

**Village Board Meeting  
Monday, June 1, 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 Patricia Abato, Trustee John Meehan

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

ABSENT: None

The Mayor said he had a couple of certificates that he would like to give out to some really deserving individuals. He said he would like to start off with a certificate that he has here and he would like to ask Gardner Watts if he was here. Mr. Watts came down to the front of the stage. The Mayor said that Mr. Watts celebrated his 95<sup>th</sup> birthday on April 3 of this year. He presented Mr. Watts with a certificate.

The Mayor said that Rosemary Schellaci who is the current and also a past President of the Village of Suffern Senior Citizens Club is being recognized by the Village in honor of her selection as the 2009 Rockland County Senior Citizen of the Year. He also presented Ms. Schellaci with a certificate of recognition.

The Mayor then asked Todd and Scott Vignola to come down. He said that he is sure that anybody who has been up going into Bon Aire recently has seen the facelift project at the entrance to Bon Aire. It was about a six day project and the walls were repointed, there were limestone caps put on, the lettering was redone, some bushes installed and some mulch and it really looks good. And that whole project was donated by these two gentlemen, Todd and Scott Vignola of Add-Ventures and they wanted to make it their donation to the Village of Suffern. And the Mayor said he takes pleasure in presenting them a plaque.

**Set Dates for July Meetings:**

The Mayor said that our next workshop will be Wednesday, July 1, at 7:00 p.m. and our Board meeting will be Monday, July 6, 2009 at 7:30 p.m.

**FIRE DEPARTMENT:**

**A) Request to Increase the Number of Members in Each Company to 75**

**Members:**

Chief Dan McInerney said that he had a few items. The first one is a request to increase the number of members in each company up to 75. He said that each company brought it up at their last month's meeting but before they vote on it they would like to make sure that the Village doesn't have any issues. Currently the membership is set at 65 over 18 and 10 under 17 so they are looking to increase the total membership to 75 over 18. A motion to increase the number was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

**B) Request to Allow 3 Fire Chiefs to Attend Firehouse Expo in Baltimore, Maryland on July 24:**

Chief McInerney said this was a request for the three fire chiefs to attend the Expo in Baltimore, Maryland on July 24. A motion authorizing the request was made by Trustee Abato, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: None

**C) Permission for 19 Patrol and 19 Squad to be Taken Out of Town for the Following Events on June 6<sup>th</sup>:**

Chief McInerney said that the members would like to attend the following events on June 6<sup>th</sup>: a field day competition in Middletown, New York, the dedication ceremony in Hillburn, and the dedication ceremony in Nanuet. They have new fire engines and they are requesting to take 19 Patrol and 19 Squad to these events. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

**D) Permission for 19 Squad to be Taken Out of Town on June 19, 20 and 21 for Members to Attend the Hudson Valley Fireman's Parade in Lake George:**

Chief McInerney said this next request is that on June 19, 20 and 21<sup>st</sup>, a number of the members would like to take 19 Squad up to the Hudson Valley Fireman's Parade in Lake George. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said he would also like to mention that on Saturday night there was a dinner at the American Legion for a member of the Hook and Ladder - James Harold Dawson - who just celebrated 50 years of volunteer service to the Village of Suffern Fire Department. The Mayor said he thinks he not only deserves a good round of applause

but he thinks he deserves a standing ovation. The Mayor said he is not with us tonight but we awarded him a really nice plaque on Saturday night and he also received quite a few awards from a lot of our State and Federal officials. And it was really a nice thing and it is a great accomplishment in the Fire Department.

**BUILDING DEPARTMENT:**

**A) Special Renewal Permits for Three (3) Artists Lofts 1, 2 and 3 - Lafayette Avenue:**

The Village Clerk said that we have a request for three artists lofts and Mr. Loniewski went down and spoke to Kiplou. She asked the Board if they had a copy in front of them. She said if not, she has it right here. She said this is from John Loniewski, the Code Enforcement Officer, who wrote: "I have inspected the three artists lofts owned by Kiplou. They all meet the requirements for their approval." A motion approving the special permits was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

**B Request for Tables - Artistic Floors:**

The Mayor said we have a request for tables at Artistic Floors. Attorney Rice said the proposal was for the use of tables on the sidewalk for the display of merchandise. The Code Enforcement Officer inspected the location and found that the sidewalk, first of all, was not wide enough at that location for tables to be safely displayed there and secondly the law provides to continue to provide that you can't use anything on the sidewalk or a public right of way for the sale and display of merchandise. The recent law that the Village Board adopted a month ago was only for A-frame signs at particular locations. So in any event the request would not be permissible under the provisions of the Village Code as well. So based on that he would suggest that the Board adopt a motion denying the request. A motion to deny the request was made by Trustee Meehan, seconded by Trustee Haggerty. Upon vote, the motion was carried.

**CULTURE AND RECREATION:**

**A) Update:**

Mrs. Gail Curtin said that she thought the Board all had a copy of the Recreation update. She said she gave it to the Clerk at the beginning of the meeting. She said that since their last Board meeting, the Recreation Department at the Community Center had a LEAD session on Friday, May 8. She said that many of them and some of the Board attended the Rockland County Youth Bureau Awards Night on Thursday, May 14, at which time the Village of Suffern Community Foundation non-profit organization was honored as a non-profit organization of the year. Saturday, May 16, we had Wyldlife at the Community Center; Tuesday, May 19, they had the Blood Drive; Thursday, May 28, Senior Movie Afternoon (and she thanked

Rosemary); Friday, May 29, the Mayor, the Chiefs attended the Connor Community Day up at R.P. Connor. And yesterday, a little Brownie troop, once again with the Board's permission, had a yard sale outside Village Hall and the funds that they make at that will be used, and in fact they will be back tomorrow, to do some planting of flowers outside of Village Hall.

Mrs. Curtin said that upcoming on Saturday, June 6, Wyldlife again will be at the Community Center; Friday, June 12 will be the final session of LEAD. That is the outdoor session at the gazebo. She said she will work again with Chief Osborn to make sure that they are okay for that night. And that will begin at 5:00 and run to 9:00 p.m. She said if they were free and they would like to stop by. She said they will have the Annual Fishing Derby with the Mahwah Elks Lodge on Saturday, June 13. On Friday night, June 19, once again she mentions the Foundation, and that will be their annual session where they give computers to some children in the Village of Suffern and surrounding area. Monday, June 22, and again she mentions Chief Osborn's name, and they will be working with Officer Giannettino and the Police Department to have the DARE pool party, with the raindate the following day, Tuesday, the 23<sup>rd</sup>. Thursday, June 25 will be the first concert - Music by No Exit. Saturday, June 27 they will officially open the pool at 11:00 a.m. and that following Monday, June 29, they will have their first Kiddie Pool Party at the pool at 6:30 p.m.

