

**Village Board Meeting
Monday, August 10, 2009**

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

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

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

ABSENT: None

Set Dates for September Meetings:

The Mayor said that our next workshop will be Wednesday, September 2, at 7:00 p.m. and our Board meeting will be Tuesday, September 8, 2009 at 7:30 p.m.

The Mayor said that at 8:00 p.m. he will put a vote out for the exercise program that we had go out to bid this past month.

FIRE DEPARTMENT:

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

Chief Dan McInerney said that he had two items on the agenda for their consideration but before he does that he said he would like to give the department update. Last month was a busy month for them. They responded to 41 calls. Over the past 8 to 9 months he has been in front of them for new members. They have had 13 new members join - 4 have completed fire fighter I, which is a 93 hour class, and are going to continue with fire fighter II in September for another 34 hours. They have two completing the class this month. Two will begin next month. One in October and four more are on the waiting list for the January 2010 class. And last month they attended the Port Jervis parade and took home three trophies. And one was for the best firemanic color guard. The Mayor congratulated them.

Chief McInerney said that they would like the insurance for Michael Minevich who is a new member joining the Volunteer Hose

Company. A motion approving the request was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

B) Permission for Hose Company & Hook & Ladder to Attend Truck Dedication in Mahwah - August 28, 2009:

Chief McInerney asked for permission for a vehicle from the Hose Company and Hook & Ladder to attend the truck dedication in Mahwah, Company No. 2, on August 28. A motion approving the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

BUILDING DEPARTMENT:

The Mayor said that we don't have anybody here from the Building Department but we do have somebody here from Dona Maria's. He asked him to come up to the podium.

Attorney Rice said that just for the audience's understanding the live entertainment permit, which is a special permit granted by the Board of Trustees, was revoked approximately three months ago with respect to Dona Maria restaurant because of disturbances that occurred there. At the time the Board of Trustees said that in advising Dona Maria that they had revoked the permit, as they have a right to do so, that they may reapply within three months after the suspension has expired by writing a letter to the Board of Trustees and we have a letter dated August 5 to the Board of Trustees from Mr. Romero on behalf of Dona Maria.

On behalf of Dona Maria Mexican Bistro, I, Martin Romero am requesting the Suffern Village Board to review the reinstatement of my entertainment license. I would like to be allowed to, for example, have a mariachi group singing to entertain customers while they have dinner and also have a DJ after dinner for the rest of the night. These events will happen on Fridays and Saturdays. If you need further explanation of these events, I will be glad to meet with you and give more details.

Attorney Rice said that Mr. Romero is here to address the Board with respect to his request that his live entertainment permit be reinstated.

Mr. Romero said he is asking if he can get the live entertainment back. He has been taking a lot of stuff doing the right way and making sure that everybody is okay. And using the

live entertainment the right way especially he was thinking about doing it on Mondays and doing a combination with the food and a little band and bringing a lot of people who like to go out and have a good time with the music and to make a good time for everybody. He would like to work with the live entertainment on a good way and bring in a good quality of people for business and for the town.

The Mayor said that he would like the police chief to come up and shed some light on what has been going on over in that establishment. Chief Clarke Osborn said that in regards to his application, he gave our Village Attorney Terry Rice a memo. The reason the original permit was pulled was because of large disturbances. We had incidents in which officers had to taser people. Major fights and assaults. The Chief said while he thought it started to calm down, back on July 26 at about 2:45 a.m. we had another large fight with between 50 to 100 people according to our officers on the midnight tour. A fight between Georgie Porgie's crew and Dona Maria, which three police departments had to come in and assist us that night to break the fight up. So obviously the problem has not stopped and he is just asking the Board, while he understands that business and restaurants are critical for the infrastructure of our downtown, he also realizes that as a resident and as a police chief here that it has to be taken control of the problems and obviously they have not. And they are putting the public and his officers at risk with what is going on down there again.

