

**Village Board Meeting
Monday, June 10, 2013**

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

PRESENT: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan,
Trustee Jo Meegan-Corrigan

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

ABSENT: Trustee Charles Falciglia

The Mayor said before we commence with our regular meeting, there are a couple of honors that he would like to bestow upon first. We have here a number of men and women from Suffern who currently serve in the armed forces as well as we are going to be giving out our Green Thumb award. So he is going to step up to the podium.

The Mayor said as you all know, Suffern has a very long tradition of having men and women serving in our armed forces. Obviously starting with the birthplace of our nation, the intersection of Lafayette and Washington, George Washington was here in the Village of Suffern and throughout the years and throughout the generations we have been honored to have so many within our community serve. Serve our country and ensure that we are able to continue to live in a community like Suffern and to enjoy our freedoms. So we felt that it would be appropriate to honor men and women in our community who are currently serving or are currently about to enlist in the armed services. And again we stand right here at that crossroads of Washington and Lafayette where we have a monument that recognizes all those who have served in the Village of Suffern in various conflicts throughout the past century. So again what the Mayor said he is going to do is he is going to call up a number of men and women and we are going to present them with a certificate and we are honored to have them here today and on behalf of the Suffern Village Board we are so honored and privileged for their service to our great nation. And this is just a small token of our appreciation.

The Mayor said he would like to call up Sgt. Cromer. The Mayor said we have a Village employee and also the son of one of our Village employees. We have Ryan Ortiz of the United States Marine Corps. Ryan Conklin of the National Guard. Joseph Selchick of the National Guard. James Hogan of the Marine Corps. Philip Fenara who is enlisting, who will soon be enlisting, in the Marine Corps. Randy Ortiz who just enlisted in the Marine Corps. And to complete the trifecta of the Ortiz family, their sister, Ryan and Randy's

sister, Melanie, is currently attending the United States Air Force Academy. So a family that is committed to serving our country. The Mayor told them that we appreciate them for being here and to be safe and be well.

The Mayor said another award we would like to give out is a time-honored tradition here in the Village of Suffern which is the Green Thumb award. This award is given out to the Village residents who are recognized as having the best flower displays at their homes. We give out an award for the best Halloween decorations, the best holiday decorations and now we have the Green Thumb award. So our recycling committee - Chuck Barone and Bruce Simon - they go around the Village and they drive around and try to pick out the best displays. So what we have here is we have two runners up and then we have the winner. One of the nominees for the Green Thumb award is Rosemary Schultz of 6 Beech Road. Another nominee is Joe Wilson of 3 Dunny Court. And the winner who receives a certificate as well as a \$50 gift certificate to DaNina is Ricki and Barry Sussman of 5 Sunset Drive. The Mayor said he believes they are here. He then presented them with a certificate and gift certificate.

SET DATES FOR JULY MEETINGS:

The Mayor said we are setting the dates for the July meetings. Due to the July 4th holiday and the way it falls we are going to have a workshop and Board meeting combination on Monday, July 8, at 7:00 p.m. So please make sure to note that we will have an early start than is usually typical of the 7:30 meeting.

FIRE DEPARTMENT:

Chief Mike Stark said just a quick note. Four of those members of the service here are also volunteers in the fire department here in the Village.

Chief Stark said he has a few items on the agenda tonight.

A) Establish a Fire Zone in Front of 3 Cross Street:

Chief Stark said this is to establish a fire zone in front of 3 Cross Street, from driveway to driveway. A motion to set a public hearing on July 8, 2013 at 7:15 p.m. was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

B) Install 300 Square Foot Pre-Fabricated Shed on Hose Company Property at 35 Washington Avenue:

Chief Stark said this next item is to install a 300 square foot pre-fabricated shed on Hose Company property at 35 Washington Avenue. A motion to approve was made by Trustee Meegan-Corrigan, seconded by

Trustee Abato. Upon vote, the motion was carried.

C) Permission to Hold Blood Drive on August 10 from 9 a.m. to 1 p.m.:

Chief Stark said this is permission to hold the blood drive on August 10 from 9 a.m. to 1 p.m. at the Community Center. A motion approving the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

D) New Member:

Chief Stark said the last item is to accept Christopher Russo, age 19, as a new member of the Suffern Volunteer Hose Company. A motion approving the new member was made by Trustee Meegan-Corrigan, seconded by Trustee Abato. Upon vote, the motion was carried.

7:45 P.M. - PUBLIC HEARING - CONNECTION TO THE SEWER SYSTEM:

Attorney Terry Rice said both of the public hearings with respect to connection to the sewer system and to the water system involve simple changes. The code, in order to ensure that responsible people were doing the installations because in both instances they hook into the Village system, had previously required that the contractor be licensed by the County of Rockland. That turned out not to be specific enough so the amendment provides that all work - the installation of such service lines shall be performed by a contractor possessing a current plumbing license issued by the County of Rockland. So it is just to clear up that minor ambiguity in both cases. The Mayor asked Mr. Sawicki if he wanted to speak on this. Mr. Sawicki said it was discussed at a previous workshop.

Since nobody spoke, a motion to close the public hearing was made by Trustee Meehan, seconded by Trustee Abato.

VILLAGE OF SUFFERN, NEW YORK
LOCAL LAW NO. 5 OF 2013

A LOCAL LAW AMENDING SECTION 220-14 (G) OF THE
CODE OF THE VILLAGE OF SUFFERN
REGARDING CONNECTIONS TO THE
VILLAGE OF SUFFERN SEWER SYSTEM

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows:

Section 1. Section 220-14 (G) of the Code of the Village of Suffern is hereby amended to provide:

Notice of connection; supervision

required. The applicant for the building sewer permit shall notify the Superintendent of Public Works when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent of Public Works. All work for the installation of such service lines shall be performed by a contractor possessing a current plumbing license issued by the County of Rockland.

Section 2. This Local Law shall become effective immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 5, 2013 was made by Trustee Meehan, seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

7:45 P.M. - PUBLIC HEARING - CONNECTION TO WATER SYSTEM:

The Mayor said we have a second public hearing. A similar law concerning connection to the water system. The Mayor said it is pretty much the same thing just with respect to the water system.

A motion to close the public hearing was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

VILLAGE OF SUFFERN, NEW YORK
LOCAL LAW NO. 6 OF 2013

A LOCAL LAW AMENDING SECTION 261-3(C)
OF THE CODE OF THE VILLAGE OF SUFFERN
REGARDING CONNECTIONS TO THE
VILLAGE OF SUFFERN WATER SYSTEM

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows:

Section 1. Section 261-3(C) of the Code of the Village of

Suffern is hereby amended to provide:

All service lines from the main line to the curb in excess of one inch shall be installed and paid for by the property owner after application to the Water Department and the acquisition of a street opening permit from the Village. All work for the installation of such service lines shall be performed by a contractor possessing a current plumbing license issued by the County of Rockland.

Section 2. This Local Law shall become effective immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 6, 2013 was made by Trustee Meehan, seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

7:50 P.M. - PUBLIC HEARING - MONEY IN LIEU OF RECREATION:

The Mayor said this is our third public hearing of the evening. This involves money in lieu of recreation, which is a fund which anybody who obtains sub-division approval or site plan and is in some instances required to pay the Village money in lieu of recreation. This is a fund that can be used exclusively for infrastructure associated with recreation. In the past when we had developments in this Village people contributed and we were able to use that money to do various things to improve our recreation facilities in Suffern. But again what we wanted to do was to make sure that we have a system in place that can be applied equally and fairly in the future.

Attorney Rice said simply it is an amendment to the standard fee schedule and our planner, John Lange, has analyzed this and has a presentation.

