

**Village Board Meeting
Monday, April 6, 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 Trish Abato

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

ABSENT: Trustee John Meehan

SET DATES FOR MAY MEETINGS:

The Mayor said the workshop will be held on Wednesday, April 29, 2009 at 7:00 p.m. and the Board meeting will be held on Monday, May 4, 2009 at 7:30 p.m.

CONTINUATION OF PUBLIC HEARING - OFF-STREET PARKING - CENTRAL BUSINESS DISTRICT AND FEE IN LIEU OF PARKING:

The Mayor said that we have a couple of public hearings this evening and he apologizes for them coming in late. They had an executive session that was very important and they ran a little behind. The Mayor said our first public hearing will be a continuation of a public hearing - Off-Street Parking in the Central Business District and Fee in Lieu of Parking. He asked Attorney Rice to fill everyone in on this.

Attorney Rice said we started the public hearing at the last meeting and we couldn't conclude the public hearing or vote on it because we had not yet received the recommendation from the Rockland County Department of Planning because this obviously affects property located within 500 feet of a state highway and also Harriman State Park. The County was required to review it and give the recommendation. By letter dated April 2, 2009, the Rockland County Department of Planning recommended the following modifications: portions of two well-traveled state highways, Route 59 and 202 are located within the central business CB zoning district. Insufficient off-street parking could negatively impact the safe and efficient flow of traffic along these thoroughfares. The Village must be satisfied that there are adequate municipal and curbside parking options for customers, clients and employees of businesses in the CB zoning district in addition to available on-site parking. Attorney Rice said that before the Mayor opens it up to the public, we have our Planning Consultant John Lange here who described the local law at the last meeting and he can give a very

brief summary and then if anybody has any questions, he can answer them as well.

John Lange said the parking study identified a number of - to summarize, there are a lot of spaces available off the main drag and in trying to attract businesses, we want to provide parking without penalties. So the summary of the study was that there are sufficient spaces available and that there are very few delays in finding sufficient spaces. So they recommended doing away with the parking requirement for the downtown area in order to be able to attract business and to reduce the upstart cost of bringing new businesses in. He said he could go into greater detail if they want but he thinks we covered it pretty much in the last public hearing.

The Mayor asked if there were any questions, statements or comments on this.

Dave Gutierrez of 23 Meadow Avenue said that we have a couple of requests by businesses already like Angel's Deli that want to know if they can go ahead and put a couple of tables in their back room and sell tacos and kind of remix their businesses during recession. So what is the process of them - what is the process of doing this.

Attorney Rice said it has nothing to do with someone adding a couple of tables outside. Mr. Gutierrez said that this is in lieu of parking making changes to the business as it relates to needing additional parking spots based on the changes made. Attorney said that generally speaking, it is providing an exemption. Not 100% of the time but if you have a specific instance, John can answer that for you. Mr. Gutierrez said okay. Angel's Deli has a back room and wants to put a couple of tables back there. Kind of add it. Attorney Rice said a back room? Mr. Gutierrez said it is part of his kitchen and restaurant. Attorney Rice said in other words you are saying that they want to add seating capacity to a restaurant or a deli. Mr. Gutierrez said yes, to his establishment. Mr. Gutierrez said he is saying what is the process. He just had a couple of people ask him what the process would be if this got passed to do that. Mr. Lange asked how many more patrons or seats are you providing. Mr. Gutierrez said probably two tables. Mr. Lange said unless it is a substantial increase, there will be no change. You won't have to do anything. Mr. Gutierrez said a substantial increase meaning what. Mr. Lange said 50%.

Since nobody else spoke, a motion to close the public hearing was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

Attorney Rice said we have to do a couple of things. Number one is that John is going to craft a negative declaration for you under the State Environmental Quality Review Act which you have to adopt prior to voting on the local law itself. But John, the concern of the Rockland County Department of Planning he thinks we have answered that and the Village is confident based on the remarks that you made and the report that you did that this will not impact

on-street parking. Mr. Lange said that is correct.

Mr. Lange said that the preparation of a negative declaration would indicate that there are no significant negative impacts or any impacts that cannot be mitigated. Since there is sufficient parking here, there is virtually no impact to the parking and the new businesses that come in would be exempted from that. Changes to existing businesses would have to be in excess of 50% or so of the change in the use for the Board to take any action with it. So therefore, based upon the SEQRA review, there is really no significant change in the number of spaces, there is no increased traffic. It will just be a better utilization of the downtown businesses. Therefore we support a negative declaration.

A motion to adopt the negative declaration was made by Trustee Abato, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee John Meehan

VILLAGE OF SUFFERN

LOCAL LAW NO. 2 OF 2009

A LOCAL LAW REGARDING
OFF STREET PARKING REQUIREMENT
IN THE CENTRAL BUSINESS (CB)
ZONING DISTRICT IN THE VILLAGE OF SUFFERN

Be it enacted by the Board of Trustees of the Village of Suffern as follows:

Section 1. Section 266-38 of the Code of the Village of Suffern is amended to provide as follows:

§ 266-38 Special Parking Requirements in the CB District

- A. Except for the following uses, no offstreet parking is required in the CB District.
- a. Places of worship
 - b. Banks
 - c. Restaurants
 - d. Schools of Special Instruction
 - e. Plumbing and HVAC Supply; wholesaling
warehousing and distribution
 - f. Funeral Parlor

- g. Public Utility buildings
- h. Live Entertainment
- i. Bus Terminals
- j. Artist Dwellings

unless a significant change in the characteristics of the use is proposed, including but not limited to: an increase in square footage of the use of fifty (50) percent or more; changes that would increase the number of patrons or customers by more than 50%; redevelopment or consolidation of lots with increased usage; any combination of the foregoing; or new construction, in which case the Planning Board will determine the appropriate required parking.

- B. Fee in lieu. In the CB District, when any change or increase in the intensity of use or any increase in the amount of gross floor area would require the provision of additional off-street parking spaces in accordance with the standards set forth in this section, the applicant for such change or addition may request permission to make a cash payment to the Village of Suffern Parking Improvement Fund in lieu of providing some or all of such parking. The Board of Trustees, in its discretion, may elect to accept such payment on behalf of the village. The amount of the cash payment per parking space required in such cases shall be established, and may from time to time be amended, by the Board of Trustees. The Board of Trustees shall submit any application for a cash payment to the Planning Board for its review and recommendation.
- C. Dedication of land for parking purposes. When, in the CB District, any change or increase in the intensity of use or any increase in the amount of gross floor area would require the provision of additional off-street parking spaces in accordance with the standards set forth in this section, such standards may be waived or modified by the Planning Board if the applicant conveys a permanent easement or dedication in fee for the parking area shown on the adopted Parking Area Map. The Planning Board may approve and the Board of Trustees may accept a combination of an easement and a dedication in appropriate circumstances.
- D. Waiver of parking requirements. Upon consideration of the limited nature of any particular application for increased intensity of use or expansion, as well as the proximity of existing parking spaces, the Planning Board may waive some or all of the off-street parking requirements as set forth in §

266-41 of this Zoning Law.

- E. Appeals. The applicant may appeal the Planning Board's decision regarding the dedication of land or parking requirements to the Board of Trustees. In considering such an appeal, the Board of Trustees shall review the Planning Board's recommendations.