Mr. Romero asked if he could answer that. There was a big party at Georgie Porgie's and Mr. Romero said that he doesn't have many people on the weekends. Before when he had the license he had more people. Right now he has only 20 people or 30 people at night. And that day there was a big crowd. The problem started in the street. It didn't start in his place. So he doesn't think it is fair to try to put on him. It wasn't his problem. They closed him down. Chief Osborn said that he has a report from several officers on the scene that night, and witnesses, that claim it was between his bar and the other bar. It is up to the Board to make the decision but obviously it has been an ongoing problem for a couple of years.

Mr. Romero said that he did not have any problem inside that day. It was outside. He said he tried to call them and then he called them to take care of that big problem that was on the street. Attorney Rice asked Chief if he had a recommendation. Trustee Abato said she thinks he just made a recommendation. Attorney Rice said he didn't hear it explicitly. Chief Osborn

said it is up to the Board. But obviously we cannot keep doing this. It is up to the Board. He is just giving the facts with reports.

Trustee Abato said that she understands that Mr. Romero is trying to run an upstanding business here in the Village but she thinks that he has to understand that this Board, when we get a strong recommendation like that from our police chief, and there have been so many incidents at your establishment that have not been positive that it is very difficult for us to stand here before you and say, oh, sure, just go right ahead. She said that she would like to ask that we let the summer go through and hopefully you will be without incident without any entertainment and hopefully maybe in the fall we could revisit it. Maybe things will settle down and your clientele will change. And it will be a more positive experience for everybody. But she thinks that it would just be irresponsible of them as a Board to go ahead and allow him to continue to have live entertainment when obviously you didn't even have live entertainment at this point and you are still having a problem. So she would like to ask the Board to keep it suspended maybe until October and let's revisit it again then.

Mr. Romero asked if he could do something about it. He said we are talking about the live entertainment at night which is like a DJ after 12. Trustee Abato said that she just thinks that live entertainment right now for his establishment probably is not a good choice. She said she thinks it is just attracting the wrong type of clientele for him and maybe if he lets it settle down for a little while, hopefully in October if we revisit it, things will have calmed down and you will be without incidents and you will be working on that, she is sure, and then maybe - she said that she is only one person and the Board still has to make a decision on this, but she would like to recommend that we not. Mr. Romero said the last time he was here you were going to check me and this time he hasn't any problems. Trustee Abato said you did have a problem in July and that is a big problem. Mr. Romero said that is the one that he explained to them. Trustee Abato said that it was an incident. If you came here and there was absolutely nothing going on down there and everything was fine and you had assured us that everything was cleaned up and that things had changed, maybe, and she is not even saying that they would definitely, but maybe it would have been a more positive response from her anyway. But she just doesn't think that it is a good situation right now. Mr. Romero said he agrees with that. Trustee Abato said she appreciates that. Mr. Romero said that he doesn't think it is fair that they put that thing

on him. He asked them to let him know how long he has to wait and he will see what he can do. Chief Osborn said it is his job to protect the residents and the property owners as well. The Chief said if this was the first incident, he thinks we would be more apt to work with him. But there has been a series over two years of incidents which we cannot afford. Mr. Romero said that he called them two times. He said he wants to be safe for everybody and have a good time for everybody and nobody get hurt. He said he has been calling them like two times when he saw something going on. And he said he needs this guy and tells them they have to go home.

The Mayor said that we discussed this at the workshop last Wednesday and he thinks it is the consensus of the Board that we are going to hold off allowing him to renew that permit at this time until further review and if somewhere within the next two or three months we see no problems over there, he said he knows he will reconsider it at that time. Mr. Romero asked if they could let him know which day. He wants to make a solution. Whatever he can do, if they will let him know. Trustee Abato asked the Mayor that if he chooses to he could come back at the October meeting. He could actually request his permit back again and maybe come to the October Board meeting. Attorney Rice said that he thinks we want something in writing so whatever time period we think is appropriate. Mr. Romero said he can even close at 2:00. He wants to bring different people in and do different types of parties. Attorney Rice said that what he was trying to say was whatever time period the Board thinks is appropriate that he can reapply and in that letter you should specifically set forth not only what you want but what you want to do to try and rectify the problems that you had and that will give the Board a little more ability to deal with the issue.