John Lange said that this is basically to cure an inequity in the way the fee is calculated. Basically it was a straight line representation starting at \$5000 and it didn't matter how many units you had, you paid the same \$5000 which is not really the way it is done in most places. They try to graduate the charges and that is what we are doing

here. He said he would just read the amounts. If you have a new subdivision, a single unit would be \$5000; 2 to 5 units would be \$3000; 6 to 10 units would be \$2500; 11 to 50 units would be \$2000 and 51 or more units would be \$1500. If you have 50 units you have to trip your way down. It is a graduated charge. It gives a larger developer a chance to come in without bankrupting him on the fees. We also have the ability now to give them credit for any recreation that they are going to be providing. So the proposal was to give an applicant 100% credit for facilities designed for use throughout the Village - open to everything. If he wants to get up to a 50% credit for recreation facilities designed for residents of the complex only and if it is used for both 75% credit up to \$50,000 in addition to the fee. Mr. Lange asked if anybody had any questions. The Mayor asked if there were any questions. He said we discussed this at great length at the Village workshop. He asked if anybody from the Board had any questions before we open it up to the public. He asked if anyone had public comments to please come on down.

Jim Giannettino of 2 Memorial Drive asked if that was per unit those fees. Mr. Lange said it is a sliding scale. Mr. Giannettino said okay. That was his only question. The Mayor said everybody pays the same for the first unit, the second unit. It is as it goes up there break points if you have more units. And then we also discussed the credit for having on-site recreation. He said he thinks something we discussed at the workshop is if you have, let's say, two houses or there is a piece of land - and there is limited land in the Village of Suffern - but let's say somebody builds four or five units and as a result the four or five units, if the methodology would require - if you say five units you would owe \$17,000. If you have four units, the cost would be \$14,000. So in those situations what we felt was instead of writing a check to the Village of \$14,000 then maybe the developer at that point can decide you know what, I'll spend a little more - I'll spend \$20,000 or \$25,000 and put in a small playground. And what is great about that is that benefits the community. It attracts family who are living there. Plus for them it also raises probably the price that they can get for their units. So again at the end of the day while it is good to get the money and use it to increase our recreation infrastructure we also want to incentivize people who are building to provide on-site recreation because it makes the Village more attractive and communities more attractive. So he thinks it is a good balance that we kind of worked out here. And he appreciates John's efforts in going about it. So any other?

Michael Curley of 160 Orange Avenue asked what is the per fee right now? Is this the proposed one or is this the old one. The Mayor said no. The one that is now is \$5000 a unit all the way up to whatever it is. But the times that we have actually had this in place we have ended up in the past negotiating with the developer to reduce the fees because the fees at that level are just completely prohibitive towards

anyone doing it. So it puts the Village in a better situation instead of negotiating with each developer over fees that they are going to pay which is something that we want to stay away from. We have a system in place that spells it and kind of works in every situation.

Mr. Curley said we have a system in place right now. Isn't that correct? The Mayor said yes. Mr. Curley said so if we have proposed 110 units for the new Orange Avenue project and 110 x 5 would be \$550,000. At this way, we might get \$100,000. Now the builder can make his building nicer and he can get more profit out of it but the Village isn't getting the benefit. None of the people in this room are unless you are buying one of those units or whatever it may be. So he thinks this needs some looking into. He said he thinks you have to take charge and look at the numbers. He said you are giving up hundreds of thousands of dollars with this vote right now. The Mayor said we have never used the amount. It was always that amount was passed and it wasn't looked at as being something that was in line with other municipalities. So the time when this has been in place - no one has paid that amount because it is completely cost prohibitive to get any sort of larger development. Yes, if someone subdivides one property into two properties they pay \$5000. But when you get to developments which are potentially 40 or 50 units - in the past, even under the current methodology, the Village has negotiated to reduce the fees because the fees at the current level are just completely disproportionate to anything that bears any semblance to having something in reality. So what we want to do is avoid the situation in the future where we are negotiating with individual developers and we have something in place that works in all situations and is more in line with what other municipalities do.

Mr. Curley said okay. But just to get this correct. We are turning that potential \$550,000 on that one subdivision into \$160,000. He said he is doing a little quick math here but he is saying 110 x 1500 is 160,000. So you actually just cut off hundreds of thousands of dollars and he thinks that should be thought about for these children in this community who needs those playgrounds too. The Mayor thanked him. Mr. Curley said he was not done. He said he knows that when he goes and he saves that money that he is going to put more in. But one he is getting a double savings, this developer now. He is getting the savings one because he is not paying the Village and two he is getting a better sale price for the unit, which you just admitted. That is what you just said. The Mayor said what do you mean. Mr. Curley said you just said that he is going to get a better price. So he is getting double-fold and he doesn't think you should do this at the taxpayers expense. He said he thinks you are better off keeping it the way and making a deal with them. And instead of getting the 160,000 you might get 260,000. Maybe do something for the kids.

Mr. Giannettino asked if this was effective now. What about all the people that have gotten their properties already passed. You have a

number of people that are going to be doing building here that have already got their zoning. They are just hanging out and just waiting, and he doesn't know why, for all their permits. Are they going to reap this benefit? The Mayor said this will apply immediately because people are not required to pay the fee until a certain time. Again, we recently had a situation with Esther Gitlow. Esther Gitlow won. And again this was passed under your administration. And the thing is it bears no semblance or no reality to any - you could say okay, thirty thousand dollars a unit and say that is the fee of recreation. And then you can see what happens. And you are not going to - the bottom line is the purpose of this is to provide money in lieu of recreation for someone who comes in and does not provide recreation and taxes on our system. Mr. Giannettino said he is not arguing for or against this system. He is arguing the point that people rushed to get their projects through. They got all the benefit of quick planning, quick approvals and it has been years and the shovels haven't gone in the ground and now they are going to get a bonus.

Mr. Giannettino said we couldn't stop these people from leaving their dilapidated buildings up for six and seven years. The Mayor asked Mr. Giannettino if he could talk about what we are talking about here. If you have some other comments for public comments. Mr. Giannettino said it is all related. The Mayor said thank you. Mr. Giannettino said they got all the benefits of a quick approval. They strung you along for three years that they were to put permits in - the Mayor said thank you. Honestly, if you could just keep it to the subject of recreation. Mr. Giannettino said it is all related. The Mayor said he doesn't think it is related. Mr. Giannettino said they have held the Village up for six years - the Mayor said okay, thank you. Mr. Giannettino said and now you are paying them back. The Mayor said that is a very, a very - be careful in terms of what you accuse. Mr. Giannettino said you can thank him but that is the case. Mr. Giannettino said he is not accusing. The Mayor said thank you. Mr. Giannettino said you keep coming back and he has a right to answer. He said you allowed these people all the benefits. They could not be touched with burnt down buildings, trees that fell on buildings, and we passed a law but they were grandfathered. It didn't affect them. Mr. Meehan brought it up a number of times. Mr. Giannettino said he brought it up a number of times but they don't get grandfathered now. The Mayor said thank you, thank you, thank you.

Bruce Simon of 31 Utopian Avenue said just as a clarification. Just as a point of clarification. When you said this would, by changing the pricing structure, by doing something like this - this would allow a builder to possibly put a recreation facility in their project. Is that recreation facility open to the rest of the Village. The Mayor said it depends on again when the Planning Board goes in there what is proposed. There is a limit that we are proposing. The purpose of this program is not to try to extract more money out of people. And he knows everything looks like a revenue source and no one has worked

harder to get revenue for this Village than him. The purpose is to provide when people do not have recreation, they are taxing on our infrastructure. So you are talking about a situation in which a building of 48 units comes in. That building is going to have on-site recreation. So for example. You look at Cross Street. They have a gym in the building and they have a pool. So the point is they are not using our pool and we are still going to charge them money to give to the Village as an extra fee. So that is the situation. There has to bear some resemblance to the recreation that they have on site. Now, what you are supposed to do or what you could do is say dollar for dollar you reduce the recreation. So if you had a situation like Cross Street and they come in and they build a pool and they build a gym and the methodology whether the old one or the new one says \$200,000 - if they spend more than \$200,000 we get no check. The Village gets nothing. That is the way it is supposed to work. So the situation here is we still get revenue. They get a credit for on-site recreation but the credit only goes so far. You can't have it both ways and say we want money because you are taxing on our recreation and they go well we have a gym, we have a pool, we have a sauna. We have everything anyone could ever want. We spent \$300,000. You want us to write you a check for \$200,000. What they would say is subtract the \$300,000 from the \$200,000. We paid more than your owed and you get nothing. So what we are trying to do is have somewhere in between where the Village gets fees but we also recognize that they are putting on-site recreation. Because if you don't have this then what the developer comes in they spend all the money on recreation and the Village gets no fees. So that is the situation. So he can tell them that whatever the Village got from Cross Street they spent a lot more on facilities in terms of putting in a pool and in putting in a gym. So again, this is just trying to be in line with everybody else. It is no breaks to anyone. It is just a recognition that you have a schedule in place that makes absolutely no sense.