Mrs. Curtin said that she has one item which just came to them this afternoon and she would like to recommend one of the lifeguards who you approved as a returning part-time guard has withdrawn from the staff this year. She met today with the two head guards and she had conversation with some Rec members from the Board and they would like to offer a full-time position, rather than a part-time position, to Brad Cohen. The money would be the same. A motion authorizing the request was made by Trustee Abato, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: None

**POLICE DEPARTMENT:**

**A) Parking on Sagamore Avenue - Set Public Hearing - July 6, 2009 - 7:45 p.m.:**

Chief Clarke Osborn said that he had a couple of quick things tonight for the Board's information. He said they spoke at the workshop about some parking situations in the Village. The first one is on Sagamore Avenue. It is on the western part of Sagamore. He said he met with the residents up there - several of the

residents - and the problem that they are having is that vehicles are being left overnight which they believe are from the Parkside Drive area - the condo area - and to the point where they can't get their vehicles out of the driveways. So what we are looking to do is amend Section 254.65 which is a local Village code dealing with time restrictions to a three-hour time limit. And he thinks he gave the measurements to Terry and he is asking for a public hearing for next month and he will notify the residents up there of the hearing. A motion setting the public hearing for July 6, 2009 at 7:45 p.m. was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

**B) Parking on Cypress Road - Set Public Hearing - July 6, 2009 - 7:55 p.m.:**

Chief Osborn said this second one is on Cypress Road. He is asking for Section 254.61 of the Village Code to be amended. That is a problem that we are having with the buses coming out of R.P. Connor School. He went up there this morning and this afternoon to take a look himself and we are having a very difficult time because there are vehicles that are parked on the west side of Cypress Road. He said we didn't have this problem up until recently. He doesn't know if some more people moved in or what it is. But it is very difficult. We have a very serious problem where buses are going around into other lanes where kids are walking. So he told Attorney Rice that the one thing that he would like to change is the dimensions that he gave him is to 275 feet south of Forest. He said he thought it was 150 and he went up and took some more measurements and a couple of issues came up that he researched today and he is going to ask him to go to 275. And he will also ask for a public hearing on that. A motion setting the public hearing for July 6 at 7:55 p.m. was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

Chief Osborn thanked the Mayor and Board. He said he had a couple of additional items. He said it was a pretty busy month in May. He said they made 39 arrests and they issued 338 vehicle and traffic summonses. This was their busiest month to date this year. He said that Sgt. Ed Dolan completed three weeks of supervisor's school up at the Rockland County Police Academy. It is a mandatory State course newly for supervisors. Officer Mike Sanford will be attending a five day Ar-15 Patrol Sniper Rifle Course this month and at the completion of the course he will be certified to teach other officers. Chief Osborn said that we do currently carry the patrol sniper rifles in our patrol cars. For the street fair on June 14, he said he spoke to the Chamber president today and we will be having a great display including DARE, K-9 and our motorcycle patrol on June 14. We will be in full force then. Officer Mike Fennessy will be updating our school emergency and safety plans starting tomorrow for a month. Mike is a member of our department and he is also assigned to the County REACT, which is better known as a SWAT team. And we also conducted a Safe Roads, which is where they go out with teams of officers in areas where they are getting a lot of complaints about speeders, cell phones,

and aggressive driving. In 3 ½ hours they issued 40 summonses for speeding and aggressive driving on Wayne Avenue and Orange Avenue. And he has been working with Dan and they have been discussing and they are getting ready to go on Hillside Avenue to put some signage in the road - on the road - maybe some lines and some more signs on the side of the road to slow some speeders. He said he has met with several of the neighbors on the lower portion. So they will be working on that as well. And that is it and he wants to thank them for their support.

**AUDIENCE PARTICIPATION:**

The Mayor said that at this time we will open the floor for audience participation and as he always does, he will just ask that when you come up to please state your name and address for the record.

Charles Barone of 5 Mansfield Place said that last month he was here to ask about curbs being put on his street and colleagues that he works with saw him on the TV and they saw him complaining about curbs in Suffern. And he came tonight so they can see him saying thank you, the work started today, and he wanted to come in and let everybody know that. The Mayor said great.

Beth Jolly of 192 Orange Avenue said she would like to just ask another question regarding his curbs. She would like to know what constitutes in the Village of Suffern which streets get curbs and which streets don't. And which streets get paved and which streets don't. Because Orange Avenue looks like a war zone street. The Mayor said that Orange Avenue is a State road and we have been after the State for quite some time now. Mrs. Jolly asked if we didn't get a grant a couple of years ago for that. The Mayor said no, he thought we were going to put in for one, and we ended putting in for a grant for Ramapo Avenue instead and he thinks it was shot down. Mrs. Jolly asked if he could try to put another one in because these roads are really beginning to be beat. The Mayor said they are. He totally agrees with her and Dan has been working with the State trying to - it's like pulling teeth with them. Mrs. Jolly asked what we have to do. Do we have to put a petition in to them. Or what is the actual procedure. The Mayor asked Dan Haglund what would be the best way. Mr. Haglund said that he will call the State again tomorrow and find out what their plans are. CHIPS money has been cut. Trustee Abato said that a petition can't hurt, right? Mrs. Jolly said we have to do something. That is the first street that people come in when they come in from Jersey and you could ride over the border into Mahwah and they have beautiful roads and beautiful curbs. And you come into Suffern and it looks like ai, yi, yi. This is really quite ugly. So if there is anything that we can do to beautify our area. She said she knows that there are some streets in Suffern that are quite beautiful. Trustee Abato said that she would definitely say that a petition couldn't hurt. The Mayor said that we will give Senator Morahan's office a call and see if he can put some pressure on the State. Mrs. Jolly said that she would appreciate that.

Mrs. Jolly said that she had a couple of issues that she would like to bring up. She said that a couple of months ago they had an orange tag put on their garbage can saying that it was too big, too high. And that the garbage men couldn't lift them. She said they went out and bought another garbage can however she still sees the same garbage can that she has, which stands about so high and has a top that you can lift over and they can go inside and pull the garbage out. And she was just wondering how come she was given an orange tag and so were a couple of other people along Orange Avenue and yet she goes up and down Ramapo Avenue because she takes the train into the city sometimes and she still sees those big garbage cans over there. The Mayor said he would like Dan to answer that. Dan Haglund said that he gave the Code Enforcer another list today of people who have the improper can. The ones that he gave letters to he is definitely going back to the people and give them fines if they don't have new ones by a certain date. He said he doesn't have the paperwork from him for when the date is but yes he is going to go back and violate them. Mrs. Jolly said that last year she had foot surgery so she was taking the train to and from New York and she had her foot surgery last June and that is about the time that she received the orange sticker. And as of yesterday, she still saw those same cans, a year later. Mr. Haglund asked her if she got a letter from the Code Enforcer. Mrs. Jolly said no. Mr. Haglund said hers will be coming and everybody on her block stating that they have maybe thirty days to get new cans. Mrs. Jolly said they did. They got new cans the next week. Mr. Haglund said a lot of people did and a lot of people didn't. He is definitely going to go out and see which ones are in violation and he is going to issue summonses. Mrs. Jolly said what was issued notifying them of the proper type garbage can to use. Mr. Haglund said 35 gallon can, detachable lid, it can have wheels. He said the problem with the big cans is that the guys have to reach in and a lot of them are getting cut with glass, getting splinters on wood and everything else that people put in the garbage can. That is the reason they are going to do away with the cans. Too many people are getting hurt. He said that some people have sixty and seventy gallon cans. They are forty pounds themselves. So that is the reason for the new cans.