Trustee Meehan said that he doesn't know if there is a cause and effect between having music and having problems because the problems are occurring after midnight and the music is done before midnight but his view is that the live entertainment is a privilege. He said that he has eaten in the restaurant and it is a good restaurant and he hopes that he is successful and he hopes he will be back here maybe in October or November and find that you have a record that things have gone well. He said he agrees with Mrs. Abato.

The Mayor asked if the Board was in agreement to hold this off until the October meeting and then look at it then. Trustee Abato seconded it. Attorney Rice said that the applicant can reapply prior to the October meeting for reinstatement of the

special permit for live entertainment setting forth exactly what he is proposing and what measures he is going to take to insure that there are no additional problems. Upon vote, the motion was carried.

CULTURE & RECREATION:

Mrs. Gail Curtin said that since the last Village Board meeting, a concert was held on Thursday, July 9, Family Day was held at the pool on Sunday, July 12, another concert Thursday, July 16, pool party Tuesday, July 21, another concert July 23, the Clifford Theater Workshop participants took a trip to New York City on Wednesday, July 29. Senior movie afternoon at the Community Center was Thursday, July 30, another concert on Monday, August 3, and this past weekend she is very, very, very excited to report that High School Musical 2, the Clifford Theater 2009 workshop production was probably - she just can't say enough about it. And she would like to, if they don't mind. She said that she thinks that Chris Abato and Jillian Abato deserve not only their salary this year but she would hope compliments from each of the Board. What she saw was delight, excitement, and such fun in the eyes of 29 pre-teen and teenagers who spent their summer here at Village Hall. The compliments that came from the parents were insurmountable and she thanks all of them. They give her, as Clarke mentioned his job is to protect the residents, well hers is to plan, to coordinate and to execute leisure time activities for them and she just says to them that this program, this weekend, was phenomenal. They did an excellent job. The Mayor said they certainly did.

Mrs. Curtin said that their swim lesson program ended this past Saturday. Upcoming, they have their final concert of the season this Thursday night, August 13. It is Big Band music by Reflections. Starting this Saturday, with the Board's permission, if they remember back in the spring, the pool will begin to close because of darkness at 7:00 p.m. and that begins this Saturday. The next senior movie afternoon will be Thursday, August 27, and they have accomplished their part of the paperwork for the permission that the Board gave to the Suffern Midget Mounties for their bonfire and parade on Friday, August 28. She said that is the update. She said they have received, as they have in the past few years, a request from the Suffern Fire Department. They have asked permission to use the pool the Monday following closing day. That would be Monday evening, September 14. And they request that permission. A motion granting the request was made by Trustee Abato, seconded by

Trustee Meehan. Upon vote, the motion was carried.

Mrs. Curtin said that she would like to remind and invite the Board and their guest to the annual Herb Reich senior citizen picnic that will be held on Wednesday, September 9, at the Mahwah Elks Lodge. She hopes they will join them there. And she said she thinks they had also sent a memo, and if not, it will go out tomorrow, stating that the Mayor had asked them to coordinate once again a 9/11 ceremony at the Donna Hallett park. She said they have begun to do that. She has been in touch with Trustee Abato and with Dan Haglund and today with Charles Sawicki so that they might succeed in what they are trying to do this year which is to get the plaques in front of each of the trees that were planted when they first started these commemorations. Trustee Abato said that she had a couple of phone calls, actually, from a couple of residents down on Lonergan Drive as well as a couple of family members who really very much, as a matter of fact she didn't get a chance to speak to the Mayor yet, and she apologizes because she probably should have spoke to him first before she brought it here but as most of you know, she has been in the hospital for a few days with pneumonia and she is just out. But a lot of the residents and a lot of the families really love the candlelight ceremony. That really touched a lot of people and brought a lot of comfort to the families. She said she thinks especially the children. She was wondering if there was any consideration this year to bring this back. Mrs. Curtin said yes, that is being done this year. It is a candlelight ceremony. Trustee Abato said okay, good. She said that she thinks that was really a special thing and the families really felt a presence there. Mrs. Curtin said it is Friday night, the 11th, and it is a candlelight ceremony. And that is everything she has.