Mr. Simon said he is not questioning you and he is not doubting any of that. And he certainly was not part of the Board at Cross Street so he does not know what was in the builder's mind but he is fairly certain though and he is sure that everybody here would probably agree that he put in his recreation to make his property better - a better sell. That doesn't make him a bad neighbor or a good neighbor. He did it as a business decision. And he is just trying to find out if business decisions are that recreations are going to be included in properties in kind of exchange for this lower fee which is not in and of itself a bad idea. Are other people other than those 50 units - the people in those 50 units - going to be allowed to use that recreation. That was his only question.

John Lange said we have to keep a couple of things in mind. The rec fee is tied to the law. The law says that you must have a plan and have developed a need for recreation facilities. The rec plan that

was done was done back in 2000. It was done by the previous planner. It was a credible piece of work, which basically said you have almost all the recreation you need. The plan identified a couple of softball fields as the major need. If you are not going to go into an acquisition program, you can't collect the money as part of the rec fee. So in trying to balance that, that is exactly what the plan is trying to do. What this rec fee is doing. It says okay here is a sliding scale because we have reduced needs now and by the way if you provide something you get some credit for it. So it is a balance program as opposed to being a heavy hitter and a linear arrangement. A linear arrangement doesn't work. There should be some benefit for the number of units that you are putting in especially when you are putting in one and two bedroom units versus three or four bedroom single family homes. It is a question of balance. It is a question of compliance with the law. It is not a giveaway to the developers.

Trustee Abato said she had a couple of questions for Mr. Lange. She said right now we do give some sort of credit for on-site recreation in our plan already. Is that correct? Mr. Lange said that is correct. That is a negotiated item and there is no basis for the negotiation. Which would make us subject to potential lawsuits. Trustee Abato said okay. Because it is saying at the discretion of the Planning Board they would determine what credit is given to the builder as far as what kind of recreation. So if they have on-site recreation that the community can use, they get more credit. Mr. Lange said exactly. Trustee Abato said and if it is something that is just for their development it is much less. Mr. Lange said much less. Trustee Abato said correct, right? Mr. Lange said that is correct. Trustee Abato said her second question is is that something that we are doing already. That is something that we are doing already but now - Mr. Lange said it was a negotiated process and there was no guidelines for how the negotiation could go. Now we are putting it into law. Trustee Abato said okay. Do we have a set number for on-site recreation. Mr. Lange said yes. What he was proposing was if it is 100% for the community as well, he gets 100% credit up to \$50,000. If it is not for the community all, he gets 50% of what he spends up to \$50,000. And if it is a mix the Planning Board has a reaction. But he is proposing 75% as a compromise. The Mayor said up to \$50,000. Mr. Lange said up to \$50,000. Attorney Rice said and there still has to be an individualized assessment by the Planning Board. Mr. Lange said exactly. He said there is a basis for the negotiation as opposed for it being just what it is. Trustee Abato said so that can still be negotiated in other words. Mr. Lange said absolutely. Trustee Abato said her thing is that we as a small Village provide a lot of recreation and even though there may be a pool on-site that doesn't mean that those units are not going to utilize all of the other recreation in the Village. So she thinks that we not only have to look at if it is community or if it is private but we also have to look at how much recreation they are providing. Mr. Lange said absolutely. And that

is what the recreation plan looked at. It looked at what parks do we have in the Village. What parks do we have provided by the Town of Ramapo. What parks do we have by the county and by the state. And that is what the recreation plan did. It assessed that. It said maybe you are short maybe two acres. That is what the plan came to after all the calculations. So if you look at the map here and you look at your residential neighborhoods there is a good coverage of parks. That doesn't mean that we can't try to get more. Trustee Abato said right. Mr. Lange said but we need to have that in the plan in order to take the rec fees for this. Trustee Abato said she just feels like 50% and 100% like a lot. Because she just feels like even if it is a small recreation area that the community could utilize it. Let's just say they have a tennis court and they say the community can use that. To give them 100% credit for putting in a tennis court that the community can use just seems kind of a little off to her. Mr. Lange said at best that would be 75%. Probably 50% because more local people would use it and that is the Planning Board's determination. Trustee Abato said she would hope that that would be a lot less. She just doesn't feel like the \$1500. Mr. Lange said we can manipulate the numbers differently.

Trustee Abato said the last thing that she wanted to ask him was she just feels like she has to kind of agree that there is a big drop off in the number. Now that is really something that is in line with the rest of the municipalities in the county? Because she doesn't know. It just seems that if we were charging \$5000 a unit and we are going to \$1500 a unit and as Dagan is saying you are going to get a nicer area because the developer is probably going to be inclined to put recreation into their development and they are going to make it a better sell - she just feels like that is a big drop-off. Mr. Lange said it is but it is only going through a graduated calculation. You pay a certain amount for the first unit. You pay a certain amount for the second to the fifth. And it is only if you get up to, he believes, 50 units - the Mayor said 50 or above. Mr. Lange said that you get down to that. How many opportunities are there for somebody to put in a unit that is going to have more than 50 units. Trustee Abato said that realistically speaking for the developments that are being proposed in our area they are going to fall above that. They are going to be more than 50 units. Mr. Lange said you only have the potential for two sites that would exceed the 50 units. Trustee Abato said she just feels like it is a big drop-off.

The Mayor said you have to realize. We had - he thinks it was either \$500 was the amount - until two administrations ago that brought it up to \$5000 as an arbitrary number. So for years that is the number that we had. So if it was \$30,000 a unit and we had no development and we said let's cut it half, it all depends where it was and for years we had it at a certain level. This only happened like six years ago where they upped it to \$5000 and every time it has come up we have,

as a Board, individually negotiated with developers which is not something that this Board should want to do. There should be a number in place. This is the scale. These are your units. This is how much it is. The only form of negotiation is what credit you get up to \$50,000 based on what you are putting in. The point is right now - any developer is going to say that you negotiated with everybody. Gitlow built a hundred units - half a million dollars. They paid the Village \$100,000 - an 80% discount. So if someone comes in next and goes you are only getting a 50% discount. We don't want to be in that situation. That is not a situation legally or ethically this Board should be involved in. We should have a formula in place that bears proportion to everybody else. Trustee Abato said she thinks the Mayor misunderstood her. She was not in all saying that it is not something that shouldn't be done. She is just saying that she thinks that the scale that we are using has too big of a drop-off per unit. The Mayor said that is based on - Trustee Abato said that is just how she feels. The Mayor said but that wasn't in place. Just so you know. The history of it is it has only been in place for two administrations. Trustee Abato said okay. And she wholeheartedly understands that. But she is just saying to him that she feels as though there is - and she is not saying that we shouldn't have a non-negotiable fee. She thinks that is a great idea. We know exactly what we are getting and there is no back and forth haggling. She just feels like the numbers may be off. That is how she feels. Mr. Lange said he might just point out. He took a look at the number of building permits and what the revenue was. With the exception of Cross Street and the one you just mentioned, Gitlow, 2007 there were 5 single family residences. Not going to fund a lot of recreation development on a level there. 2008 one single family residence. 2009 nothing. 2010 nothing. 2011 nothing. 2012 three single family residences. With those sorts of numbers we have to do something to try to attract it. Now 2013 we do have potentials. But they are going to 13, 14, and 15 at best. So they will be in the future. And the idea is we really want to capitalize on the ones that are coming in to give us some revenue but to do it in a way that we are not going to be challenged in court. We can adjust the scale. This was a starting point. And he thinks it is a reasonable one especially when you give the Planning Board the ability to negotiate. Trustee Abato said she thinks definitely she agrees with that portion of it. She just would like to have some more thought on the scale. That is her opinion.

