that is what they are looking into right now. Trustee LaCorte said he said he spoke to Mr. Meehan. Trustee Meehan said he did speak to him but he thinks it is a good idea for them to be on notice on this. He said he has written about four memos on this and he keeps bringing this up and he doesn't know why he can't get it on the agenda. Trustee LaCorte said you should send e-mails. Trustee Meehan said he will start sending e-mails. But he would make a motion that the Mayor write a letter to Gitlow Tower in reference to a PILOT if they were to apply for another 80 units. It is really something that is no skin off their back. They would be getting money from HUD. Trustee LaCorte said he would second that as long as they see a draft of the letter.

Attorney Rice said that Jack called him last week about this and Attorney Rice said he can draft a letter because the obvious import of the letter is not that you are getting approvals because they have a lot of hoops to go through including completely discretionary zoning amendment as he understands it at this point. But if it does proceed that is something that the Village is going to expect. Trustee LaCorte said you can e-mail us the draft of the letter. Attorney Rice said he doesn't have anyone's e-mail. Trustee LaCorte said you have mine. Trustee Meehan said it is going to become e-mail heaven. Trustee LaCorte said as it should. Upon vote, the motion was carried.

A motion to adjourn the meeting at 10:49 was made by Trustee Abato. The Mayor said that before we adjourn, he would like a moment of silence for Sean Flynn. The motion was seconded by Trustee Meehan. Upon vote, the motion was carried.