Section 2. Section 266-22, Part II, CB District, "Required Off-Street Parking" is hereby amended to provide as follows.

1. Place of Worship: 1 space per 5 seats
2. Banks: 5 spaces per 1000 feet of GFA; Drive-in windows; 8 stacking spaces per window
3. Restaurants: 1 space per 3 seats or 13.3 spaces per 1000 square feet of GFA, whichever is greater (fast food restaurants are excepted from this provision)
4. Schools of Special Instruction: to be determined by the Planning Board
5. Plumbing and HVAC Supply; wholesaling warehousing and distribution: 3.3 spaces per 1000 square feet of sales and office area plus 1 space for every 3 employees for the largest shift, plus 1 space for every commercial vehicle kept on the lot: 1 loading space for the first 1,500 square feet of GFA and 1 space for each additional 10,000 square feet of gross floor area
6. Funeral Parlor: 20 spaces per 1000 square feet in assembly rooms plus 1 space for each commercial vehicle kept on the lot
7. Public Utility buildings: 1 space for each commercial vehicle kept on the lot.
8. Live Entertainment: to be established by the Planning Board
9. Bus Terminals: 5 spaces per bus loading space; 1 loading space for each bus parked during maximum use
10. Artist Dwellings: 2 spaces per dwelling

Section 3. This local law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Off-Street Parking in the Central Business District and Fee in Lieu of Parking was made by Trustee Abato, seconded by Mayor Keegan.

AYES: Mayor John Keegan
Trustee Andrew Haggerty
Trustee Dagan LaCorte, who said that before he voted yes, he just wanted to thank a number of people who worked on this issue. It has been something which there has been a lot of concern expressed from merchants and potential business owners about how it prevented people from coming

to the Village. He said he would like to specifically thank George Tynor, of Georgie Porgie's, because he thinks he was someone, and the Mayor is obviously well-aware of this, who had a lot of problems in doing something which seemed pretty simple and we tried to work and come up with solutions and ultimately this is where we got but he brought out how this law is applied to a small business owner and our Village could really hurt them and he kind of pushed us in getting this done and he thinks it is a good thing for the downtown, a good thing for the business district, so he votes yes.
Trustee Patricia Abato

NOES: None

ABSENT: Trustee John Meehan

CONTINUATION OF PUBLIC HEARING - ESTABLISHING A SCENIC OVERLAY DISTRICT AND REGULATION THEREFOR IN A PORTION OF THE R-10 ZONING DISTRICT:

Attorney Rice said that also similar to the last local law, at the last meeting we held a public hearing on the Scenic Overlay District. John gave a presentation describing the reason for it and what the regulations would entail. Attorney Rice said we left the public hearing open for two reasons. Number one, although it was published in accordance with law, the Board also wanted the people who lived in the area to get a specific notice with respect to the local law so the hearing was continued for that reason as well as the fact that we had not yet received the review from the Rockland County Department of Planning, which we were required to receive again, because this local law would affect property within 500 feet of Route 59. By letter also dated April 2, 2009, the Rockland County Department of Planning approved the proposed local law. They stated that they support the Village's decision to preserve its historic resource such as stone walls and other natural features and scenic views from its roadways and other public areas by providing additional zoning controls on redevelopment on lands within the Scenic Overlay District. Since the proposed zoning code amendment will have no adverse effect on any county-wide interest, they remand this matter for local determination. Attorney Rice said again, he would ask John to very briefly give an overview and then if people have questions, he can answer them.

Mr. Lange said that the large lot zoning issue is how to preserve the integrity and character of a neighborhood when some of the lots are a little bit larger than required by the zoning. And we evaluated several different alternatives including creating a new zone, changing the requirements of the zone, and they are trying to develop something with a maximum flexibility and the option they came up with is the Scenic Overlay District which overlays that zone. So if someone wants to change something again to a significant nature they would go to the Building Department. The Building Department would say, oh, this is just a deck. No, that is

not significant. This is a garage. No, that is not significant. If you are doubling the size of your house, adding additional units, changing the setbacks, those would be significant. So it gives the flexibility to operate within the existing zoning but with some additional concerns - or additional controls. Those controls would be the ability to double the setback or have an applicant measure the setbacks of his neighbors on the block so that he would match it and not set his building too far off. It is a flexible zone. It gives the Planning Board and the Village Board the flexibility to help preserve things that are important - mature trees, stone walls, the nature and character of the buildings and the setback. In a nutshell, it is a flexibility tool and allows the Planning Board to have additional discretion.

Since nobody spoke, a motion to close the public hearing was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

Attorney Rice said that again he thinks that John can give them some language for the outline of the negative declaration which we have to deal with before you actually act on the local law.

Mr. Lange said that since there is no change to the lot sizes, no particular change, and this is a case by case basis, there are no impacts and actually impacts should be mitigated with the use of this technique, therefore they recommend a negative declaration.

A motion to accept the negative declaration was made by Trustee Abato, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee John Meehan

VILLAGE OF SUFFERN

LOCAL LAW NO. 3 OF 2009

A LOCAL LAW ESTABLISHING A
SCENIC OVERLAY DISTRICT AND
REGULATIONS THEREFORE IN
A PORTION OF THE R-10 ZONING
DISTRICT IN THE VILLAGE OF SUFFERN

Section 1. Short Title.

This local law shall be known and may be cited as the
Scenic Overlay District Law for the Village of Suffern.

Section 2. Intent and Legislative Findings.

The Board of Trustees of the Village of Suffern wishes to preserve its historic resources, stone walls, other natural features, and scenic views from its roadways and other public areas by providing additional zoning controls on redevelopment on lands within the scenic overlay district. The view experienced from these areas contributes significantly to the overall character of the Village, an attribute the community seeks to preserve and enhance while accommodating growth and change. Where development occurs in sensitive scenic areas, the Village wishes to assure that such development is consistent with the objective of maintaining the existing scenic character of such areas to the greatest extent practicable. Specifically, the Village finds:

- a. That the traditional development pattern and the natural, open character of the Suffern Scenic Overlay District is a critical feature of the unique heritage of the Village of Suffern whose preservation enriches and benefits both residents and visitors;
- b. That the Suffern Scenic Overlay District is characterized by historic homes and buildings, mature trees, and yards which contribute to the overall scenic, historic and quality character of the Village.
- c. That it is desirable to protect the existing character and views within the Suffern Scenic Overlay District; and
- d. That preservation of these features while providing for appropriate development can best be achieved by providing the Planning Board with additional tools designed for flexibility to best match the design and character of new development projects to the existing character.

Section 3.

Section 266-6 of the Code of the Village of Suffern, "Enumeration of Zoning Districts," is hereby amended by adding thereto after "CEAO Critical Environmental Area Overlay District (supplemental standards)," the following:

"Scenic Overlay District (supplemental standards)"

Section 4.

The Zoning Map of the Village of Suffern is hereby amended by adding thereto the designation "Scenic Overlay District" and designating the properties set forth in Schedule "A" annexed hereto as being included herein.

Section 5.