Mike Curley said he is not judging Mr. Lange's performance. He is exceptional at what he does. Mr. Curley said he has seen his work in the past up here. But he just differs on a point about what parklands we have and what parklands we don't have. And he thinks the future, watching out for Suffern in the future, one of our biggest properties that there are people involved in is the quarry project. And he thinks we need to get that money so we can have money for that quarry eventually to put parkland there with the first purpose being water remediation for all the communities around it. So he does see a need

for money, and big money, so we can go and buy that back from the Town of Ramapo and put it in the rightful owner - the Village of Suffern, not the Town of Ramapo.

Adam DeStefano of 19 Prairie Avenue said he does agree that we do need a scale to negotiate by. \$5000 sets us up for lawsuits and things like that. He said he does like this as a starting point but he does think it needs to be adjusted a little bit because - he said he agrees with Trustee Abato in the fact that the scale really does drop off. He said he thinks there could be a way to, instead of doing a percentage thing that he has set up but a way where if you build a certain amount of recreation then for each unit you build you only have to pay x amount of dollars instead. So right now we have it at 5000. So let's say if someone builds like at Cross Street, all the stuff that they built, instead of saying alright this is what you build. We can now have you pay \$1500 per unit instead of the \$5000 so it encourages those larger developments that we are talking about that we say. They are going to have onsite recreation. It encourages them even more to make that onsite recreation. Instead of having them pay \$5000 per unit. It will lower it to \$1500 or \$2000 or something like that. So they will get the benefit of having onsite recreation. We will get the benefit because the people in those facilities will not go out as much to use the facilities that the Village has and it will keep our costs down quite a bit.

The Mayor asked if there was anyone else who had any comments. A motion to close the public hearing was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

The Mayor asked Attorney Rice if it was a local law. Attorney Rice said it is a resolution. He said if someone wanted to move it it would be a motion to adopt the resolution amending the standard schedule of fees.

Trustee Abato said she would like to table it for further discussion. Trustee Meegan-Corrigan asked if we could do that for one month. The Mayor said to do what. Trustee Meegan-Corrigan said to review the fee schedule. The Mayor said anyone can make a motion. He said that is why we hired a planner to review our fee schedule and come up with a fee schedule. So if we want to pay our planner to review a fee schedule that he has come up with then we can do that. Trustee Abato said he said it was a starting point. The Mayor said what is the concern - that we should have more - come up with it now. Amend it. If it is just a dollar amount. Trustee Abato said that is something that can't be amended in five minutes. The Mayor said then why don't you come up with a number. What don't you like? Trustee Abato said can we table it? The Mayor said if it is a matter of dollars why don't we just discuss it. Trustee Abato said she is not ready to make a decision on it or to know what that fee schedule should be at the moment.

Trustee Meehan said that Trish unfortunately wasn't at the workshop and he had a lot of questions at the workshop and he is pretty much satisfied. And he thinks it is important and he doesn't think that one month is going to mean that much. So he will second the motion to table it.

AYES: Trustee Patricia Abato, Trustee Meegan-Corrigan
Trustee John Meehan

NOES: Mayor Dagan LaCorte

ABSENT: Trustee Charles Falciglia

The Mayor said so it is tabled until next month.

8:00 P.M. - PUBLIC HEARING - DISCONTINUE PORTION OF PLEASANT AVENUE

Mr. John Lange said this is a fairly straight-forward thing. He said he thinks a picture is worth a thousand words. The drawing on the right is the current alignment of Pleasant Avenue. It comes down and offsets from the street across the street. In the developer's proposal he wanted to make this a private road and realign it so it has a perfect alignment with Washington Circle, he believes, across the street. And it is that simple. There would be parking on either side. The access to Pleasant Avenue remains the same for all the residents. For the businesses that are there they can still go out. It is a two-way access. It is really straightforward in that it just makes sense for safety and traffic reasons.

The Mayor asked if anyone had any questions. Jean Hennelly of 135 Wayne Avenue asked if there were any public utilities under this road and, if so, who will be responsible for maintaining the sewer lines or any wire lines that have been placed underneath the roadway. Mr. Lange said they are responsible for the snow plowing and the repaving and for relocating all the utilities. Mr. Lange said they will be moving all the utilities to conform to the new street alignment and they will be responsible for all the maintenance in terms of paving and snow removal. All they are going to do is give the Village an easement that lets the neighbors behind have access through so it makes it the same as a public street. Mrs. Hennelly said thank you. She said then if the Village needs to dig for a water pipe - Mr. Lange said they are going to have an easement for utilities and an access. Mrs. Hennelly said we won't be charged extra for redoing the pavement in pristine condition as opposed to the public works where they just put a pile of asphalt and it is never repaved for years to come. She said she was wondering if we were going to be responsible to make it as new if we have to dig in there. She was curious if there was going to be extra costs involved to maintain the road on the Village's part. Mr.

Lange said the answer to that is no. It is strictly upon the applicant as a private road. He does all the maintenance on it. There is actually slightly decost costs for the Village because it is a section that they don't have to do. Mrs. Hennelly said she was thinking about the sewer lines and the water.

A motion to close the public hearing was made by Trustee Meegan-Corrigan, seconded by Trustee Abato. Upon vote, the motion was carried.

Attorney Rice said he prepared a resolution for the Board and he assumes we don't need to go through all the whereas's in this. But it is important to also mention that the property is going to be conveyed to TJG for the sum of \$24,000. The Village had an appraisal - the last appraisal that was prepared by an MIA appraiser that came up with a price of \$24,000 plus any closing costs that the Village would incur as a result and in addition one of the other conditions is that they provide an easement in a form that is acceptable to the Village attorney providing unrestricted ingress and egress. Additionally it is subject to the applicant relocating utilities and provide a necessary easement. The Mayor said this would be Resolution No. 10. The Mayor asked Attorney Rice if he wanted to read it. He said he doesn't have the title for it. It is a resolution discontinuing a portion of Pleasant Avenue consisting of approximately 8,888 square feet as described in the schedule annexed thereto and conveying that portion of the property to TJG Realty.

VILLAGE OF SUFFERN
RESOLUTION NO. 10, 2013

WHEREAS, by petition dated July 3, 2011, TJG Realty, LLC (the "Petitioner") petitioned for the discontinuance of a portion of Pleasant Avenue, more fully described in Schedule "A" annexed hereto; and

WHEREAS, the Petitioner is the owner of property located at 15, 17 and 19 Washington Avenue in the Village of Suffern, which property is known and designated as Section 54.28, Block 1, Lots 15, 27 and 28; and

WHEREAS, Pleasant Avenue bisects the lots owned by the Petitioner; and

WHEREAS, the petition asserts that "the portion of Pleasant Avenue which the Petitioner seeks to acquire is not generally used by the public and will remain available as an emergency means of ingress and egress to Washington Avenue." and

WHEREAS, Petitioner proposes to provide an easement to the

Village allowing general public ingress and egress across Petitioner's property; and

WHEREAS, said portion of Pleasant Avenue consists of 8,888 square feet; and

WHEREAS, Petitioner proposes to develop the foregoing property, including the portion of Pleasant Avenue which is the subject of the instant petition, for a four-story, multi-family housing development consisting of 28 two-bedroom and 20 one-bedroom apartments; and

WHEREAS, Petitioner filed a petition to amend the Zoning Law of the Village of Suffern from 2R-5 to MR-50; and

WHEREAS, accompanying said petition, Petitioner filed a long form EAF covering the proposed development, including the discontinuance of the portion of Pleasant Avenue as contemplated in the development proposal; and

WHEREAS, on August 8, 2011 the Board of Trustees, acting as lead agency in a coordinated review pursuant to SEQRA, adopted a negative declaration; and