The Mayor said that along the same line as recreation - just an update. He said he is sure that everybody has been reading the sports section. Our Little League State Champions have now won two games in New Jersey and he believes if they win three more they go to Bangor, Maine for the finals and if they win they will be the National or World champions so we wish them luck.

VILLAGE ATTORNEY:

Attorney Terry Rice said he had just a couple of quick things. As the Board knows we found out that Scuffy, the garbage carter for the container districts, wants to sell their business or at least sell the contracts to Marangi Brothers. When we found out about this he advised that that is not a right that they have to

do but they have to provide certain information to the Village in order for the Village to assess the financial ability of the firm that they want to assign the contract to as well as whether or not they have sufficient equipment experience and so forth. Virginia advises me that as of today we received some information from them but obviously that has to be, as he mentioned, reviewed by the Treasurer as well as by Mr. Sawicki and himself to determine whether or not the Village wants to consent to that assignment of contract. So presumably at the next Board meeting he will have reports from the various people so that they can give them their advice as far as that. In the interim, he is sure that they will be meeting with Marangi Brothers to discuss certain issues that we may have.

Trustee LaCorte said that on that. He didn't know if he had e-mailed it back to him - he asked if he sent him the e-mail. Trustee LaCorte said that there have been some concerns in Bon Aire and Stonegate about the performance of Scuffy. In the end it wasn't due to anything that they had done. It was just the prior contractor had delivered services beyond what was specified in their agreement and so he put it out there to all the presidents of the various condos and co-ops that this was happening and there was some discussion, he guesses, before going to this contract if we could get some clarification on certain issues so he would like to take the opportunity to maybe participate in a meeting to kind of discuss some of those issues with Marangi Brothers. Attorney Rice said that it is an assignment of a contract so that we don't have the legal ability to say that they have to do more than what is in the present contract. However, that is one of the reasons why he suggested once we review all the information that we sit down with them because there may be some other issues that they will be amenable to helping out with. Trustee LaCorte said he just wants some clarification on a couple of things that were unclear. Mayor Keegan said that one of the biggest problems up there, he thinks they are all aware of, is the construction material that has been placed there most of the time, he believes, by people that don't even live in Bon Aire and Stonegate and the carters have been reluctant to pick that up so we are hoping to make some kind of arrangements where we can get that picked up on some sort of a regular basis.

Attorney Rice said the only other thing he wanted to bring up tonight was that Wednesday night we talked about an issue with a dog that had attacked an individual. He had suggested that there is a provision in the Agriculture and Markets Act which allows the person that was attacked or anyone who observed it to make a

complaint in the local court at which point the local court has jurisdiction to determine exactly what occurred and determine the propensities of the animal and take appropriate action. Mr. Magrino, who is our prosecutor, and he have spoken a number of times and done some research on Thursday and Friday and he thinks he may have even reached out to try to speak to the injured person. Mr. Magrino is not going to be around for a couple of days but he is going to initiate with the person who was attacked a complaint under the Section 121 of the Agriculture and Markets Law and that will give the court the ability to deal with the particular incident as well as the propensities of the dog and what can be done to ensure that this doesn't happen again.