The Code of the Village of Suffern is hereby amended by adding thereto the following section, "Section 266.21.1 Scenic Overlay District," to provide as follows:

- A. No subdivision of property, construction or material alteration of any principal or accessory use within the Scenic Overlay District is permitted unless said use shall have obtained approval as set forth below. Exceptions to this are as of right accessory improvements such as decks and pools.
1. If it is determined that the use is subject to site development plan approval, such use shall receive plan approval from the Planning Board together with the site development plan approval in conformity with the regulations set forth below in Sections 266.21.2(A)(3) and 266.21.2(A)(4).
 2. All other uses shall be subject to review and approval by the Building Inspector. The Building Inspector shall issue a building permit upon a determination of compliance with the regulation set forth below in Sections 266.21.2 (A)(3) and 266.21.2(A)(4), and other applicable zoning and building code requirements.
 3. Review Standards - In order to grant approval, the Building Inspector or Planning Board, whichever is applicable, must find that such structure or alteration is architecturally compatible with surrounding structures and that the important scenic and natural features of the site will be substantially preserved. To the extent practicable, all structures to be built on land within the Suffern Scenic Overlay District shall be sited and clustered on the tract in such a way as to avoid or minimize the obstructing of scenic Overlays in this District.
 4. Additional Standards of Review - The additional regulations set forth below supplement, but do not replace, the use and bulk regulations otherwise applicable to the underlying zoning districts.
 - a. The minimum front yard requirement, as set forth for the applicable underlying zoning district, may be increased for all structures and parking areas located within the Suffern Scenic Overlay

District. The side and rear yard may also be increased by the Planning Board if there are historic or scenic resources which are to be protected. The intent is to maintain the existing yards as to the maximum extent. The Planning Board may require the applicant to document the yards of all properties on the block in which the parcel is located to determine the appropriate yard dimension.

- b. The Planning Board may require that the front yard shall be managed by the property owner in a way that preserves significant existing vegetation, plant specimens, landforms and water features; nurtures tree planting and other natural landscaping efforts; creates dense landscaping buffers; preserves stone walls, existing fields and similar features; and/or ensures both the protection of visual buffers and the prominence of key scenic vistas, including views of historic properties and landscapes.
- c. Any necessary intrusions within the front yard area shall be reduced to the extent practicable by such measures as common driveways and shared utility services for building sites that may gain access from the roadways in the Suffern Scenic Overlay District.
- d. Cluster subdivisions, where appropriate, in accordance with the Village Law of the State of New York shall be the preferred residential land development technique for lands within, adjacent to or affecting the overall character of a Suffern Scenic Overlay District, provided that:
 - i. All structures and/or parking areas are effectively screened on a year-round basis by existing landform and/or vegetation or by substantial new planting and berming as viewed from the public right-of-way, provided that such treatment does not diminish the prominence of key scenic vistas including views of historic properties and landscapes.

- ii. A conservation easement, satisfactory to the approving authority, is granted by the landowner to the Village, a land trust or similarly qualified entity to ensure that the screening will be properly maintained and managed or a similarly binding mechanism as acceptable to the Village Attorney shall be provided.

- e. Existing vegetation shall be preserved to the maximum extent possible. Every attempt shall be made to limit cutting so as to maintain native vegetation as a screen for structures as seen from road, parks and other public Overlays within the Suffern Scenic Overlay District.

- f. No cutting of trees exceeding six (6) inches in diameter (measured at a height of four (4) feet off the ground) except in accordance with an approved building permit, site plan, subdivision or timber-harvesting plan. Cutting of all trees in a single contiguous area exceeding 5,000 square feet shall be prohibited.

- g. Throughout the Suffern Scenic Overlay District telecommunication towers shall be discouraged. In all cases the Village shall encourage shared use of towers rather than new construction, and reduced tower height to limit the need for external lighting.

Section 6.

Section 266.22 of the Code of the Village of Suffern, "General Use Requirements," is hereby amended by adding thereto after "District - R-10," the following:

[District]	[Permitted Uses]	[Accessory Uses]
Scenic Overlay All	permitted uses in R-10 District	All accessory permitted uses in R-10 District
[Special Permit Uses (refer to Article VI)]	[Required Off-Street Off-Street Parking]	
All special permit uses	As required in the	

permitted in the R-10
District

R-10 District

Section 7.

This local law shall take effect immediately upon
filing with the Secretary of State.

	Section		Subsection	Block	Lot
1	055	054	0001		046
2	055	046	0001		011
3	055	038	0001		009
4	055	046	0001		023
5	055	046	0001		026
6	055	046	0001		022
7	055	046	0001		020
8	055	045	0002		023
9	055	046	0001		018
10	055	046	0001		031
11	055	045	0002		020
12	055	045	0002		022
13	055	038	0001		007
14	055	038	0001		005
15	055	045	0002		017
16	055	045	0002		012
17	055	046	0001		017
18	055	046	0001		030
19	055	046	0001		021
20	055	046	0001		009
21	055	045	0002		001
22	055	046	0001		019
23	055	045	0002		021
24	055	046	0001		003
25	055	054	0001		004
26	055	054	0001		020
27	055	054	0001		019
28	055	045	0002		004
29	055	054	0001		024
30	055	054	0001		044
31	055	046	0001		012
32	055	046	0001		005
33	055	046	0001		029
34	055	045	0002		005
35	055	054	0001		042
36	055	054	0001		043
37	055	054	0001		023
38	055	054	0001		022
39	055	054	0001		017
40	055	054	0001		045
41	055	054	0001		005
42	055	054	0001		021
43	055	054	0001		018
44	055	054	0001		001
45	055	054	0001		047
46	055	054	0001		003
47	055	046	0001		025
48	055	046	0001		024
49	055	054	0001		002
50	055	046	0001		016
51	055	045	0002		019
52	055	045	0002		013
53	055	046	0001		015
54	055	045	0002		018
55	055	046	0001		028

56	055	045	0002	014
57	055	046	0001	014
58	055	046	0001	027
59	055	045	0002	015
60	055	045	0002	003
61	055	045	0002	002
62	055	045	0002	016
63	055	046	0001	013
64	055	046	0001	010
65	055	046	0001	004
66	055	046	0001	008
67	055	046	0001	006
68	055	046	0001	002
69	055	046	0001	001
70	055	046	0001	007
71	055	038	0001	008
72	055	038	0001	006

A motion to adopt a local law Establishing a Scenic Overlay District and Regulation therefor in a Portion of the R-10 Zoning District was made by Trustee LaCorte, seconded by Trustee Abato.

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

NOES: None

ABSENT: Trustee John Meehan

FIRE DEPARTMENT:

A) Volunteer Hose Company - New Member - Michael Simpson:

Chief Dan McInerney said that he had two items. One is for the insurance for the new member from the Volunteer Hose Company, Michael Simpson, and the second item is a request for the Fire Chief's to attend the New York State Fire Chiefs Association in Utica on June 11, 12, and 13 at a cost of \$1700.

A motion to approve the new member to the Hose Company was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

A motion to authorize the request for the Fire Chiefs convention at a cost of \$1700 was made by Trustee Abato, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee John Meehan

Trustee Abato said that she wanted to take the opportunity to congratulate Chief McInerney. She said that unfortunately she will not be able to attend the dinner. She will be out of town. So she just wanted to congratulate him while he is here. Chief McInerney thanked her.