WHEREAS, on August 8, 2011 the Board of Trustees also adopted a local law rezoning the relevant portions of the Petitioner's property to MR-50; and

WHEREAS, Petitioner filed an application for site plan approval for the foregoing development proposal on May 4, 2012; and

WHEREAS, a public hearing was conducted on said site plan application on January 30, 2013; and

WHEREAS, on January 30, 2013, the Planning Board granted site plan approval for the proposed development, subject to and conditioned upon, among other things, discontinuance of the subject portion of Pleasant Avenue as a dedicated street and conveyance of the same to Petitioner; and

WHEREAS, the instant petition for the discontinuance of a portion of Pleasant Avenue was referred to the Suffern Planning Board and to the Village planning consultant; and

WHEREAS, by memorandum dated October 7, 2011, the Village Planner, John Lange of Frederick P. Clark Associates, Inc., related that circulation and emergency access will not be significantly impacted as the applicant's development plan illustrates that the street will not only remain open, but will be improved. The private street will be realigned with Washington Circle across Washington Avenue creating a more standard intersection while improving sight

access and circulation. Improved turning radii and provision of sidewalks and curbs provide better circulation and pedestrian safety; and

WHEREAS, the report concludes that "maintenance of the street from public to private will not have a significant negative impact upon surrounding residential and industrial neighbors, both residential and other uses." and

WHEREAS, on January 30, 2013, the Planning Board recommended to the Board of Trustees that it discontinue the subject portion of Pleasant Avenue and convey the same to Petitioner; and

WHEREAS, the Board of Trustees caused various studies and appraisals of the subject 8,888 square foot portion of Pleasant Avenue to be valued; and

WHEREAS, the Board of Trustees conducted a duly notice public hearing on the petition to discontinue the foregoing portion of Pleasant Avenue on June 10, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees that the portion of Pleasant Avenue described herein hereby is discontinued as a dedicated street; and

BE IT IS FURTHER RESOLVED that the foregoing portion of Pleasant Avenue be conveyed by quitclaim deed to Petitioner without any representations or warranties with respect to title, condition or any state of facts; and

BE IT IS FURTHER RESOLVED that in accordance with the appraisal prepared by Albert Valuation Group New York, Inc. dated May 7, 2013, the fair value for the subject portion of Pleasant Avenue is \$24,000 and that the price for the conveyance of the same to Petitioner is \$24,000 plus the Village's closing costs and expenses, subject to and conditioned upon Petitioner providing to the Village an easement in a form acceptable to the Village Attorney providing unrestricted ingress and egress to the public across the Petitioner's property as depicted on the approved site plan.

A motion to adopt Resolution No. 10, 2013 was made by Trustee Meegan-Corrigan, seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

CULTURE AND RECREATION:

Mrs. Cathy Mills said good evening to the Mayor and Village Board and thanked them for having her. She said upcoming events for the Village of Suffern Recreation Department are: Clifford Theater will be starting auditions on June 12, June 13 and June 17. They will have practices in July. And then the show this year will be August 2 and 3 and it will be "Legally Blonde." They have on Thursday of this week, June 13, the Gail Curtin Toddler Park dedication. It will be over at the Toddler Park located by Memorial Drive pool. The public is welcome to that. It will be at 6:30. She said the pool has been opened since Memorial Day weekend. And it is open on weekends right now from 12 to 6. And it will be opening for the summer on Saturday, June 22. Registration for swim team and swim instructions will be on Wednesday, June 18 and June 20. They have orientation with the lifeguards on Saturday, June 22. She said she would like to invite the Village Board to attend the orientation with the lifeguards. The Fishing Derby will be on June 22. Registration will be at 8:30 and fishing begins at 9:30. That is also on Saturday, June 22. They have the pool party this year with Tommy Gardner on June 24 and that will be from 6:30 to 8:00 p.m. at the pool. There will be a concert at Avon Park with Canaby Street and that will be at 7:00 p.m. And also they have a senior picnic coming up at the Community Center. This year it will be a barbecue on June 19. And coming down the road they have Suffern Day which will be Saturday, September 28.

Mrs. Mills requested authorization to increase the original hours that she gave last month and therefore the salaries for the part-time guards at the Suffern Memorial pool for the 2013 staff. She said she would like authorization for that. A motion authorizing the increase was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Mrs. Mills said that also for a weekly trip this year she would like authorization if they can book a trip to Radio City Music Hall for Sunday, November 17, 2013. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

VILLAGE ATTORNEY:

A) Refer to Planning Board for its review and recommendation - amendment to Zoning Law to rezone Orange Avenue redevelopment parcels to MR-75:

Attorney Rice said the first item on the agenda would be a motion to refer to the Planning Board for its review and recommendation a proposed amendment petition from M&H from the Board of Trustees to

establish an MR-75 zone and to attach it to the redevelopment parcels on Orange Avenue. As you recall, when the hearings occurred a number of years ago on the urban renewal proposal one piece of that was a rezoning which at the time was denominated as MR-70. Now since there seems to be some interest in that project proceeding with private development, not as an urban renewal project, we would like to start the process to come up with the appropriate zoning designation for that property. And Mr. Lange has already starting working on this. We have the base of the MR-70 proposal that had existed and he would be modifying that to make it work for those particular parcels. So if you would like to start moving forward with this, he would suggest that you refer that to the Planning Board for its review and recommendation back to the Board of Trustees. A motion was made by Trustee Meegan-Corrigan, seconded by Trustee Abato. Upon vote, the motion was carried.

B) Set a Public Hearing - Establishing a Tree Advisory Board and Establishing a Tree City Use Requirement:

Attorney Rice said the second item on there is that Bruce and Fred have been working on having the Village established as a Tree City for some period of time and one component of that is the local law that they have in front of them which would set up a Tree Advisory Board and have them oversee the Tree City compliance. The substance of this primarily came from Fred who got that from one of the Tree City sites and you haven't had time to look at it but he thinks at this point if you would like to set a public hearing so that they can move forward with that proposal that would be good. A motion to set a public hearing at 7:20 p.m. on July 8, 2013 was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Attorney Rice said the only other thing that wasn't on the agenda but he wanted to add was that since the last Board meeting he sent to the Board of Trustees the decision of the Second Circuit on Arena vs. Village of Suffern. And he thought it was worth talking about that briefly because this has been a long and kind of difficult battle for everybody involved. As you recall, Mr. Arena had retired and it was a negotiation as far as the payout that he was entitled to. Very quickly. It generated into a civil rights action. There were complications with that. We took it over and had the judgment opened up and moved for summary judgment which the District Court granted in the Village's favor. Mr. Arena appealed that to the Second Circuit and a couple of weeks ago we got a decision that the Second Circuit Court of Appeals affirmed summary judgment in the Village's favor. So that is the end of that litigation. The Mayor said that is good news.

GRANT WRITER:

Mr. Fred Rella said just to expand a little bit about the Tree City U.S.A. If you drive through various municipalities you might see a sign as you enter the communities or leave the communities that say they are Tree City U.S.A., similar to a speed limit sign in the community. And the Tree City U.S.A. is sponsored by the Arbor Day Foundation and they work closely with the D.E.C. in establishing that with the forestry people and whatnot. And when Terry was mentioning - that was Bruce Simon that he was talking about, the ex-Trustee - and we had to put together an ordinance which establishes a board for the community on trees, which would be a five member board. And it also stipulates that we actually have to have a tree ordinance which will be developed and will talk about the various types of trees that can be planted, taken down and alike. You have to also have an annual budget of \$2.00 per capita of Village residents. So we have approximately 11,000 people within the Village so that would be an annual budget of \$22,000 which is already within the DPW budget for tree maintenance, which also includes taking down trees. The Arbor Day Foundation is very clear on that. And also you have to celebrate Arbor Day and Arbor Day always falls on the last Friday of April. Though this past year we didn't have an Arbor Day celebration, the Boy Scouts - the Mayor said we did. Mr. Rella said we did? The Mayor said we were all there - Deputy Mayor Corrigan was there, former Trustee Bruce Simon. The new owners of OTB, Ace Rainbow, planted a whole corner there and it looks really good. Mr. Rella said that is great because that is part of the application process to describe our celebration that took place. Mr. Rella said all of that will be submitted once the actual public hearing is held and the ordinance is passed.