Mrs. Jolly said that she was talking with someone the other day when she was going into the city and they said, and correct her if she is wrong or what they said is not true. Do the residents of the Village of Suffern - is their tax rate higher than people who live outside of the Village of Suffern say in Montebello and Airmont. And if so, why. The Mayor said our Treasurer would have to answer that. Treasurer Tom Zordan said that every village sets their own rates. Most of Airmont and Montebello pay to the town because they have to pay for services and other things. We have no control over what the town charges. The town can only tax us for the services that they perform. The rates can vary. They don't get the same service as we have. We in the Village get a direct service. Airmont and Montebello have to share with the town. We have our own DPW, our own Recreation, our own pool, our own water and our own sewer plant.

Mrs. Jolly said that she was really concerned about one thing. She read in the newspaper not this past Sunday but the Sunday before about a 15 million dollar lawsuit that was filed against the Village on behalf of a police officer that was injured in the line of duty. And she was just wondering - they said that the Board had made arrangements to pay off \$100,000 and she guesses he was looking for \$106,000 and she was just wondering how it got to the point of going from \$100,000 settlement to a 15 million dollar lawsuit. Attorney Rice said that yes, we were served with a lawsuit and he is not going to discuss all the things that occurred prior to the lawsuit. He said that she correctly pointed out and it was done at the last Board meeting that a settlement proposal for \$100,000 was made to the particular police officer and after that occurred there were additional demands that were made and as a result of that the Board basically said go ahead and do what you think is appropriate. How it got from \$100,000 to \$14 or \$15 million dollars - he can tell her that anyone can sue anyone anytime for anything and can put any number in a complaint. As he has previously said he thinks this is a matter that should be a contractual grievance. He doesn't think there is any federal jurisdiction to bring this in federal court and once it is determined whether or not we are going to have coverage from our insurance carrier or whether or not we will be handling it internally, he suspects that the first thing that will happen is that there will be a Motion to Dismiss to test whether or not there is federal jurisdiction for this claim in the first place.

Kathy D'Ambrosio of 4 Cross Street said that her complaint is the cars that have been parked on Cross Street since the construction on the condos began. Between the construction vehicles being parked there and just individual cars being parked on both sides of the road that has continued for over a year and there are no parking signs. But for whatever reason, there are no tickets being issued and cars continue to park there on both sides of the road - sometimes stretching down a good ways and when cars come around from Wayne Avenue unto Cross Street it is very dangerous and one of these days there will be an accident. And she wants to know what is going to be done. Because those condos are getting ready to open and there will be more traffic which raises the other point which she thinks that we should make it a one way street from Washington to Wayne Avenue to avoid accidents.

The Mayor said that he thinks, first of all, he thinks that the Police Chief should take a look at that and he thinks the Parking Authority as well goes over there and tickets vehicles. Mrs. D'Ambrosio said she has never seen any tickets on any cars. The Mayor said the one way thing is asking a bit much especially Washington Avenue and it is a main thoroughfare and our fire department uses it. Mrs. D'Ambrosio asked if she could ask - there are two very specific signs outside her house that say no parking and there is always a car parked there or two cars. The Mayor said that he guesses we have been a little more lenient while construction has been going on. Mrs. D'Ambrosio said these aren't construction vehicles. These are private individuals. The Mayor

said but if the construction is just about done she is correct and the vehicles shouldn't be there. And Clarke agreed that he is going to have his officers. Mrs. D'Ambrosio said she doesn't have a problem with people parking but if she were to park there she would get a ticket.

Al D'Ambrosio of 4 Cross Street said that adding on to the same point. Though they recognize that they have a fire department there and again that parking situation impacts that the fire department can't go through that block - not while that traffic is there and it will get worse unless they make changes, which they don't know and obviously you are going to have to think about it - all involved - but he is worried because he remembers before the construction was going on the same situation was prevalent that they were parking. So he is amplifying. It is existent, was existent, still is existent and let's see now if it is enforced that it stops. Because he likes that they park in their driveways or in their garages but not where they affect traffic that goes by and maybe cause an accident.

Dave Gutierrez of 23 Meadow Avenue said that he had a couple of issues. He said that about two months ago the Mayor of Airmont had asked if the Village of Suffern would be interested in a shared services opportunity where we would get paid to possibly help clean streets off with snow or garbage. He asked if we have taken any next steps with that. He just wants to get a status. The Mayor said he will let Trustee Meehan answer that. Trustee Meehan said he has been working on that with the Mayor of Airmont and he is interested in signs and he thinks that we are definitely going to be doing the signs. We are definitely going to be recommending that his vehicles gas up here and we will give him a much better rate than Ramapo. Trustee Meehan said he thinks there will be a discussion hopefully this week between the Mayor and the DPW department about sweeping streets twice a year in Airmont and then there are also some discussions. He said they met with Dan Haglund and another member of his staff with a proposed contractor for the Village of Airmont who is going to be doing their snow removal and they took a look at our salt sheds and then the possibility of parking down there and that may happen too. And he thinks you are going to see us cleaning their streets and providing signs for them and also having their vehicles gassed up here. So he said he is sure it is going to work. He said that he was glad to work with Dennis, who is his son's old scoutmaster so he has camped out with him and he has known him a long time. So things are going along on that. Mr. Gutierrez said great.

Mr. Gutierrez said that what is being pegged or branded the big dig now - the parking lot where the Suffern Farmer's Market meets. Apparently we have had a delay - a big folder underneath the street. He asked if there was any status on when that might be completed. He said he knows the Farmer's Market is kind of anxious. The Mayor said the sewer project is having a problem. They bored over on the side of the ballfield and they were supposed to bore under the railroad tracks, under Orange through the Hallett Place

lot. They apparently hit a rock and it is a three foot in diameter pipe and from what he understands, they have a guy laying on his back on some kind of a dolly sliding all the way in and he is in there chipping away at the rock with a hammer and chisel. The Mayor said there is another proposal coming up where there is a way they can go down through the Hallet Place lot and over and meet the pipe where it is now. The Mayor said we are trying to get them out of town. We are trying to get that lot cleared up and believe him we are trying to get Memorial Drive repaved, Washington Avenue repaved. The Mayor said he wrote a letter to Chris St. Lawrence today asking him when they are going to give us the funding for the firehouse fence. There was a \$3000 tree that was taken out from in front of the firehouse. Washington Avenue needs to be resurfaced as well as Memorial Drive. So believe him that we are working diligently trying to get them out of the Village which they should have been out in the spring and right now they are actually paying \$1000 a day for every day that they are still here. So that is where we are with the Farmer's Market lot. We are hoping to get out of there very soon. Mr. Gutierrez asked if with the best guess if we thought they might be out by festival time. The Mayor said excuse him? Mr. Gutierrez said best guess - do you think they might be out by early September? The Mayor said oh, yes, absolutely. In fact he knows there was a request by the Farmer's Market to put an extra outlet over there at a cost of about \$2000 and he asked Bob Apple, who is our overseer of the project to talk to the contractors and see if they could make a good faith agreement to install that electric outlet at their cost and the Mayor is waiting to hear back from him.