Trustee Haggerty said that he had one question. He said that on this firemen's pension list. Chief McInerney said that it is still posted. Tomorrow is their company's meeting and he does know of two gentlemen that have requested them to review to see if they did make it and they have a report to turn into the Village for the next meeting. Trustee Haggerty said okay, because he was wondering because he saw that Art Corsner is not on the list. Chief McInerney said no, there is a certain requirement that he has to make. He has to make 10% of all fire calls and six drills. If they do not make those requirements, they do not. Trustee Haggerty said he thought he was retired. Chief McInerney said there is no provision for our members over 65 or however you want that are retired. They are still on the active list. They still are required to attend. Chief McInerney said he can provide Trustee Haggerty with what was passed ten years ago for the pension. Trustee Haggerty said he has a copy. He said he thought that he was already getting retirement benefits which he thought he should. Chief McInerney said that he is receiving the benefits but each year that he is active he can add to the benefits. So if he did not participate last year or qualify, then he doesn't get that additional money for that year. Trustee Abato said but he is still getting what he was getting before. Chief McInerney said that he is still getting the check each month for the years that he did qualify.

CULTURE AND RECREATION:

A) Update:

Mrs. Gail Curtin said that an update since their last Village Board meeting. They had a DARE dance on Friday, March 6. Their new program, as she mentioned when we first introduced it, was brought to us by Trustee Dagan LaCorte and that is Wyldlife which met at the Community Center on Saturday, March 7. They had LEAD on Friday, March 13. The Rotary Breakfast was held at the Community Center on Sunday morning, March 15 and, as they know, their approval to that was based on the fact that it was a fundraiser and the money is going to the soon to be newly installed bulletin board at Point Park. On Thursday, March 19, they had a senior movie afternoon. On Friday, March 20, they had family movie night. On Saturday, March 21, it was their pleasure to work with the DARE officer, Jim Giannettino, and Chief Osborn with a basketball tournament at the center and they are continuing to have the Fire Department basketball evenings on Tuesdays. Saturday, March 28, they had a Chamber of Commerce dinner dance co-sponsored by Recreation. Some of the Board were there and it was a great success. This past weekend, they had breakfast with the bunny. They didn't have the egg hunt. They gave out the eggs and she thanks all of them who were there and she thinks that they saw for themselves that a

little bit of rain didn't hold back from lots of youngsters being there with their parents. And at the same time it certainly worked out fine, as you know, Chief Osborn and she requested the Board to request Little League to start their parade a little bit later so that there would be no problems on the road and since we were inside, she guesses there were no problems on the road. Friday, April 17 they will have another DARE dance at the center. On Saturday, April 18, she and the Mayor have been working to once again sponsor Keep Rockland Beautiful in the Village of Suffern. So they are working with those people and we will have that again on the lawn outside of Village Hall. That evening, Saturday, April 18, Wyldlife will be at the community center again. Thursday, April 30, they will have a senior movie afternoon. And before she reads the miscellaneous items, she would just like to say a special thank you tonight to Elaine and Andrea at the community center. Because, as you can see, in addition to the regular programs that we have, they have put in a few late Saturday nights and she thanks both of them for their cooperation with those.

Mrs. Curtin said they have worked with Suffern Little League and the Midget Mounties and everything is a go with permits for use of the fields. They attended the Music and Arts Festival committee meeting on Saturday, March 28, and from the person you have pointed to represent the Village, she has to tell them that she came away from that meeting even more energized. It is just a huge undertaking and she thinks it is going to be great for the Village. She said that she worked with the Mayor. He is once again participating in Junior Achievement up at Connor School. He has begun, and she thinks he has done two sessions already and he will continue on Tuesdays through the month of May. She said she met with Christopher Abato, the Clifford Theater director and he has confirmed that the selection for this year will be High School Musical II, which she thinks is going to be greater than, if it can be, last year. She said she coordinated the R.P. Connor Community Day with Mayor Keegan, Chief Osborn, Historian Craig Long, and incoming Fire Chief Dan McInerney and that will be held at Connor School on Friday, May 29. And just as an update, they are continuing the process involved in purchasing the projector and screen for the auditorium. They are just waiting for a second quote for the electrical work. She said that is the update.

Mrs. Curtin said that she would like to ask for authorization to hire the 2009 Suffern Memorial Pool staff. Peter Hubert, Adam DeStefano, Steven Feine and Daniel Courtney all returning full-time guards at \$4,300 for the season each. Samantha Dunn, Andrew Fredericks, Molly Cauters, Jin Lee, Matthew Leon, Jordan Manos, Kelly Sheehan, Rebecca Sollinger, and Brad Cohen all returning as part-time guards at a seasonal salary - \$1,750 each. John McGrinn moving up from a substitute guard to a part-time guard, \$1,750. Emma Patwell, incoming substitute guard, \$8.50 per hour. She would also like authorization to hire the head guards, returning Michael Brennan, incoming Christin McKenna, and at this point, she is asking for them to be hired. They did not include on the paperwork that the Board has before them their salaries. They will certainly

fall within the budgetary constraints that they have given to them but they are still working out the various positions that Christin, the incoming head guard will have. As soon as they determine that, they will come back to the Board with the final salaries. And with the Board's permission, each of them will be hired for 2009. A motion authorizing the hiring was made by Trustee Abato, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee John Meehan

VILLAGE ATTORNEY:

A) Municipal Home Rule Request - Parking Authority:

Attorney Rice said the first item is the passage of a Municipal Home Rule law request to extend the term of the Parking Authority for an additional ten years. He said he has the requisite documents that we need to provide to the State Legislature and we need a 2/3 vote to approve the Home Rule request. A motion approving the Home Rule request was made by Trustee Abato, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee John Meehan

B) Esther Gitlow Towers II - Temporary C.O.:

Attorney Rice said that at the last Board meeting, Esther Gitlow requested approval of a temporary certificate of occupancy. The Board agreed to do that. The issue that was brought forth was the repair of the stone wall that is in disrepair. The other item that the Board required in addition to that was that they comply with whatever items that Dennis Rocks, our consulting engineer on the project, provides. Mr. Rocks did have a number of additional items. Esther Gitlow was desirous of moving into the building sooner, and he doesn't know if they completely understood that they had to do those items before they were going to get the certificate of occupancy, but nevertheless their architect brought a list of the items that needed to be done, or he should say a cost estimate for the items that needed to be done to Mr. Rocks so that he could provide a cost estimate. So what Attorney Rice would suggest is that the Board amend its resolution to provide for a temporary

certificate of occupancy for not more than 90 days for Esther Gitlow, conditioned instead just upon the \$10,000 check that has already been provided. Instead conditioned upon an additional \$16,875 to cover the other items that Mr. Rocks has identified. A motion to reflect an additional \$16,875 in lieu of the items that Mr. Rocks had previously identified was made by Trustee Abato, seconded by Mayor Keegan.