Mr. Rella said one final thing. The Community Development Block Grant, the \$85,000 that we were awarded. There is a training session tomorrow that Tom Zordan, the Treasurer, and he will be attending. It is mandatory training that they have to go to to how to actually capture the funds which we have been awarded and how to voucher it so we can be reimbursed.

The Mayor thanked Mr. Rella. He said good job and he knows it has been a lot of work and he wants to recognize the head of our Recycling Committee, Bruce Simon, who has been involved with this through the years. This is a large ongoing process and it gets us the ability to receive and apply for numerous grants. So again thank you for all the hard work. The Mayor said he thinks we started looking at this three years - Mr. Simon said four - the Mayor said four years ago. Those little trees you planted are now grown up. It is great that we are doing this and thank you for all your hard work.

AUDIENCE PARTICIPATION:

The Mayor said to please come up to the microphone and state your name

and whatever comments or concerns you may have.

Roy Tschudy of 16 Lonergan Drive thanked the Board for the opportunity to come up and address the Board and his neighbors. Mr. Tschudy said as discussed previously, and more specifically at the Mahwah River cleanup, he would like to know if the Village has contacted the homeowners on Hillside Avenue regarding the dumping of debris and the cleanup of that area. The Mayor said that is Hillside but it is also Interstate, right? Mr. Tschudy said he believes so. The Mayor said he believes most of it was on Interstate. He thought Interstate was the one - when you run along the basketball court, right? Mr. Tschudy said yes. The Mayor said that would be Interstate, right? Trustee Meegan-Corrigan said Randy and Mike have been on that. The Mayor said they have been on it. He said Trustee Meegan-Corrigan can talk about that. Trustee Meegan-Corrigan said that Randy and Mike have been on top of that. Mr. Tschudy said and by on top of that - Trustee Meegan-Corrigan said issuing summonses and having conversations with the homeowners. Mr. Tschudy said that he certainly, since he is on the lower end of that, and many of his neighbors, and he certainly doesn't want to take anybody's money in these times. So even if they just get notified to clean it up and then fail to do so then a fine, he can see, should be implemented. Trustee Meegan-Corrigan said that is usually how they would work it. Mr. Tschudy said okay. Trustee Meegan-Corrigan said they have been in contact with all the homeowners. Mr. Tschudy said that as of yet there is still a lot of debris there and as we have had so much rain recently and as of to date for the month of June we have had more than the average monthly downpours and the angle of which all that debris is on is just sliding further and further into the river which will compromise the area and help to dam up and put us back into a very poor situation. So he hopes that is adjudicated as quickly as can.

Mr. Tschudy said we were speaking of recreation areas and playgrounds so he would like to know if the playground for the Squires Gate area is going to be implemented soon. Attorney Rice said we have had a great deal of difficulty with the attorney for the estate. And Jo has been in touch with him also. Attorney Rice said he has had a number of phone calls and he is very difficult to get a lot of e-mails. Attorney Rice said we have the title search. We are ready to close. The only thing that the title company needs is information from the seller's attorney with respect to the estate. Because the property at this juncture is owned by an estate. Jo and the Mayor got copies of his angry e-mails to the seller's attorney last week because he is frankly on the verge of asking the Board for authorization to bring a declaratory judgment action which is a type of action that you would bring in order to force with somebody with whom you have a contract to - Attorney Rice said specific performances is what he meant to say - to perform their contract. And Jo got an e-mail back that in fact his father had died that day. So we are hoping to get some type of communication from the

seller's attorney this week and provide the last piece of information that is needed to the title insurance company so that we can close. Once the title insurance company has that information and can say to us that you are going to get good title, then we are good to go. So that is the last piece we are waiting for. Mr. Tschudy said that is understandable with the passing. He asked if there was a way, is it possible to put it on the Village website when it does - if it happens between now and the next - Attorney Rice said once it closes? He said he is sure it is not a problem. Mr. Tschudy said yes, so they can have an update on that? He said he appreciates that very much.

Mr. Tschudy said that lastly he wants to also thank Mr. Curley with regard to his views on the quarry site because again, as we all know, that would be a huge aid to not only them but to our neighbors in New Jersey for flood remediation. He said they were scheduled to have a meeting with them - the Concerned Citizens of Suffern, their small group - was to have a meeting tomorrow but due to other obligations they canceled on us. Mr. Tschudy said they are looking forward to having that meeting set for another date.

Phyllis Gasden of Parkside Drive said that on the radio, Christopher St. Lawrence, Supervisor, was discussing the fact - he didn't know what to talk about so his subject matter was the quarry. And he came across that everything has been decided on and stated that it has been approved and that the Town of Ramapo was going to pay for all the work and it was approved by the whatever board had to approve it and that the Town of Ramapo would be paying for the engineer to run this program of which they would control the waters and somehow they were going to pump water into it when there was too much water in Squires Gate and then pump water out. Is this where we are in this program.

The Mayor said the situation is, he thinks, in terms of the quarry proposal. It has been talked about for a number of years that it could be used to benefit the flooding. And he thinks more recently, based on the type of floods we have had, he thinks people feel more confident that that is the case. He said he doesn't want to speak for the residents because the nature of the floods have been more like flash floods - like a dam collapses - so that kind of situation where in a temporary basis you could have water in and then let it out after would be something that he thinks could make a difference. The situation there is that building this flood mitigation system - one - designing it, building it and maintaining it is very expensive. So the Town of Ramapo has proposed that a developer, as part of their proposal to build a number of units, which he thinks the number is around 260, would be that part of this, if it was approved by the Village, that that would be something that they would provide as part of the approval. So that is kind of where it is. There has been no official application - Ms. Gasden said he makes it sound like they are ready to go tomorrow. The Mayor said there is no approval. There

is a long way to go. There is an application that is before the Planning Board on Quarry Ridge but it hasn't really moved forward. Really, the Village Board ultimately decides the zoning and then the Planning Board and the Village Board would vote on approvals but he thinks, aside from the flood mitigation or whether or not the number of units involved, he thinks the biggest issue right now is access to the property and he thinks that is kind of what the developer is working on. Ms. Gasden said right. But if the Town is going to pay for it, or build it, would they have to come to the Village to get your approval that this is - the Mayor said that would just be that the developer would pay for the flood mitigation system and the Town - Ms. Gasden said that is not what he said. The Mayor said they are looking for grant money and the Town would maintain it. Ms. Gasden said the Town. The Mayor said the Town of Ramapo would maintain. Ms. Gasden said so whether you live in the Village or you live in the Town it is still going to cost the taxpayer. The Mayor said we haven't gotten to that point - Ms. Gasden said it is not money out of his pocket. It is money out of all of our pockets. The Mayor said we are looking at the situation in terms of - he said he doesn't think we are at that point yet because the development has to move forward. He said there are other people in the community to get the flood mitigation portion of the quarry without the development. But again it is something that is moving forward. The Mayor said sorry - it is before the Planning Board but it is not moving forward that quickly. Ms. Gasden said right, but she also understood that they have never established any egress or ingress to the property - the Mayor said that is the big issue - Ms. Gasden said they want to build a bridge, they want to do this and that. And they don't have the option of having them come up behind the restaurant. They can't do that it was said. The Mayor said that is the issue. The main issue that he understands from the project is access. So the issue that we have dealt with and Mr. Tschudy mentioned, the group there, that believes that the quarry can provide some significant flood relief is that the only proposal now would be that if that development is approved they are getting a number of units and obviously that would be profitable for them and as a condition to that approval they will build this flood mitigation system. But right now they are not moving forward in any real speed or progress with the development because they are unable to gain egress into the property. Ms. Gasden said right. The Mayor said so that is kind of where it is. Ms. Gasden said so they are not going to go ahead necessarily with that - the Town improving the property. The Mayor said there is no indication that the flood mitigation portion of the project would move forward at this stage. He said he doesn't think there is any indication. Ms. Gasden said maybe 20 years from now. The Mayor said well who knows. It depends on when the project, if it moves forward, if they move forward with their application. Ms. Gasden said that probably dredging the Ramapo River would help. Trustee Meehan said no. According to the engineers that would not help. Ms. Gasden said it would not? Trustee Meehan said it would not. Ms. Gasden said

oh, because you can see from the river levels over the years - you can see the river - it is more visible than it has been in the past. Trustee Meehan said but what he is telling her, and he is not an engineer, and he has listened to them and that is what they tell us. Ms. Gasden said so that is something that is not going to happen tomorrow.