Mr. Gutierrez said it was said at a Rotarian meeting - the Suffern Rotary Club - that 287g has been reinstated or that our police department has reinstated or submitted some process in which to reinstate 287g. He said he was a little unclear. The Mayor said he didn't hear the whole thing. Mr. Gutierrez said that it was mentioned at a Rotary meeting that 287g has been - that the process to reinstate 287g that the next steps have been taken. The Mayor said that it has always been there. We are still waiting to hear on our application. Mr. Gutierrez said he just wanted to understand a little more of what it was that we did differently about thirty days ago. There are some list of needs - a needs list. The Mayor said there is a needs assessment that we got and the Chief filled that out and sent it back to them and basically we are just waiting to hear something. Mr. Gutierrez said that out of curiosity is there a chance to maybe get a copy just for review. The Mayor said if it is foible, we will give it to him. No problem.

Mr. Gutierrez asked about the status on Orange Avenue. He asked where we were with Orange Avenue. He said there were a few people interested. Trustee LaCorte said that we received a proposal back from one developer - Kohl Solutions - as of Friday which was the deadline. He said that we have it here and he believes and he was just talking to Terry about it and this is the first time we have all seen it and we are going to ask them for some more information so that we can get a more detailed proposal and then get copies to

all the citizens committee to review and see what the next steps are. Mr. Gutierrez said that he knows that we have a really diverse citizens committee assigned to Orange Avenue. He asked when he thinks they will be engaged to discuss this. Trustee LaCorte said that he was saying to Terry that we will talk tomorrow and try to move forward and try to get more information. They gave a rendering and their experience and references as we asked them and they made a deposit but he thinks that if we are going to move forward with them that we want to find out more specifically what they are proposing. They say basically here that we just got this - it is four pages - on Friday.

Mr. Gutierrez said there is a bit of information that emerged from, he thinks, an engineer - not the engineer that is working on the current quarry project - who indicated that the flood mitigation solution that everybody is talking about might not actually be efficient to mitigate the flooding in Squires Gate. If that is true, is the flood mitigation kind of a leverage point for the potential building that needs to happen down there. Do you have anything. The Mayor said he doesn't know where that rumor came from. Mr. Gutierrez said it was kind of a document and he will try to send it to his office. The Mayor said that the flood mitigation as it has been proposed by Brooker Engineering of Suffern - it seems to be something that will work for Squires Gate and relieve that flooding issue. However, we are not experts up here. And Brooker is. And he is staking his reputation on the fact that if that flood mitigation, if done in the quarry, will work. So at least the Mayor believes that if it is done the way that he said it will be done the Mayor thinks it will provide relief during a flood. Attorney Rice said that we are kind of outsiders at this point. There is no application pending before the Board. All we had was one informational session which he believes was last summer or last fall and we have had no application. When an application comes in, it will be subject to the full review of the State Environmental Quality Review Act which will mean, among other things, that we will have various consultants looking at the reports and suggestions and so forth that are involved in the application and we certainly will have someone examine Brooker's proposal to make sure that it does work.

Trustee LaCorte said that he had a conversation with a developer and he told him because he kind of publicly, and some other Board members also, have voiced concern over the proposal and suggested that in order to move forward is that what they should do is that at the developer's expense pay for an independent engineer to evaluate whatever flood mitigation plan it comes up with. Brooker is a good engineer but no one here has the expertise to determine whether or not what he says will work. And he thinks that is something that they are going to consider so at least we will have an independent engineer at their expense to be able to take a look at it and determine whether or not it will work before we even move forward at all. Attorney Rice said that following up with what Dagan said under our zoning laws as well as under the SEQRA regs the applicant would be responsible to pay for it. If they want to

try to do something before the actual process starts they could certainly volunteer to pay for our expenses but that won't come out of Village funds in order to do the analysis of the reports provided by the applicant. Mr. Gutierrez asked who the builders were for Squires Gate. Who were the original builders of Squires Gate. The Village Clerk said Seaman - two brothers.

Mr. Gutierrez said that he wanted to confirm something. He had heard that maybe several hundred feet from our waste plant is a y or a t hook-up to the Hillburn plant which apparently is kicking out near quality drinking water from waste. He just wanted to know if that itself was true. The Mayor said he hadn't heard that. And he doesn't believe that.

Mr. Gutierrez said that one last thing regarding the trees. There have been a number of trees cut down in the West Ward that looked otherwise pretty much healthy and he knows that some neighbors over on Washington are also concerned about some of the trees getting cut down. He asked if those trees were all damaged because it was quite many trees and what is our policy for removing trees. The Mayor asked if he meant the ones that the Village cut down or the ones that the people are cutting down on their own property. Mr. Gutierrez said pretty large trees on the street. He asked the Mayor if he remembered the car that hit the house on Ramapo - there were two trees there. There was a big tree over by the churches. The Mayor said he would like Dan to answer that. Dan Haglund said that those trees were cut down because the roots were getting in the lady's sewer line and number two it was too close to her house and that is why she wanted the trees down. He said we are not going around cutting trees just to cut trees. There is a reason for it. And we do plant trees in the fall to put things back.

Trustee LaCorte said he would like to add a question to what Jack had talked about for the services agreement. He said that Trustee Meehan seemed to say that we are going to do this but Trustee LaCorte said he doesn't think that no Board members, and probably the Mayor has, but no other Board members have seen anything about any agreement. He said he didn't know if Terry has seen anything about an Intermunicipal Agreement. He said he didn't know if you talked or are having discussions. The Mayor said that is all it is - discussion. Trustee LaCorte said it just seemed that we are going to. Trustee Meehan said that it is moving to the place where we have had face to face meetings with Mayor Kaye and we are trying to move things along actually. We are trying to move them and we seem to be moving faster than they are frankly. The Mayor said no money or no finances have been discussed. Trustee Meehan said that what will happen is that we have a special committee and he is going to sit down with that committee and discuss the agreement and then make a recommendation. He will make a recommendation to the Village Board. Trustee LaCorte asked if they could see some terms and can it be discussed at a workshop. Trustee Meehan said absolutely. The Mayor said that no money has been talked about and that is the most important part. What the Village is going to get reimbursed for this. Trustee Meehan said we have done things like we know how long

it takes to make a sign and what the pay is for the people who make signs for us and we know how much the blanks cost and they are also interested in the cost of installation and that depends on what type of street it is on. If it is on a busy street we need two men. If it is on a quiet street then we only need one. So we are getting down to the nitty gritty. Trustee Meehan said he hopes that we will have their proposal by the workshop of the July meeting.