The Mayor said that along the same line and this month's Village update, he explained the dog law and we will have a Village newsletter going out probably within the next month or two which also will explain the dog law and again it is very simple. All dogs must be restrained or on a leash or fenced in and no dog should be running loose in the Village of Suffern. We are working with Town of Ramapo who now has agreed to come down and pick up any stray dogs upon call. So hopefully this will help out in the situation.

The Mayor said that at this time, he said at 8 o'clock that he was going to propose to bring the Stay Fit Seniors for Life program up for vote. As you know, we have been talking about this program since February and there have been a lot of questions along the way and a lot of extra information needed and that at our last Village Board meeting we decided to go out to bid. The Mayor asked Virginia how many bidders we got. The Village Clerk said that we only received one. The Mayor said one bid and that was from the people from Stay Fit Seniors for Life program - the initiators. So at this time he would like to make a motion that we accept that bid from the Stay Fit Seniors for Life program in the amount of \$22,500, seconded by Trustee Meehan.

AYES: Mayor John B. Keegan
Trustee Andrew Haggerty, Trustee John Meehan

NOES: Trustee Dagan LaCorte

ABSTAIN: Trustee Patricia Abato

ABSENT: None

The Mayor said he votes yes so the vote is three and two. The Mayor said that motion is passed and we now have that program

AUDIENCE PARTICIPATION:

The Mayor said at this time we will open up the floor for audience participation at which time, as he always asks, that when you come up to please state your name and address for public record. And please address the Board and not the audience, if you would.

Jim Giannettino of 2 Memorial Drive said that he didn't intend to speak on the Dona Maria but unfortunately he thinks this Board is taking it much too lightly what is going on down there. The first incident the guy got 400 stitches. This incident there was 100 people involved. And then he walks out of here annoyed because you won't give him a license to have music. He said he thinks they should tell him he is done - he is not going to have music for at least a year. How many bites of the apple do you get. Do we wait until a cop gets killed? Or an innocent person walking along the street gets killed? He doesn't show them that he is sorry or that he is doing anything to correct what is going on. That is number one.

Number two - he is going to give the Board some pictures (which he did). The Mayor said he knows right where that is. Mr. Giannettino said he will explain it. The Mayor said he was over looking at it over the weekend. Mr. Giannettino said he is glad he was. He said he was there probably Friday with his grandson. There are these two gaping holes in the fence at the tot park. And they face the river. He just can't understand how this was allowed to be this way when we have guys going over there cutting grass, we have a DPW superintendent, we have four Trustees and a Mayor who he is sure occasionally must go to some of these parks. Thank God no kid wound up in that river hurt or worse. One other thing and then he is done. He understands that we only had one builder bid on the Orange Avenue project and that builder states that at this time he will only do apartments. He asked if that is a correct statement? He said he assumes it is since nobody is answering. He also said that he would only assume financial responsibility beginning now, which means the \$95,000 that the Village has laid out thus far is on the taxpayer. Trustee LaCorte said that is not accurate. He said you weren't at the meeting. Mr. Giannettino said okay, alright, tell him what is accurate. Trustee LaCorte said you said that he was not obligated to pay that money but everything that will ultimately, if that building moves forward, is subject to

negotiation. Mr. Giannettino said absolutely he said at this time. He didn't say in six months. Trustee LaCorte said you just said that he is not going to pay. Mr. Giannettino said we won't mince words. He is stating at this point he is saying that he is not obligated or he will not assume the \$95,000. Trustee LaCorte said he is not obligated to anything. He hasn't had an agreement with the Village. He is not the builder. Mr. Giannettino said it still is what it is. Trustee LaCorte said well, no. Mr. Giannettino said that as you know, this project was started under his administration. For whatever reason, nobody pursued it any further. He said he knows a certain individual who owns property there tried to back out of the contract and so forth. This project needed to be built in 2005 or 2006 at the latest. This economy, this real estate market, will not bring anything to this Village except empty units. And, by the way, they have to be condos - rentals are unacceptable.