Jim Giannettino of 2 Memorial Drive said he just wanted to answer a few questions that Phyllis raised since they have been meeting with the Mayor, the Town Supervisor, engineers, and state officials. He said that Mr. St. Lawrence has committed to paying the operational costs only of the quarry. He is not going to build it. The Goldstein family will build it, as Dagan said, if they get permission to build. Mr. Giannettino said their group, the Concerned Citizens of Suffern, are going out to try to raise this money through grants, state funds, federal funds. It is not going to be twenty years. It is not going to be twenty years. We will get something done in the near future because we will just keep pounding on doors until people listen. They have met with the assembly people, the state senators, the congress people. Dagan attended one of their meetings. Mr. St. Lawrence attended one of their meetings. Senator Carlucci was there. Five county legislators have promised to put up some money for this project if the Goldsteins do not get their approval. So there will be money coming available. It is something that should have been done forty years ago but we can't worry about what should have been done. We are going to worry about what we can get done now. So he hopes that answers a couple of her questions.

Jean Hennelly of 135 Wayne Avenue said she arrived late so she missed a portion of the public hearing regarding the money in lieu of recreation. The dollar value that you have listed on the website - are those increased values or decreased numbers as far as the unit value - for each unit there is a dollar value listed on the website. What were the previous values per unit. The Mayor said we discussed this and we tabled it. It was \$5000 a unit in 04 - the Mayor said we didn't pass it. We tabled it. Mrs. Hennelly said she knows - are you looking to raise it or lower it. The Mayor said decreasing it to come into line with what is typical in other municipalities because in the past - we have had that in place since 04 when Mr. Giannettino was Mayor. Before that he thinks it was \$500 a unit but it is such a large number that in any significant development, including Gitlow and Cross Street, since that methodology has been in place we have negotiated individually with the developer. And our planner, our lawyer and he felt that we don't want to be in a situation where we are individually negotiating because someone can say that you discounted it 80% so we want a methodology in place that applies to everybody and then the only source of negotiation would be how much credit they get up to \$50,000 based on recreation they provide themselves. The Mayor said we tabled it. He said he thinks the concern was over the break points

- over a certain level. So that was a concern that Trustee Abato had brought up and we tabled it and he believes that we will address that next month and bring it back at the July meeting. Mrs. Hennelly said that as far as if and when something is passed, at what point - the developers that are in the process of building something now, would they be grandfathered into the old - the Mayor said yes, it would be when they get - it applies when they get a building permit or a C.O. Attorney Rice said when they get a building permit. Mrs. Hennelly said that would be at the end of the project. The Mayor said no, building permit. So anyone when they pull a building permit. So that would be anyone before. Projects that may have been approved but have not pulled building permits. Mrs. Hennelly asked if Washington Avenue or Wayne Avenue - the Mayor said no. He said either has Gitlow III but the Village negotiated a different agreement with them to waive the recreation fees in turn that they are going to pay a yearly fee of \$25,000 to the Village in perpetuity. So again we want to avoid those situations in which we are individually negotiating and having it. Mrs. Hennelly asked if there was any possibility that these developments can do something in the next month to secure the exemption - grandfathered into the old to be exempt from the new. She said that is her concern - that tabling it. The Mayor said that he thinks regardless. He thinks that he has happened to have conversations that he is sure that anybody who is in the process of doing it would come to the Village about it because as they know, we need to know - someone said we need to talk about recreation fees. We have always negotiated with the developers because the fee schedule is way off the charts. So this would apply to anyone who hasn't pulled a building permit yet. Mrs. Hennelly said okay. She said she would also like to draw their attention to a dead tree that is on the corner of Memorial and 202. She said that she is very concerned about it. She would like the DPW to take a look at it. God forbid - it is definitely leaning on the 202 side so if it does fall that is where it is going. And it will take a bit of time to remove it. The Mayor said we will take care of that.

Attorney Rice said he had one additional thing. It is very important and it is not on the agenda and he forgot to bring it up before. As the Board is aware through the FEMA program that Jo has been working so hard on, the Village will be purchasing four of the properties in Squires Gate with the money that we expend, of course to be reimbursed by the government. So at this juncture he has contracts from the sellers attorneys in each case. They are going to need some work to fit the unusual circumstance that we have here. But nonetheless he would ask at this juncture that the Board authorize the Mayor to execute the contracts. There are four separate contracts, each for \$255,000 minus the amount of money that each of the homeowners has been paid from the various insurance concerns. So that would be authorizing to sign contracts with Gurgis for 96 Lonergan, Cohen for 94 Lonergan Drive, Hallett at 99 Lonergan Drive and Smith at 97

Lonergan Drive. A motion authorizing the Mayor to sign the contracts was made by Trustee Meegan-Corrigan, seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

POLICE DEPARTMENT:

Chief Clarke Osborn said he had a couple of brief updates and just one item to vote on tonight. He said one of the things that they have been working on, and it actually has been working very well. They have been clearing up warrants. The detective bureau has been tracking down warrants - some of them new, some of them old. We had a very big grab last week. A gentleman had been harassing a woman here in the Village for a long time. He disappeared for a while. We ended up tracking him down through U.S. Marshalls in New York City and we apprehended him. And he actually took a plea today to prison time, which was great. So it cleared that up very quickly. The detectives are working very strongly on the warrants.

Chief Osborn said that on May 21, they had their Kono Grossman presentation at the Lafayette Theater. He is an international school safety expert. We had over 600 people in the theater - officers and school officials. It was a great presentation for eight hours and the good thing about it was, and he was very fortunate to host it here. He said we had all the officers from all over the region eating in our restaurants downtown - 600 of them. So the restaurants did excellent. It was a great day for all.

Chief Osborn said the firearms and taser training is complete for the year. And very quickly one of the things they have been working on this time of year is our quality of life issues. Which is basically going after disorderly behavior, drinking in public, things of that nature. It is going very well. We haven't had many incidents but we are being very proactive with it especially in the evening times and it is going very well.

Chief Osborn said the only item he is asking them to vote on is Resolution No. 10 of 2013. He said just to explain it very quickly. It is Joint Special Weapons and Tactics team. He said we have been a member of the Rockland County REACT - which is Regional Entry and Counter Terrorism Team since 2004. That is basically a county SWAT team. Clarkstown and Spring Valley each operate their own SWAT teams. And the other eight departments in the county, including us,

participate in one unit and it is a mutual aid agreement and we have used them many times in the Village - county SWAT - and we have assisted many times outside, like last night in that homicide in Ramapo we had our K-9 and two officers over there assigned to the SWAT team. So all this is tonight is just a resolution to continue that practice - our being on that county SWAT team which is a win-win. So if we ever needed a SWAT team we could have 40 officers here in 15 or 20 minutes - hopefully, quicker than that but at certain times of the day it could be a little longer - and all expenses are paid, incurred by their own department. So it is a huge advantage for us to have this unit. And he is just asking them to continue our unit on the SWAT team. The Village Clerk said it should be Resolution No. 11.

RESOLUTION NO. 11, 2013

RESOLVED, Mayor LaCorte is authorized to execute agreement with County of Rockland with respect to the Village's participation in the Joint Special Weapons and Tactics Team.

A motion approving Resolution No. 11, 2013 was made by Trustee Meegan-Corrigan, seconded by Trustee Abato. Upon vote, the motion was carried.