Isabel Haggerty of 4 Parkside Drive in Suffern said that Mr. Meehan just spoke a little while ago about shared services with Airmont and she asked if that was what he was talking about right now. She said she couldn't actually hear him too good. She asked if that was going to go through a public hearing. She said that she certainly thinks that it should. Because Airmont is twice the size of Suffern and she doesn't think that our street department - maybe Mr. Haglund thinks we can do it and if he does, then that is fine. But she thinks that they are twice as big as we are and she imagines that we would have to buy equipment and she doesn't think this is anything that should be decided by you and talking to the Mayor of Airmont. She said that she thinks this is a very serious and a big responsibility for the Village of Suffern to take on and she is very upset.

Trustee Meehan said that one thing that we are talking about is the possibility of street sweeping the Village of Airmont and it is only 25 miles and they are talking about street sweeping twice a year which would be 50 miles. The signs are minor. They are our neighbor and they are paying the Town of Ramapo who charges them a 20% markup to have their vehicles gased. And that is their neighbor in the Town of Ramapo and he thinks that we can do a lot better for our fellow village Mayor in Airmont. And that is what we are looking to do and they are looking to get their signs and streets swept at a lesser rate and certainly we are not going to be putting Airmont streets before Suffern streets. And it will certainly be totally discussed and everybody on the Board and everybody. And he will talk to Mr. Rice to see if a public hearing would be necessary.

Trustee Haggerty said that he had the same question before his wife beat him to it. But he hasn't heard of any agreements between the Village Board to go ahead and do work for Airmont. Trustee Meehan said there isn't. Trustee Haggerty said he wasn't asking him, he was asking the Mayor. The Mayor said there are no agreements. We are in a fact-finding phase. Trustee Haggerty said then talk to the rest of the Board.

Adam DeStefano of 19 Prairie Avenue said that with the agreement that we going with Airmont, he just wants to make sure that he is clear with all of this. Are we actually going to be plowing the roads or are we just going to just gas up their trucks for it and allow them to park their trucks there. Trustee Meehan said we are not plowing any roads. There are no plans at the moment to plow any roads in Airmont at all. There is the possibility of us providing salt storage for a private contractor who would be plowing roads in

Airmont and/or Montebello. Those are the things that are in discussion. But there is no discussion about us plowing roads in Airmont. The Mayor said that he has talked to Tony Sharon who is the Superintendent of Highways up in Ramapo and he has spoken with Dennis Kaye, the Mayor of Airmont, and there is a lot to look at here. Snow plowing is the last thing that we want to look at. You are talking about, according to Dan Haglund, that we would have to buy three trucks, hire two or three people and at the same time we would put two or three people out of work in the Town of Ramapo. The Mayor said he doesn't know if we want to hire people to put people out of work. And he knows that people have said to hire them. But it doesn't work that way. So believe him. We are approaching this thing very cautiously and he knows that Trustee Meehan said that we are going to do and he was just misrepresenting his words. What we are looking at, and right now we are in the research phase of this, and believe him, before we do anything, we may have a public hearing and this will definitely be brought to the Village Board. So there is going to be no surprises here.

Attorney Rice said that he just wanted to make clear. The Village in order to undertake this type of arrangement, whatever it may ultimately be proposed, if at all, has to enter into an Intermunicipal Agreement, which means that the Board of Trustees has to vote to authorize the Mayor to sign a contract. So it can't be done without the approval of the Board of Trustees. There is no legal requirement for a public hearing but certainly the Board of Trustees can decide to have a public hearing on anything they think is appropriate to have a public hearing on. But the contract itself has to be approved by the Board of Trustees.

Trustee Abato said that she thinks it is a little premature right now to be talking about particulars only because we don't have really any concrete information about what we can provide and what the needs are. She said that she thinks it is basically right now just in a very preliminary conversational stage to see what, if anything, we could offer them or what would be beneficial to the Village and beneficial to Airmont. So she thinks that this is a conversation for another day and hopefully it will work out for everybody. She said that she thinks that Mr. Meehan spoke a little bit out of turn in saying that we are going to do this. We don't know that we are going to do this. But we do know that we are in communication with them and we are exploring the opportunity to possibly share services with them.

Mr. DiStefano said that also at the moment in the middle of negotiations what manpower are they asking for us - not for us to send over and not for them to send to us.

Trustee Abato said that again it is probably preliminary to say right now. We don't have all the details yet. But as soon as we do the public will be the first - and she hopes that we do have a public hearing because she thinks that it is something important and we probably should.

Mike Curley of 84 Orange Avenue said that only because shared services was mentioned just remember that we can always sell the water. He said he had to say that. He said the Tilcon property came up and a few weeks back there was something in the paper where they talked about the Goldstein Group - and he thinks it was a different name - where they talked about what they were putting forth on the project. And they said that after they get it, Ramapo gets it, and then Ramapo releases it to us. His thought process is this. If Goldstein Group already has an agreement with the Town of Ramapo to sell the property the only one they should be dealing with first is us because that sale is contingent on the approvals of our Zoning and Planning Board. So the Town of Ramapo technically should not get it first and get their hands and dibs in it so they can play around with Suffern. That should come directly to us. Not that he agrees with it in the first place. Second of all. Ramapo has already said that they want about 1.9 million out of the deal. That is the number. If it is 2 million, it is 2 million. But he is pretty sure his memory is correct and it is 1.9 million. If Ramapo has already said what they are willing to put in their pocket, our concern is to look for other alternatives. The one alternative - the main thing - is the flood mitigation. Now that flood mitigation would not be limited to the plan that Goldstein wants to give. 500 more condos in that size acreage would be what he calls devastating to the Village. You talk about shared services? You are going to have to hire more of everything. Maybe it is good, maybe it is bad. But if we could find a way, whether it is through other corporations and what not like Avon Park or whatever corporation it may be to do some sort of mutual agreement where we give Ramapo their 1.9 million and we keep the flood mitigation and maybe you put in 100 upper end houses versus 500 condos. Because he is telling this Board that if you put 500 condos on that property you are going to devalue every Bon Aire and Stonegate Condo because people are going to want the fresher, newer model. So now with the market as bad as it is it is going to take a couple of years to recoup. To believe that we are going for it and we are going along with them to him is a misnomer. But you will - and you don't need a brain to figure this one out - if you build 500 more condos and he will tell Stonegate and Bon Aire you are lessening their values because if you have 500 more on the market within a mile distance it is going to happen. So before they go too far he thinks they should be sitting with us now and we should appoint a committee of people in the Village. He said that this is not a democratic issue. This is all of the Village of Suffern issue, whether you are democrat or republican or whatever your likes or dislikes are. And he thinks that mutually we should all get together and think about this because this is, unfortunately we have a heated election going on - we are going to have a democratic primary and we are going to have a republican candidate - and he doesn't want these other people to let us fall asleep at the wheel while they are outsmarting us and out-planning this Village. So his concern is that he hopes that no campaign promises will be promised based on those things now because they shouldn't and he is not accusing anybody of doing it. He hasn't heard anything. He just hopes that it wouldn't even be considered. But 500 condos and to let them