AYES: Mayor John Keegan
Trustee Dagan LaCorte, Trustee Patricia Abato

NOES: Trustee Andrew Haggerty

ABSENT: Trustee John Meehan

C) Set Date for Public Hearing - A-Rame Law - May 4, 2009:

Attorney Rice said that in addition, Wednesday night they spoke about the desire of the merchants to be able to put out A-frame signs on the sidewalks. For decades and decades, the provision in the Village code basically prohibited any types of advertisements or displays on the sidewalks. So in the interim, he has tried to craft a local law. He said he went on google and got a lot of different laws from municipalities all over the country and he would like to pass them out (which he did). Attorney Rice said he does think this is sufficient for them to set the public hearing next month but he does think that this is a little bit of a starting point because their may be items that he has put forth that they may want to change in certain respects. And just briefly, essentially what he has provided for is that no more than one A-frame sign can be provided for each retail or restaurant business. And here is one of the first choices. He thought that retail and restaurant was probably the only ones that you wanted to be able to have A-frame signs but if you want to expand that, you certainly can. Limited to the CB district, only on the portion of the sidewalk immediately adjacent to that business, dimensions not to exceed 32 inches wide and 36 inches tall. Again that may be something that they may want to talk about either making it smaller or larger. Can only advertise the business lawfully practiced within the premises to limit the verbiage to be on the sign, can't be illuminated or contain any electrical component, moving parts or have anything attached to it. Displayed during the hours that the business is open, remove daily at the close of business and in any event by 8 o'clock p.m., and that is something that you need to decide if that is the hour you want. They have to be removed in the case of snowfall or excessive winds. Can't be placed in front of a business unless there is a minimum pedestrian clearance of four feet of unobstructed space. He said he doesn't know if four feet, frankly, is honest - is sufficient. He said he thinks they need to talk about that. Can't be placed in the way of pedestrian traffic. Has to be placed in a manner that doesn't interfere with pedestrian street crossings or persons exiting vehicles or deliveries. And we have given the right to the Code Enforcer officer, who finds any of the signs placed as to be an obstruction, to remove it. A permit

would be required and in order for a permit to be issued, the Building Department or Code Enforcement officer would have to inspect the location and ensure that it is safe and complies with the provisions of this local law. So he thinks this is a starting point and he thinks in the interim between now and the next meeting, this can be circulated and we can receive whatever comments as far as some of the specifics that he has proposed. Trustee LaCorte asked that we make sure that we circulate this to Jonn Loniewski. Attorney Rice absolutely. Trustee LaCorte said and maybe get a copy to the president of the Chamber. Trustee Abato said we are just moving to set the public hearing. Attorney Rice said yes, that is all you are going to do tonight. Set the public hearing. But in the interim, he wants the Board to give him any input that they may have, because as he said, you may not agree with some of the particulars he put out there for discussion. A motion to set the public hearing for May 4 at 7:50 p.m. was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

POLICE DEPARTMENT:

Chief Clarke Osborn said that in March, they had a pretty busy month. They had 47 arrests and issued 204 vehicle and traffic summonses. They also received the license plate reader which basically, as he explained last month, is a device that is hooked up to a patrol car and it runs every single plate that goes by it or it passes. From March 18 to the 31, they did a two week study. He said they ran over 50,000 plates, and they came up with 29 arrests from the license plate reader alone. And once again, just so they know, it was a state grant that was given to them for \$20,000 so it doesn't cost us anything and it has obviously taken a lot of problems off the road. And that is all he has tonight.

AUDIENCE PARTICIPATION:

Florence DeStefano of 19 Prairie Avenue said that speaking of the police update, she wanted to thank the Mayor and the Village Board for sending the Suffern Police up to the middle school because of the incidents between the high school and the middle school, a police presence was there which made a lot of people feel very safe. The license plate reader was used there as everyone was going into the building. And she would just like to thank the Mayor for being proactive and working with the Ramapo police in making our school districts feel safe.

Jack Rosenberg of 13 Somerset Drive said that six years ago, a successful bidder on a \$680,000 contract told him that he wanted to show his appreciation for such a large contract. He wanted to donate two \$500 benches somewhere downtown for the benefit of people walking in the central business district, specifically on Lafayette Avenue. By the time that the Board got around to approving it and picking a site - the two sites that were picked were in front of HSBC Bank and the other one would be in front of the Parking Authority office at the corner of Lafayette and

Chestnut. By that time, the relationship between the Village and the contractor had soured to a considerable degree so nothing ever was accomplished because of the controversy between the two parties. They reneged on their promise. Now, at the time there was some thought that if there was such a bench that there would be some people who might want to sleep there on the benches. Well, obviously, if you go outside of Village Hall, right outside the police department and in the walk way, there are two benches with individual seats - metal bars between the seats which would make it impossible for anybody to lie down. They could sit up but they could not lie down. And he thinks that it is worthwhile for those people who are shopping or coming into town if they spend anytime, and remembering that there is a hill especially between Chestnut and Park and then further up toward Suffern Place. That is a nice hill. And if people spend time down there who are of advanced age, such as himself, and he does make it a habit of coming down in the last 15 years a minimum of two days a week and a maximum of 4 days a week. So in 15 years he has been down here he would say upwards of a thousand times. And he thinks that the Board should service the people who are walking Main street by letting them take a rest by putting two benches. And he would make the suggestion that these two benches out here could very easily be moved tomorrow and placed where it was agreed to by the Village Board at that time and then order two new ones to replace the ones that are here if you have such a desire. He doesn't see any reason why if there is somebody violating a law that the police cannot handle the situation and certainly there have been benches put out. There was a day a few years ago when there was a shopping day and everybody put out chairs outside and everything. And he thinks this would benefit the Village.

Gerry Levitus of 20 Lonergan Drive said he just wanted to take this opportunity to thank Dan and the Public Works Department for an excellent job that they have done on Lonergan and Temple removing the leaves and the branches. And not only that but doing an excellent job of removing the snow and allowing the people to have the right away. Because he knows how difficult it is for them when they have a snowstorm getting their cars out and getting the walks cleared off and everything and he just wanted to say that he thinks that Dan and his entire crew did an excellent job and he wanted to thank them very much.

The Mayor said he agreed.

Jim DeStefano of 19 Prairie Avenue said he just wanted to speak on last months meeting. He said there was a hearing or a special meeting with the Village Board on whether or not we were going to retain the services of Ryan Karben as the attorney for the downtown revitalization project. He said he didn't hear the report and he doesn't know if that was coming later, but evidently, by the letter that was written by Trustee LaCorte about the Mayor flip-flopping on the Karben - his decision to hire Ryan Karben, there are a few comments he would like to make on this. Number one is that this project is very vital to our downtown area. He doesn't know any

builder who is really going to want to come in and deal with an attorney that is, right now, surrounded with a lot of controversy. Whether Mr. Karben has done anything wrong or not, we really need to take a look at that. This project and this time right now building is not the number one thing. People are not going out there and just laying their money out there. And anybody that is going to come in and lay that type of money to do this project in here, he is sure they are not going to want to come in and walk in with a lot of controversy. We have controversy on this project now because of the eminent domain. A lot of people are against eminent domain. That is one hurdle that we are going to have to go through. Then we have the hurdle with Mr. Karben with everything that he is going through. It has been said that Mr. Karben has the expertise to deal with it. The Spring Valley project, which he is the attorney for, and he doesn't know if anybody has been down there, but you know what, the project has come to a standstill. It stopped. He was at a workshop meeting and he was discussing this project and he said the builder ran out of money. Mr. DeStefano said that he doesn't know why if he is the attorney there why they wouldn't have that builder become bonded. He said that most of the projects that he has worked on in construction is that you are bonded. And the reason why you are bonded is to protect the municipality from somebody who doesn't have the fund to complete a project. So if the Spring Valley project is not going forward because there is no money there, well then why didn't he have the contractor who took on that project be bonded. Secondly, the articles in the paper now with the woman in Congers. Mr. DeStefano says he doesn't know if he says that he didn't do anything wrong, Mr. DeStefano said he doesn't see him doing anything right. Mr. DeStefano said that he is not an attorney and he could have gone in there and walked away with more than \$70,000 for this woman's home. It has been brought up that Mr. Rice doesn't have the expertise to deal in this revitalization. He said he thinks that Mr. Rice could have done a lot better job representing his client than Mr. Karben did representing this woman in Congers. We need to really take a look at that as to what is good for the Village of Suffern at this point. Not what is good for anybody on the Board, for anybody's position. He just doesn't feel that we should try to revitalize Ryan Karben's career at the expense of the people of the Village of Suffern.