Gerry Levitus of 20 Lonergan Drive said that he was quite sure that his good friend and neighbor, Roy Tschudy, who will be following him, will present a longer dissertation of what is happening in their neighborhood. Mr. Levitus said that he has lived here for 43 years. He has had three dogs - each dog has always been on a leash or has been in the back yard. But it seems that recently, while he himself - his dog has been attacked as of November - he was attacked by the same dog. They have had a rash of attacks by dogs being out loose without being on a leash or behind gates or fences that should be actually a little higher because dogs have been found to be either jumping over the fences or so on and so forth. He said for the first time that he can remember in memory, people are now walking around with sticks to ward off these dogs who come out and attack other dogs, especially smaller dogs. This has never happened before. He would propose that perhaps the Mayor and the Trustees, he said he knows they have an ordinance that goes back to 1974, he believes, that says all dogs should be on a leash. But he thinks it is about time that now, perhaps, that any dog that is found wandering around without a leash, without an owner close by, there should be a fine. Perhaps maybe the first time - he can't tell them - maybe \$100 leading up to \$250 or \$500 to insure that these dogs are kept in a confined area so that the dogs themselves or the people walking dogs will not have to go ahead and face the possibility of being attacked. That is number one.

Number two. He would like to thank the Mayor, Mayor Keegan, and he would like to thank the public works department for cleaning up the lot on Temple Lane. It looks a lot nicer now than it did

before and he is just hoping that every few weeks they can go by and just clean it up and keep it the way it has been until something better can come along and fix it. He said he knows we have spoken about perhaps even having a pocket park and he thinks that would look nice for the people who are living on Temple Lane.

The third one is that we have had some people down at the cul-de-sac on Lonergan Drive who don't know that when there is a fire hydrant they are not supposed to park their car there. But recently with the fire department - and he wanted to thank Dan of the fire department and he wanted to thank Chief Osborn. They went out there and they decided to do something about it at which time now they put lines down that says no parking. This is illegal to park your car here. It shouldn't really have taken that to do. He thinks people should have realized that if there is a fire hydrant there that they shouldn't really be parking their cars there because any time wasted from the fire department to get to the house because they have to remove a car or they have to break the windows of a car he thinks is ludicrous on their part to think that the 30 seconds or 40 seconds it takes them some lives could have been lost. So once again he wants to thank the public works department, the fire department and the police department for helping them out and he wants to thank the Mayor and the Trustees for helping them out on Lonergan Drive and Temple.

Mike Mulqueen and his wife Claire of 22 Antrim Avenue said that he had a couple of things that he would like to discuss. First he would like to reiterate on what the gentleman had said about unleashed dogs. He said his property borders the river and he is not sure what the name of the park is but it is between Boulevard and Antrim Avenue. The Village Clerk said Abby Park. Mr. Mulqueen said thank you. He said that since they have been there since February 2004 when they purchased the house, they have had dog owners, once they reach the park, unleash their dog and let them run free. Mrs. Mulqueen said they have gone after their granddaughter. Mr. Mulqueen said his granddaughter is this tall and it is the worse feeling in your life when you see a dog coming towards anybody in general. And the attitude that he got from the owner was completely out of line. He said he has had dogs come into his yard and defecate and the owners say sorry. So he would request that the Village Board look into it and see if fines and/or imprisonment could get these people to curb their dogs. He said he knows that there is a leash law but it is not enforced down there or by the time you call the police they are long gone. Attorney Rice said that we do have a leash law,