believe that we are even considering it at this point is a little reckless on our part. Attorney Rice said that no application has been received by the Village so the Village is not considering anything. Mr. Curley said there was an informational meeting and he remembers what Brooker said and he also remembers the gentleman saying that well it wouldn't help the worse things. So it would only do so much. And the problem is, Terry, and he is sure *The Journal News* was right on this article and they talked about that they were proposing a plan and they were going to give it to Ramapo. So they are spending a fair sum of money to come to a plan with us which they are discussing with Ramapo and not with us. He said he thinks we have some rights here too and he thinks our strength has to happen right now and not later because once it comes to that point he thinks we might be behind the eight ball. Trustee LaCorte said that Mr. Curley makes good points. But there are also unresolved issues between Tilcon and Ramapo itself based on we had a meeting here in the Village with representatives from Tilcon and obviously there is a lawsuit going on where the Town of Ramapo and Tilcon are being sued and let's just say that he doesn't think that necessarily everything that is going on is what Tilcon anticipated when they turned the property over to Ramapo. Mr. Curley said that he guesses his point is this, his point is this. Would Ramapo be willing to afford us the same right as they are affording a private contractor. Would they sell us that same property for 1.9 million or some sort of joint venture with us putting the same irrigation in. Trustee Abato said they should give us that property. Mr. Curley said he agrees totally with her point. But he is saying that Ramapo can be a little cagey sometimes. Trustee Abato said that they both sat in that meeting and they both heard that man say that it can take down the river by maybe two or three inches and that is not going to make the difference. Mr. Curley said correct. He remembers that meeting well also. Trustee Abato said that while it will help it will not help in a major storm. Mr. Curley said he doesn't think it does a major storm. He said that everybody talks about - he said that he knows we have this new stimulus plan and everything has to be shovel ready but if we don't start a plan and when the next stimulus plan bill comes - and chances are that Obama will do another stimulus plan - we are not going to be ready again. And even if he doesn't, he would like to be ready for it. He would like someone to have a plan instead of the outside telling us what we should do with property that exists inside the Village boundaries. We should be saying what we would like to do.

#### **DEPARTMENT OF PUBLIC WORKS:**

The Mayor said that before Dan comes up he would just like to introduce our new Superintendent of Public Works who started today and that is Charles Sawicki. The Mayor said he wishes him luck. He has already heard about the sewer project and others and he hopes he still wants the job.

Dan Haglund said that the Mayor beat him to the punch line there. He was going to say thank you for getting somebody and taking some

of the workload off of him. Thank you.

**A) Award Bid for Ramapo Avenue Curb and Sidewalk Improvements to Diamond Construction \$57,981.00:**

Supervisor Dan Haglund said that first he would like to award the bid for the curbs and sidewalks on Ramapo Avenue to Diamond Construction for \$57,981.00. A motion awarding the bid was made by Trustee Abato, 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. Haglund said that also today Mr. Sawicki was telling him that the speed bumps that we put on Lonergan Drive that somebody called up to say thank you because it could have saved the life of a four-year-old and that is a great thing that we had speed bumps in there. Also, he met with WJL today on Boulevard regarding the driveway aprons and they are planning on starting Wednesday, Thursday the latest to start ripping them out and putting the new ones in. And they are also going to work on some of the problem streets where there are problems. So they will be here Wednesday. So we don't have to send them a letter. Attorney Rice said you can come see him Thursday if they don't start on Wednesday. Mr. Haglund said the plaques should be here for Donna Hallet park for the trees. They should be here Friday, Monday the latest. The Town of Ramapo loaned us their screener because we lent them our trucks for the Passover clean-up. Trustee Abato asked if she could stop him for one quick second. She said that she was glad to hear. She was actually going to be in contact with him today but unfortunately she had a busy day at work. She said that Gail gave her a phone call and they were thinking that they could possibly incorporate those plaques in the 911 service and have the families involved in the placing of those plaques temporarily, obviously, and then you could kind of concrete them in after the service. She asked him if that would be something acceptable? Mr. Haglund said that is fine, no problem. Trustee Abato asked him if he would coordinate with Gail on that and just let her know what they look like and what we would need from the family or whatever. Mr. Haglund said okay. Trustee Abato thanked him for taking care of that. Mr. Haglund said that hopefully we can start screening some of our compost from our pile that we have which is great that they are loaning us the screener. It probably is going to be about three weeks worth of work to four weeks to screen all the dirt. Also, he was in touch with NY Bituminous regarding the slurry coat which is going to go over the top of the roads. They are redoing their bid. The original bid came at \$111,000 and it might be a little bit more because the footage was off. So he is waiting to get that new proposal in.

The Mayor said he knows we talked today and he asked him if he could explain why the two street lights that were knocked down in the Village are taking so long to be replaced. Mr. Haglund said they are a special order item. They have to actually make them up. Being that we are only doing two, it just takes a while. Originally it was three to four months. He said he put a phone call into them today and he is waiting for them to call him back. And hopefully tomorrow they will call him and tell him when the delivery date is. He is hoping it is real soon so he can get this done - get these lights back. Trustee LaCorte asked if it was possible, and he thinks they talked a while back, and he doesn't know how cost prohibitive it is, but to get another one because it is going to happen again. Mr. Haglund said we usually have one spare. He said he has three on order. Two that were knocked down and one for spare. Trustee LaCorte said okay, then we will have an extra.

Mr. Haglund said that he would also like to express to the residents that please be patient. Now that we have a new Director, Mr. Haglund knows that he is behind on work - stump grinding, tree trimming and stuff like that - pot holes. We have guys sick, guys on vacation. May and June are really tough months. And he asked them to just bear with us. And also Hillside we are going to start putting tomorrow, weather permitting, sloughs burnt down into the road and they are also going to put the signs down so that people can slow down on that road. Because they have gotten a lot of complaints. And that should do it.

**VILLAGE CLERK:**

**A) Agreement with Geoff Welsh to Provide Environmental Services (\$5000):**

Village Clerk Virginia Menschner said the first thing is the agreement with Geoff Welsh. She said that Geoff Welsh, for everybody's information, is the gentleman who watches the Ramapo River for the Village of Suffern and reports to the Mayor and Board of Trustees if something is going wrong. And we have an agreement with him for \$5,000 per year. A motion authorizing the agreement was made by Trustee Abato, 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

**B) Resignation Tim Barba from the Board of Ethics:**

The Village Clerk said we have one resignation.