Bill Pamm of 176 Doxbury Lane in Suffern said he is here to speak on a similar subject that this gentleman just spoke about - the continued employment of Ryan Karben by the Village of Suffern. He believes that every official and employee of a municipality should adhere to a standard of morality, decency and integrity. Let's examine the record of Ryan Karben to see if he adheres to these standards. He was elected to the County Legislature in November, 1997. He gave an incorrect address as his local residence. He was actually living outside the boundaries of the district. The Democratic Legislature let him get away with it. In November, 2002, he was elected to the NYS Assembly from the 95th District. There he achieved the dubious distinction of becoming an expert of every subject under the sun and sending out more self-promotional

material than any other Assemblyman. Suddenly, on May 15, 2006, apparently under pressure from the leadership, the young, ambitious Assemblyman was forced to resign his seat. His excuse at the time was that he needed to spend more time with his family. Anyone who believes that also believes in the tooth fairy. The Spring Valley law firm immediately took his name off their roster. His home-based Ramapo political machine spread into action. Word went out - our boy Ryan needs a job. Hop, hop, Mayor Darden of Spring Valley, who surrogated for the Ramapo machine - Karben is just the man we need. Now Karben has also become an expert on municipal law at a mere \$50,000 per annum. Not to be outdone, the Village of Suffern also got into the act. We all know about the housing project that has been proposed on Orange and Chestnut Street. The Ginsburg Corporation expressed an interest in developing this and out of all the hundreds of attorneys in Rockland County, the Village of Suffern required the Ginsburg Corporation to hire Mr. Ryan Karben. When that deal fell through, the Village assumed his salary and to date the Village has paid him over \$29,000 plus \$225 per hour for any further work he does on this project even though there is no present developer in sight. The engineer of this whole deal is Trustee Dagan LaCorte who happens to be a political ally to Mr. Karben and has contributed over \$1000 to his campaign chest. While we are on that, Mr. Karben has a campaign chest of about \$450,000 and it would be very interesting to know what he intends to do with that.

In January, 2008, Mr. Karben was arrested for driving while intoxicated - DWI. He hit a pole and continued to drive until he was stopped by the Ramapo police. He failed four field sobriety tests but refused to take a chemical test. His excuse this time was he was trying to avoid a deer. The case was transferred to Nyack and finally to Orangetown. He pleaded guilty to a lesser charge and was forced to spend the night in jail. The last point is probably the most bizarre of all. Here is the gist of it. Here is the headline in *The Journal News*. March 13. Lawsuit - Woman Duped of Deed. Karben Corporation accused in deal that took Congers home. *The Rockland County Times* - April 1 - Karben and NJ Based Corporation Targeted by Congers Woman in Lawsuit Over Real Estate Deal. Mr. Pamm said that what he got from the article was the 76 year old Congers woman thought she was getting a \$40,000 loan, which was a lien against her house. Instead of that, she was signing a deed to her home. And Mr. Karben was supposed to be representing her. Some company in NJ sold the house, got \$260,000 and this poor woman got \$40,000. Mr. Pamm said that when you add it altogether, does this reflect decency, integrity and morality. He said he is calling on the Board to have another vote and terminate his services.

Dave Gutierrez of 23 Meadow Avenue said he is a registered Independent and he endorses no one at any time. In regards to the Ryan Karben discussion with his morality aside, he would like to ask Terry Rice a question. He asked Attorney Rice, in his professional opinion, do we need, no matter what, a specialized lawyer to handle urban renewal law. Does urban renewal law require

a specialized attorney. Attorney Rice said he would frankly have to think about it for a little while. It is a specialized area of law that is not an area of law, although he has 30 years of municipal experience and he has done a lot of different things but he has never done an urban renewal project. When we started the project in the beginning when we had Ginsburg involved in the project, Ginsburg was obviously going to pay for whomever we used as outside counsel for the urban renewal project so it certainly made a lot of sense at that point of time. Secondly, as he understands it, the process going forward if anybody is interested in proceeding with the project, they also will have to reimburse the Village for the costs, including whatever attorney we hire. So to answer the question and get to a conclusion, he thinks that probably - he said to let him back up and say - there are very few times in the 30 some odd years that he has been Village Attorney that he thought we needed to use special counsel. There are certain specialized areas in which special counsel makes sense and when we do that we want to hire somebody who has more knowledge than he does and somebody who is an expert in the field and he thinks that it is probably advisable to use some form of special counsel in something like this since we are dealing with ultimately what would be a multi-million dollar project and, again, he can say he can read the statutes and he can read the books, but he has never done this type of project.

Mr. Gutierrez said so to recap, as he understands it, then the best practice would be to have a specialized legal counsel if possible on this project regardless if it is Karben or somebody else. So the ultimate conclusion is that whether it is Karben or not, and that needs to be worked out between the citizens and local government, we ultimately probably need someone in this space. So if now it becomes an issue of budget, then we need to discuss the issue of the budget and not Ryan Karben's morality. But he also wants to take the opportunity to thank Terry Rice for all the work as speaking as a Chamber of Commerce member. Thank you for working on the sandwich sign stuff. They really appreciate it and he knows that has weighed heavy on a lot of businesses minds. And also he wanted to - one of the other hats he wears is that he is one of the creative directors on the Suffern Music and Arts Festival and Gail is right. It's absolutely phenomenal what is happening and the citizens that have been activated around this initiative whose intention is to really revitalize Suffern to a live event. And he wanted to make a suggestion. One of the intentions of the festival is, as they are expecting 10,000 to 15,000 people at this event, with that profitability, how do we really leave behind something that leaves our Village in a much better spot. And he would suggest maybe to Gail to talk to the chairwoman, Tara Agen, regarding this projector purchase and screen. Because one of their intentions was to, as they fit the community center with sound and projectors and all that stuff, one of their intentions was to basically leave that technology behind so that all of their recreational installations had technology remaining so that they could further optimize those spaces for other live events throughout the month and so forth. So maybe before we do that purchase, it might be a good opportunity to

at least pick Tara Agen's brain and some of her team and there might be a way that they could actually work that cost out. So maybe we just need to rent it for the time being. Just a suggestion.

Mr. Gutierrez said Airmont village services. There was a workshop the other day and it was really great to see the Mayor of Airmont finally sit down in our public forum and ask them if it was possible for Suffern, as a client of ours, for Airmont not to any longer use the Town of Ramapo with constantly accelerating costs for snow removal, garbage removal, and as he understands it, maybe police, and all of this other stuff and he was wondering - he heard that a task force was launched and he wanted to understand who was on the task force and where do we stand on our follow-up with the Airmont village.