DEPARTMENT OF PUBLIC WORKS

A) WWTP:

Mr. Charles Sawicki asked for authorization to accept a proposal from O'Brien and Gere for tasks 4, 5, and 6 of phase I of the required sanitary sewer inflow and infiltration project in the amount of \$48,000. The cost of this work will be charged to the capital account. Tasks 1 through 3 will be performed by the DPW and will save \$56,000 in capital funds. A motion authorizing the proposal was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

B) Bid Proposal:

Mr. Sawicki requested authorization to award a contract for the milling and resurfacing portion of the Roadway Improvement Phase 6 project to the low bidder - Bellavista Construction of Suffern, New York. The contract amount of \$267,855 and is based on estimated

quantities. This project includes the replacement of concrete, curbs, Belgian block curbs, ADA ramps and partial replacement of concrete sidewalks and concrete aprons on Maplewood Boulevard. A motion approving the contract was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. (Mr. Sawicki said he made a typo. Phase 6 is only for the concrete work, etc., and not the milling and resurfacing, which is phase 7.)

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

Mr. Sawicki requested authorization to award a contract for phase 7 which he is requesting authorization for. It is actually for the milling and resurfacing. He had a little typo on that first one. Phase 6 concrete work for curbs. Phase 7 is the milling and resurfacing. And the low bidder is Tilcon NY Inc, West Nyack, New York. The contract amount of \$216,126 and is based on estimated quantities. Roads include Maplewood Boulevard, lower Pavilion Road and the Ladder Company driveway at Antrim Avenue. A motion awarding the contract was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

C) Public Hearing - MS4:

Mr. Sawicki requested authorization to set a public hearing for the annual MS4 report. A motion setting the public hearing at 7:25 p.m. was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Mr. Sawicki said he had one additional item. He requested authorization to attend the Green Infrastructure and the Urban Landscape course. This course is offered by the NYS Parks Department in Statsburg in Dutchess County on June 21. The total cost for the course is \$18. A motion approving the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte

Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

Trustee Meegan-Corrigan asked Mr. Sawicki to give a quick update on the bids that we have out. Mr. Sawicki said tomorrow we have a job walk for the demolition on Lonergan Drive and the bids are due June 25. He said we just received approval for the variance from the DEC today so we will be issuing an addendum to the plan holders tomorrow.

VILLAGE CLERK:

A) Agreement - Consultant Frederick J. Rella and Village of Suffern:

Village Clerk Virginia Menschner said she only had one item. It is the agreement between Mr. Rella, our grant writer, and the Village of Suffern. His contract comes up July 1. A motion approving the agreement was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

FINANCE DEPARTMENT:

A) Proposal from Cornerstone Telephone to Change Phone Lines:

Treasurer Tom Zordan said that he had a few items. He said the first item is a proposal from Cornerstone, which is our telephone service provider. This proposal entails changing over 21 of our phone lines from copper lines to voice over IP lines. We have 31 lines within this building here. 10 of them would remain as regular copper line, land-line phones, 5 of which are in the police department. The police chief's line would remain the way it is, the lieutenant's line, two fax lines, and another line. Those five would remain the way they are. Obviously that is in case the computer systems go down. At least the Chief and the Lieutenant will be able to use their lines. This doesn't affect the 911 line. That is separate unto itself. If we accept this, we will save roughly \$268 a month and he envisions using those monies to fund a new telephone system. Our telephone system, although it works, is getting very old and we can't get replacement parts. The last time we needed a new telephone we had to go on e-bay and track

one down. And luckily we found one. They don't make them anymore and we can't get parts. So we have to upgrade a little bit. So that is what he envisions to do with the savings from this. He is asking for approval so he can get it started. Mr. Zordan said it doesn't cost us anything to do this. What happens is we generate the savings. Because every line that comes into the building there is a charge of \$9 a month just to have the line. So now we are going to take 21 lines and put it into one T1 line. So we are saving all those line fees. And plus we are going into the computer end. A motion to accept it was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Mr. Zordan said that as residents know, we sent out the water and sewer billings on May 1 and they totaled \$1,447,000 and this was actually in line with what we estimated with our budget for this cycle. Tax bills went out on May 30, May 31. The ladies worked hard to get all that done. And of course people came in on June 1. Thank you for paying the bills. We like that.

B) Annual Insurance Renewal:

Mr. Zordan said lastly he has the annual insurance renewal. He said unfortunately we just got it today and we handed it out to everyone. He said he thinks Virginia gave everybody a copy for the insurance renewal for both the general liability insurance and the workers comp insurance. Unfortunately, we had a few claims in the last year and it pushed our insurance rates up a little bit. But our broker went out to about six different companies to try to get us the best pricing. Some people didn't even want to touch it. But the other ones all were higher than what these guys came in with. It is still the same company and we are very pleased with our business relationship and how they handle our claims. The working relationship, as the Village Clerk can tell you, is very good. Additionally, our workers comp insurance came in and as you can see it says it is \$371,000 but he made a couple of phone calls and now it is down to \$360,000 and then he said if we pay up front can we get a little discount so they gave us another 2% off so it is going to be about \$354,000. The Mayor said so realistically as Tom is saying the workman's comp is right in line where what it was which is much less than where we had been with other programs before. The concern that we have is that we have a significant item loss run on our liability policy associated with a part of it and the companies usually have a five year right to look back so this is still in its fifth year so hopefully next year that loss comes off. When we looked at the loss runs over the last four years it has been very minimal. But when you have a claim, the fifth year ago, they look back on it and that is kind of affecting it. There doesn't seem that there are many players in this line of business anyway. Mr. Zordan said no, there is not. Every year it is the same people over and over. And over the last few years there have been less. People have gotten out of

it. The Mayor said we don't have much choice. A motion to accept the insurance was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan

NOES: None

ABSENT: Trustee Charles Falciglia

TRUSTEES:

The Mayor said Mr. Meehan has two resolutions.

A) Yorkshire Drive - Double Yellow Center Line:

Trustee Meehan said the first resolution is on Yorkshire double yellow center line. He said it is actually co-sponsored by Charles Falciglia who is not here this evening. So Trustee Meehan said he was going to withdraw that motion because his colleague, Charles Falciglia, who is co-sponsoring it is not present so he will wait until next month. The Mayor said his bus broke down. That is what happened. The Mayor said he called him and he was on his way and his bus got into an accident.

B) Resolution No. 12, 2013 - Gun Control:

Trustee Meehan said the second resolution is on gun control. He said it is rather short and he will read it.

RESOLUTION NO. 12, 2013

WHEREAS, gun violence in the United States has continued at crisis levels; and

WHEREAS, Federal legislation is required to deal with this calamity.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees urges Congress to adopt legislation that would include a thorough background check before acquiring a firearm and confirmation of the character of the applicant including firearms purchased at gun shows, the ban of the importation of assault weapons capable of firing 30 or more bullets; and

BE IT FURTHER RESOLVED, that Congress should consider legislation similar to that adopted by the State of New York; and

BE IT FURTHER RESOLVED, that in conjunction with the foregoing there must be increased funding for mental health screening and treatment; and

BE IT FURTHER RESOLVED, that it is the belief of the Board of Trustees that the implementation of the foregoing does not impinge on the second amendment rights of citizens or the legitimate use of rifles by hunters; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to President Obama, Senator Schumer, Senator Gillibrand, Congresswoman Lowey, Governor Cuomo, State Senator Carlucci, Assemblywoman Jaffee and Assemblyman Zebrowski.

The motion was moved by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

The Mayor said good job. He said he thought this was very good. The Mayor said a strong advocate for gun control and these are just simple common sense steps.

MAYOR:

A) Establish New Position for Court - Data Entry Operator II:

The Mayor said this is an existing person. It is just a new title for Ann Rizzo in the court. Her new title will go to Data Entry Operator II. The Village Clerk said no, no, no. This is just creating the position. The Mayor said sorry. This is just for the creation of the position. A motion to establish the position was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

A motion to adjourn the meeting at 9:15 p.m. was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.