*Dear Virginia:*

*Please be advised that for personal and professional*

*reasons I find it necessary that I resign from the Suffern Board of Ethics as soon as possible. Please have my name removed from the website also. I sincerely regret the need for this but rest assured that I am grateful to the Mayor for his consideration.*

*Tim Barba*

A motion to accept the resignation was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

The Mayor said that we thank him for his services.

**C) Retirement Mr. Thomas Young - June 12, 2009:**

Village Clerk Virginia Menschner said that we have one young gentleman, Tom Young, who is going to be retiring on June 12, 2009. A motion to accept the retirement of Tom Young was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Village Clerk said that she had one more item. She said that we put out bids for caustic soda and we received one bid back and that was from Tridon Chemicals and their price is \$1.10 per gallon. Trustee Abato asked if that was a recommendation. She asked Dan Haglund if he was recommending it. Mr. Haglund said yes. A motion to accept the bid was made by Trustee Abato, 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

**FINANCE DEPARTMENT:**

Treasurer Tom Zordan said that he had a couple of things. He said just to let them know, the auditors are coming in to do their preliminary audit the week of June 23. As you know, May 31 our year ends so we are closing the books and starting our year end procedure and as soon as he figures all this out he will let them know how we did. He said that the Recreation Department has a project that they have to get done. We have to get new drains fitted for the pool. It is a new requirement. A couple of years ago or last year some little child got sucked into a drain and now the government has said that we have to change the types of drains we have. So we want to set up a new capital project in the budget year that just ended in the amount of \$8700 and that would be for putting in new drains and our filtration system - getting some new chemicals in there. And we are estimating that it is around \$8700. We are not 100% sure but it won't be more than that. So he is asking if we can have a capital project and that will be funded - we originally wanted to fund it through the Recreation Department's

budget in the current year - but as the Board pointed out, we can use the money in lieu of recreation. A motion authorizing the request was made by Trustee Abato, 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 that lastly, and unfortunately this always happens with the insurance, the guys that are holding out until the last day to submit their proposals. So this year not only does he have our regular broker that we use, CLG, he had Salerno Insurance Company in Long Island and they went out and got bids from various insurance agencies. And lo and behold, it turns out that not only are we going to get better coverage - more insurance coverage - it is approximately \$23,000 less than last year's coverage. So it is his recommendation that we continue with the carrier CLG. Their insurance came in - their quote after back and forth - and it is \$50 higher than the other gentlemen and on \$196,000, \$50 is not much. But more importantly, the deductible on the insurance coverage, CLG is offering a \$5000 deductible whereas Salerno's insurance company is at \$25,000. So you can see the potential risk vs. reward, the reward being \$50 vs. the risk if we were to be sued each instance could be \$20,000 difference. So he would say that the prudent thing would be to stay with CLG and we have had a working relationship with them where our Village Clerk who works with them closely is very happy with them, our attorney is very happy with them and the only problem that he has with them is that he has to pay the bill. But all and all, he would suggest that we vote to accept the bid from CLG.

Attorney Rice said he would like to add something too. He said CLG, who we have been very happy with, also the carrier is extremely important and CLG is proposing Travelers which we have had for the past two years, which is an excellent carrier and which he has dealt with and we have had no problems. Salerno is proposing Rictorian Insurance Company, Greenwich Insurance Company, and Merchants Mutual. He said that he does a lot of public sector defense work and he hasn't heard of those carriers. They are not rated the same level as Travelers. So he thinks that Travelers is a very good carrier as well as the fact that Tom mentioned the \$25,000 deductible. He said we tried the \$25,000 deductible with the prior carrier thinking that you don't get that many claims, but the fact of the matter is once any type of substantial lawsuit goes into suit and the litigations expenses are included in it, the \$25,000 is gone in any event. So that is a big deductible that comes into play a lot more than you would think. So he thinks that Tom's recommendation is good.

A motion awarding the insurance to CLG was made by Trustee Abato,

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

The Village Clerk asked what the number is. Treasurer Zordan said \$196,000 even.

**MAYOR:**

The Mayor said he would like to set a special meeting and it will probably be a long one to discuss the O'Hanlon/Lombardo issue, the 207c police contract issue, and the Hook and Ladder truck replacement issue. So he is bringing it up now because they are all together and they can decide when they can meet and a date that would be feasible for all of them. And he would set aside probably a couple of hours for this meeting. The Mayor asked if anybody had a preference. Trustee Abato said if it is going to be day time, generally Thursdays and Fridays she can get out a little earlier than the rest of the days. The Mayor said a week from Thursday, June 11, at 4:00 p.m. Trustee Haggerty said he couldn't make it. How about the next Thursday. The only problem that we have is that we have to give the PBA an answer within two weeks. Remember we promised them an answer in two weeks. And that would be more than. Trustee Abato said we have to give them an answer on the 19<sup>th</sup>. So if we do it the 18<sup>th</sup>. The Mayor asked how about the 18<sup>th</sup>. Trustee LaCorte said that is fine and Andy said that is fine. Trustee Abato said it is good. The Mayor said it is going to be June 18 at 4:00 p.m. Trustee Abato said that she would like to request that the police chief be invited to the 207c portion of that meeting. The Mayor said absolutely. The Mayor said that is all he has.

Trustee LaCorte said that he has a matter. He said there was a grant that they talked about - Terry brought it up - that Fred was looking into. Those two grants that he sent information on. He said that Fred is prepared to submit an application. Do you want him to just briefly tell about it. The Smart Growth grant. He said that he can just brief us and then tell us what we have to do.

Fred Rella said that the Department of State has a grant right now called the Smart Growth grant for the lower Hudson Valley and they define the lower Hudson Valley as several counties, actually. They define it as Rockland County, Orange County, Putnam County, Ulster County, Sullivan County and Dutchess. There is only a total amount of \$250,000 available and what they believe with this Smart Growth grant is that would be advent of some large infrastructure projects that are going to be occurring shortly such as the Tappan Zee Bridge, Stewart Airport, the Route 17/I86 and Route 22 rejuvenation. That there is going to be a large impetus of growth

within this area and they want to see the growth here which is something that is planned out and thought through from an environmental perspective. So it is a total of \$250,000 for all of these counties and all these little municipalities within these counties. So they are not going to be awarding, in his conversations with them, just like \$75,000 or \$150,000 to any one municipality. They are believing that the typical type of award is going to be in the neighborhood of about \$25,000. And the grant is primarily for planning purposes. So it is like trying to plan within downtown districts how to do good effective environmental growth. So he said we are going to be putting in an application. It has to be in by June 30<sup>th</sup>, the end of the month, to say that we would like to acquire some funding to develop a plan which would talk about some sound growth environmentally within the downtown area.