The Mayor said that Mr. Gutierrez was in the workshop when he announced who was on the task force, correct? Mr. Gutierrez said he was. The Mayor said that on the task force, right now, is himself, Jack Meehan, Dan Haglund, Tom Zordan, and hopefully we will have a Superintendent of Public Works hired by then and he will be on it as well. That doesn't mean that is all that is going to be on it but right now, until Jack gets back from the Netherlands, and he speaks to him, that is the task force. Mr. Gutierrez asked the Mayor if he felt the entire Village Board should be on something as intricate as how we are actually going to work with other villages. And he is really suggesting that possibly the whole Village Board be on that. The Mayor said the Village Board - it is a good thing to have them on, but when you have a task force and you want to meet regularly. If you have more than two Village trustees in a meeting, you go against the open meeting law. So it is very hard for them all to meet at once. And we want to get this task force going. So to have everybody on it, he thinks would be detrimental to getting this thing going. However, the Board will be apprised of everything that is going on with it.

Mr. Gutierrez said that he had requested in a past meeting a report regarding the cell phone tower microwave emissions - a kind of environmental report. Unfortunately, that report doesn't exist or it might exist but we don't have it. Is there any way he could - how would he track down a copy of that report showing the environmental impact of our flagpole, which is actually a microwave emitter for cell phones across from the school. The Mayor said he is sure that Carl Rossi, who is not with us anymore - it is in his office. Trustee Abato said she might still have a copy of it and if she does, she will get it for him.

Mr. Gutierrez said that he understands - he kind of wants to get an update of the contamination issue down at our ballfield by our well fields - the old bus station. And he forgets what they call that actual contamination. He wants to get an update on that. People from the west ward were a little concerned. And after that update he has another question. The Mayor said that he has talked to Neil Winters about that and they are willing to hold off until November,

after all the games and the kids are off the field before they raise that building. Mr. Gutierrez asked if it is a type of contaminant that is leaking in water. The Mayor said no, it is the type of contaminants - they have three test wells under the ground. They believe that because that place was once gas and it had an actual septic system with it, they believe there may be contaminants under the ground. There is a field of tar underneath the building. That is why they want to tear the building down to get to that tar. The tar is in a solid state. So it is not really a contaminant. And he was assured by O & R that there is nothing that will leach into our wellfields. In taking the building down, there is a question as to whether there may be some asbestos or something like that which could possibly get into the air. They assured him that they will take every precaution to see that nothing gets into the air while they are taking the building down and they will also have a roving patrol over there to keep an eye on the building to keep people out.

Mr. Gutierrez said that in his investigation of the actual land plot and all that for that particular issue, he came to understand that we could literally divert our waste by tapping into a waste pipe or sewer that actually exists not that far from our waste sewage plant. Is it the wall that we are repairing for three hundred or something thousand dollars for the water waste plant or is it for the water. Trustee Abato said the water. Mr. Gutierrez said the water waste plant? Trustee Abato said no, the water. Mr. Gutierrez said he knows that we had a centrifuge at one point and that we were having a lot of issues with our waste and that the qualification of our waste to get moved as far as wetness and so forth. Is it possible that we might want to divert our waste altogether to the new Hillburn plant and maybe free up some space up there or maybe further save some money. The Mayor said that it is something to look at but he doesn't think anybody up here could give him an answer on it tonight. Mr. Gutierrez said so it is not on our radar. It is nothing that we are really thinking about. The Mayor said he thinks that he is comfortable with our own waste water treatment plant rather than going into Ramapo's line. But we will look into it. Mr. Gutierrez said great.

Mr. Gutierrez said that finally he does appreciate the police and the Village's fast response to the issues that we have had at the high school but the question that really needs to be asked is in the future how do we avoid five kids beating up a Latino kid. And he wants to really understand how we talk about it. He said he doesn't know why that is a big snicker. Beating the five kids beating up another kid which is a very serious thing whether he is a white kid or a Latino. The Mayor said he is absolutely right. And it is not just happening in Rockland County. Mr. Gutierrez said in the future he would like to see some kind of - some opportunity to educate our kids a little better. The Mayor said he is sure there will be a lot of meetings about it. Mr. Gutierrez said that no one deserves to get hit.

Trustee Haggerty said that while we have a chance. The request by

Airmont to our Village, in his opinion, is not going to be profitable to us and it is probably about time that they should start getting their own. If they are dissatisfied with the Town, who he always thought gave them great service. Now maybe they went up in their price a little bit but that is the way it is. They wouldn't know that probably because they don't spend any money on services for their village. But probably it is about time that they did.

Mel Berkowitz of 52 Milford Lane said that he has made some observations over the last four or five months. Probably a lot of folks in the audience have made the same observations. Some they actually made tonight indirectly. And he thinks that when you don't attend the meetings and you see it on TV, you come out with a different thought and a different perspective of what the Village is about. And he thinks it is very important that sometimes when we leave the audience and a week or two later look at the film itself. For instance, and this is in no direct order, but he will go back to one or two things that someone else had said while they were in the audience and it is important that we look around to other villages and other towns. He said that he travels as a salesman up through Maine, and by the way, and he will agree with Jack Rosenberg, we have probably the least amount of benches in any small town or village around. He travels from anywhere from 100 to 300 towns and villages during the course of a three year period. And there must be something to that that they all have a catering to all sorts of people. They are not afraid of anything. They put the benches out. They take the benches in. They leave them twelve months out of the year and he, as a Chamber past president and a board member of the Chamber, have often said that we need more benches down here and he doesn't know why we never really looked at that. He thinks it is important for people to sit down. It makes them feel at home. And for the second time around, he will agree with Jack Rosenberg and he has said this once or twice before. That being said, we have some facts and figures that have been presented tonight and he is not sure if we are really on them. Finances are very important to us. The Mayor of course has a Board and he is going to go back and look and see if Airmont can use help. We of course need some help in budgeting. So if the Mayor of Airmont, Dennis Kaye, comes to us and says "you know what, please look into it for us." The first thing he wants to look at is a salt box, which is not expensive to do. He wants a little piece of land for a salt box. He wanted to know if our signs were available - our printing signs so he could use that. So that is another question. Then he went to the roads and services and that is probably a little bigger question. He doesn't think we need ten people on a tremendous board. We do have a finance director, we have someone from the town, we have the Mayor, we have another Trustee. We don't need ten people to analyze, to sit down and analyze if we can give someone else some help. They are our neighbors. And, by the way, they do come down town and they do visit our stores, which leaves him to something else, which was indicated by somebody on our Board. That some of these towns and villages around us, whether it is Airmont or Montebello, that are make-believe towns and villages.

Mr. Berkowitz said he can't imagine anybody wanting to say that. But again, they visit us, they use our facilities. Nobody in this County is a make-believe town or village and he thinks that we have to look at that and say, you know what, this is something we shouldn't be talking about. This is really a waste of everybody's time. What also is a waste of everybody's time is when the Trustees and the Mayor gets attacked. He has seen people from the audience. Again, he is watching on TV. The verbal usage against the Mayor and Trustees are just unbelievable. You have to see it. From perhaps somebody from the PBA getting up and calling him a liar and other people getting up and saying, you know what, we are not working together and goes on and on and on. We could stop that. We can do what we have to do. This is all unnecessary. We can work within the confines of the laws that we do have. We can work certainly with our finances and lower that and make sure it is not a 10%, 8 or 7 or 6%. We can get that reduced. We can help other villages around us. We don't have to be so negative.

Adam DeStefano of 19 Prairie Avenue said that he had a question for Terry Rice. He asked Mr. Rice if he felt if he read up on the laws for the Orange Avenue renewal project that you would be able to handle the legal part of it. Attorney Rice said he answered that before with a rather long explanation and he doesn't want to be put in this situation. He said he will do whatever the Board deems appropriate. He has been a lawyer for thirty years and he will do what the Board deems appropriate under the circumstances. Mr. DeStefano thanked him and said that is all he wanted to know.

DEPARTMENT OF PUBLIC WORKS:

Supervisor Dan Haglund said that he would like to start off by saying thanks to Jerry for the comments. Mr. Haglund said his agenda here is that as they are all aware, we got a new sweeper. We are out sweeping the streets trying to get them clean. The second thing is that we are working on plow damage. Due to the plows and other contractors also doing damage. Ramapo Avenue sidewalks went out to bid. About five or six contractors came and picked up bids for that. He then said five. The next item is that Verizon wanted to put FIOS going down Yorkshire Drive, which is actually going to be in the lawn area. They are going to give him the updated plans. They should have them back to him early next week and then he will approach the Board and show them exactly what has to be done. We are also going to be starting stump grinding on the 20th of this month. We are also doing asphalt patching on the nice days. The next item is that WJL is supposed to look at the driveway aprons, which they poured on Boulevard. We have a problem with them. They believe it is the concrete. They are supposed to do core drilling and do testing on the concrete. So once that is done we will find out what the problem is and we can correct that. The Mayor said that if those are found to be inadequate, they are going to be replaced by the contractor at their cost, correct? Mr. Haglund said yes. Mr. Haglund also said that we have on Riverside Drive some of the curbs throughout the years, being that they are old, may need to be replaced. We might have to look at that as a capital project.

And there are also other streets in the Village but that one is really bad, too. It is a big concern. He has gotten a lot of calls regarding Riverside. Also speed bumps are going to be installed on Lonergan Drive on the last week of this month, weather permitting. He said that is it and he asked if there were other questions.

Trustee Abato said she had one - the bricks. Do we know anything about the bricks? Mr. Haglund said no. She asked if we are going to know anything about the bricks. Mr. Haglund said he may have to put them on plaques, like he did around the trees. Get plaques made up for them and put them on the Belgium block. Trustee Abato said okay. Mr. Haglund said nobody gets back to him regarding that. Trustee Abato said what, the bricks? Mr. Haglund said the bricks. Trustee Abato said she thought we had somebody. Mr. Haglund said he has about eight calls into him and he has not returned his call yet. Trustee Abato asked Mr. Haglund to leave in her box his name and number. Mr. Haglund said yes.

VILLAGE CLERK:

A) Approval of Minutes of Special Board Meeting - March 6, 2009:

A motion approving the minutes was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

B) Authorization to Advertise for Proposals for Concession Stand - Return April 24, 2009, 11:00 a.m.:

Village Clerk Virginia Menschner said she would like to have authorization to go out to bid for our concession stand at the pool and she would like to have the bids come back on April 24, 2009 at 11:00 a.m. Trustee Haggerty asked if the woman who has had it the last couple of years - the Mayor said yes, she is interested, but we still have to go out to bid. Trustee Haggerty said he understands that. He was just asking the question. A motion approving the request was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

C) Request - Farmer's Market - Starting Date June 13, 2009:

Ms. Menschner said that we had a letter from the Suffern Farmer's Market, which she read.

We are pleased to let you know that the Suffern Farmer's Market committee plans to open the market for the 2009 season on Saturday, June 13, at 9:00 a.m. The market will be open every Saturday after that, rain or shine, 9:00 a.m. to 1:00 p.m. through November 21. We respectfully request that the Village Board approve the market's location at the commuter parking lot A on Orange Avenue.

A motion approving the request conditionally upon the receipt of the Certificate of Insurance naming the Village of Suffern as additionally insured was made by Trustee Abato, seconded by Trustee

Haggerty. Upon vote, the motion was carried.

The Mayor said we are putting a lot of heat on the Rockland County Sewer District who is working over there to get all the trucks and get through there. They are drilling under Orange Avenue right now so we are trying to get them to move on out of there so when the Farmer's Market does open you know that it is all cleaned up and they have the room over there.

D) Resolution - Road Improvement - \$220,000 and Hook & Ladder Kitchen Cabinets \$15,000 (Total \$235,000):

The Village Clerk said we have a BAN that we have to advertise and it is for \$235,000. One is for the street road improvement, \$220,000, and also we have the Hook and Ladder kitchen cabinets for \$15,000 for a total of \$235,000. A motion authorizing the resolution was made by Trustee Abato, seconded by Trustee Haggerty.

AYES: Mayor John Keegan
Trustee Andrew Haggerty, Trustee Dagan LaCorte
Trustee John Meehan

NOES: None

ABSENT: Trustee John Meehan

E) Motion to Advertise Resolution:

The Village Clerk said that now she needs authorization for her to advertise the resolution. A motion approving the request was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

F) Request: Shamrock Hotel for 6 Tables and Chairs:

Ms. Menschner said that we have a request from Shamrock Hotel for 6 tables and chairs. She said that she gave this to Mr. Loniewski. She said that she just received the answer from Mr. Loniewski that she just received at 3:30 p.m. Trustee Abato said it is a favorable one. Trustee Haggerty said they have plenty of area over there. A motion approving the request was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

Ms. Menschner said that she has two other items which are not on the agenda. She said we have to set a public hearing for the water rates and a public hearing for the sewer rate. She said that she would like to have them for the next meeting. Trustee LaCorte said he is making a motion to put them on the agenda, seconded by Trustee Abato. Upon vote, the motion was carried.

The Village Clerk said one is the water rate and one is the sewer rate. The public hearing was set for both at 7:45 p.m.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that as the Board knows, at the workshop he said he had nothing to report other than he gave them a copy of the updated budget. As it stands now, it is at 5.56% increase. There might be a little tinkering tomorrow, the last day, and hopefully we can get this done so everyone can sleep better at night. The one thing that he did want to mention, and he hasn't talked about it in a while, is the water department. The meter reading system. He said he just wanted to give them an update on how much progress we made. He said that as he said, we have 2400 customers. The gentlemen down at the water department in the last 4 months have been able to install 1221 meters so far. Slightly over 50% done in just a four month span. He said he thinks they are doing a great job. And Barbara Cottiers, who has been coordinating this whole project here and getting everybody's appointments, letters out, notifications. She is doing a great job at it. And for the people who haven't made an appointment and got their meter in, please call us as soon as you can. The number is 357-2600. Get an appointment and let's get this over with. And that is it. He would like to thank Barbara and the water department.

MAYOR:

The Mayor said we have a proclamation for Meals on Wheels. He said that everybody has a copy of it. A motion approve the proclamation was made by Trustee Abato, seconded by Mayor Keegan. Upon vote, the motion was carried.

A motion to adjourn the meeting at 9:03 p.m. was made by Trustee Abato, seconded by Trustee LaCorte.