Trustee LaCorte said that he and Fred have been talking about this and working on it and one thing that is good is that we have already been doing work on Orange Avenue and we had planners, Saccardi and Schiff, and obviously this can be a process and we are always looking for ways to defray the costs off the taxpayers and potentially this is a way to move forward on the downtown Urban Renewal Plan and Revitalization. There is a bunch of different criteria and they talked about it. There is stuff with attracting people to the downtown, around like mass transit. So to kind of reduce the use of a single car. So what is good about Suffern is that you plan and you try to attract people here with the fact that we are going to have a train line that is going to get better. It is going to be a one-seat ride and mass transit through bus. So there is a lot of potential here because when you read the grant you see that a lot of what they ask for is perfect for the Village. So he is hopeful that we will get some money. He said that Fred had e-mailed a resolution. Attorney Rice said that he just modified it slightly. A motion to authorize the Mayor to sign a grant application to the New York State Smart Growth Grant Program and to designate Trustee Dagan LaCorte to be the Village representative in connection with the grant application program was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

Fred Rella said that there was one other grant that he looked at. And that one was - the first one was a Department of State which was a New York State grant. The next one was a federal grant and it had to do with the Obama Stimulus package. It is 3.2 billion dollars which is out there to do environmentally sound infrastructure type of improvements. This is not just for planning. This is for actually doing things like energy efficient lighting, energy efficient HVAC and alike. The one problem is that it is for municipalities such as cities and villages which have populations above 35,000 or counties that have populations above 200,000. So Rockland County is eligible to really partake in this. And they actually have a large algorithm which they calculate how they are going to divvy up this 3.2 billion dollars and Rockland County is eligible for \$749,000 of this. Whether or not they are putting in

the actual application to do that, he doesn't know. He would have to have a conversation with the county to see what their plans are on that. But really it is outside our domain. Trustee LaCorte asked if the town as well could put in for this. Trustee Abato said no, the county. Trustee LaCorte said municipalities bigger than 35,000. Does that mean that the Town of Ramapo could also do it? Mr. Rella said yes. The Town of Ramapo could do something and at times you can put in grants collaboratively with another municipality. Trustee LaCorte said that maybe we should possibly look into that. Because we are probably more likely to get money if it is done from the town and easier to administer. Mr. Rella said the due date for that one for applications is June 23. So there is a little time to look further into that.

The Mayor thanked Mr. Rella. He asked if there was any other old business.

Trustee Meehan said that he just wanted to make some remarks in reference to the Urban Renewal request for interest. He said there were a number of things. First, he was very disappointed that we only had one developer respond in our request for interest. He said that for months we have been told that there have been several firms interested, and he is not particularly surprised because everything he reads in the papers talked about downturn in new house sales and lack of available credit. So the fact that we even got one is something. He said in reviewing the Planning Board hearings, which we had in this room last summer and last fall, all discussions were about condominiums. And when the Mayor and he met with Alan Litt, who is actually a principal for Kohl Solutions, the one organization that submitted it, and he said that currently there was no financing for condominiums so that the only financing he could talk about doing and the only type of development that he could talk about doing would be a rental apartment and he thinks that many Suffern residents, and he included, were under the impression that condos would be built and that many of them would prefer, and he certainly would, the stability of condos over rentals. He thinks that condominium residents are more committed to their homes. Now they also made the decision to publish the request for interest and that was made in the March workshop and that was the workshop before the first Monday in March. And yet the advertisement that he saw was dated April 12. And to his knowledge it appeared in the *Rockland Journal News* which covers Rockland and Westchester and it appeared only once. And he thinks if it had been advertised in March, as they had planned, that there was a possibility that we might have had more interest. There might have been a larger window to respond. And finally he thinks that the project is a good idea but at this time and in the middle of a very serious recession, he thinks that we should consider postponing the project to a time maybe a year or so from now when we will be able to attract more interested parties and who would be able to build condominiums as opposed to rental apartments in a healthier economy. So no one is to blame for the economy. Certainly no one in Suffern is. And this could go to our citizens committee and this is something that certainly they should consider but when we are in a

situation where we only have one bidder, we really have no where to bargain. The proposal talks about amenities offered by the developer. Well if the developer is the only developer in town, why should he offer any amenities whatsoever. So he thinks it is a good idea possibly to think in terms of trying this out six months from now, a year from now. It is just that we have been unlucky more than anything else here.

Trustee LaCorte said that he is really quite shocked. He said there were a number of people that were interested in this project and yes economics had a lot to do with it. There are national home builders and a lot of people had expressed interest. But we have a builder who has a great reputation and has built things that are really great and really successful and yet there has been in this Village a history with some rentals, Tall Oaks being one of them, where they haven't turned out to be something that is great for the Village but he thinks until you have seen what Kohl has built and maybe he is wrong. He said he doesn't know if Trustee Meehan has been to any of his sites, but he has, and seen what they built, Kohl builds both rentals and condominiums. So what they are saying right now is that they want to build something that can move this Village forward, that will be good for this Village. If the economy improves six months from now or a year from now and let's say they are the developer, they can build something with ownership. They could build condominiums. They could buy all the units and rent them out. That is their prerogative. But the key is that we have somebody who has expressed interest in this, who has a reputation and he would suggest that before you poo poo what they have done, that you should look at what they have built in Yonkers and look at what they have built in Montclair that are really fine examples of attracting a diverse community of young people who are transit-oriented, who will get on the train and go to the city and will shop and spend money in our Village. And it is the kind of thing - we have a jazz festival going on here, a music festival, that we are trying to attract people to the Village and he thinks we should move forward and see where it goes before we say let's just postpone it. We have someone who spent a lot of time and money to express interest and he thinks we should go through with the process.

Trustee Meehan said he thinks that we should go with the process but it is just something he would like to keep in mind and, as he said, we are unlucky. Certainly if you have the impression that he was poo pooing Kohl, he said not at all. He hasn't looked at his website and things but certainly he was very impressed by the presentation that Mr. Litt made and one of the things he said is that the old Packard ad said ask the man who owns one and he certainly said call the Mayor of Yonkers and call the Mayor of Montclair, NJ, and go down and look at our stuff. So they are very proud of their reputation and when someone says that he thinks it is well-worth looking into. But he is concerned. He is concerned about the condominium issue and he brings it up. He said we have the group in place but it is something that they might want to consider.

Trustee LaCorte said that obviously everyone had a preference initially for condominiums but this is one building towards moving forward with a block that we have had a lot of trouble with. And again he would just recommend going down to Montclair, which is not far from here, to see what they have built there. And he thinks that he would be quite impressed. It is in great shape. There is a Starbucks right on the bottom of the building, a New York Sports Club. They are building high-quality stuff here that attracts people who are spending significant money on rentals. So he is saying let's move forward with them and show them that we appreciate their interest. Trustee Meehan said okay.

The Mayor said that along that same line, just for informational purposes, he has been working with Hal Heidt. OTB's lease is up in September and we have contacted Trader Joe's and he is trying to contact Fairway Foods and possibly Whole Foods to try to get something like that in that building. And Hal is definitely trying to pursue that rather than turn the building into something else or tear it down or anything like that. So he will keep them posted on that.

A motion to adjourn the meeting at 9:08 was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.