as he mentioned. Mr. Mulqueen said he understands that. He said they don't abide by it. Trustee Abato said she had a question. Do we have posted signs? The Village Clerk said curb your dog? Trustee Abato said no, leash law signs. Mr. Mulqueen said none that he has seen. Trustee Abato said that is what we need to do - to put some signage. Attorney Rice asked Chief Osborn if he has ever gotten complaints from people because that is how you would have to act. Chief Osborn said that when they get there, they are either gone or the dog is on a leash. Trustee Abato said by the time they get there. Attorney Rice said that he thinks the signs are a good idea but the police obviously have to be called so that they can enforce it. Mr. Mulqueen said they do respond. Mrs. Mulqueen said they are wonderful. Mr. Mulqueen said that by the time they get there they leash their dog and then they are gone. Look, my dog's on a leash. And there is one particular lady who will stand at the corner of his property and the dog will run all over the place with no control. And if they are coming after his granddaughter, that park is used by everybody in the Village, and sooner or later somebody is going to be attacked. And unfortunately and the way it is today something drastic has to happen to somebody before some action is taken. So he is asking the Board to possibly look into it and see what can be done so that nothing happens. The Mayor said he likes the idea of the signage. As he said, if we call Ramapo, they will come down. And Clarke, maybe from time to time, we can have a plainclothes police officer walk through there and take a look. The Mayor said we do have a pooper scooper law on the books. The Village Clerk said to call the police. Mr. Mulqueen said that they respond very quickly but unfortunately once we confront them or say something, they are gone. Trustee Abato asked if we could make that also part of our community policing, possibly, as our community police officers to make those parks part of their daily routine. Chief Osborn said they could. Trustee Abato said that if we let them go on a weekend if we have them to go there for an hour to just kind of see what is going on or to stop in periodically. Chief Osborn said yes. Trustee Abato said that also on the signs, she thinks they have to be strong worded signs - she thinks it is unlawful or something that really sends a message out there. That there is a law and we are going to enforce it. Attorney Rice said that as he mentioned earlier, it is somewhat strange that we are having these complaints come tonight because he doesn't think we have had any dog complaints as long as he can remember as far as dangerous dogs or so forth. But if in fact you do have a dog that is on public property and is dangerous, we have the procedure that we outlined before and if you get in touch with the police they will get you in touch with Mr. Magrino, who is

our prosecutor, and if the dog is truly dangerous there is a procedure. So that certainly can be done.

Mrs. Mulqueen said the other issue that they are here about and she thinks that most of them are aware - there was an issue with Housecraft and John Calabro and she understands that he met with the Mayor and that the Mayor had authorized him to extend E. Maple as long as it was at his cost. The Mayor said he didn't authorize anything. Mrs. Mulqueen said this is what they were told. Attorney Rice said we talked about this Wednesday night, as a matter of fact, because the gentleman whose name he doesn't recall - he didn't hear her - said a number of months ago he had come in to see Attorney Rice and he thinks he had talked to the Mayor as well and he wanted the Village to pave the road. And Attorney Rice said that legally the Village had no obligation to pave a road for somebody else's access. We actually found out about Wednesday that apparently he had started taking some construction activity to build a driveway or something on what may or not be the Village right-of-way. So we talked about that at the workshop meeting with Mr. Sawicki, who is our superintendent of public works. He said he had met with him and was discussing various alternatives but had not approved any type of authorization yet for him to proceed, as we understand it. We also found out in fact that the gentleman was doing some work there and the following day he was instructed that he can't do any work. Now, his instructions had been when he had inquired from the Building Department about how he might go about paving it himself - the first issue is what's the status of the road and the land he wants to build on. If it's Village owned and it is a paper road then that is one thing. If it is not a paper road, then that is another thing. But in either event we thought it was appropriate number one that he should go to the Planning Board for their review and number two, certainly any of the construction details have to be approved by the Superintendent of Public Works and if it is a situation where the road or whatever surface it is is acceptable to the Planning Board and is going to be offered for dedication to the Village, then the Village Board should also approve of it. So no one, to the best of his knowledge, has authorized the work to be done although the Superintendent of Public Works had started discussions with him. Mrs. Mulqueen said that it is her understanding, and she met with the builder herself - he came to her home - and he specifically told her that he met with Mayor John Keegan and Mayor John Keegan authorized him - he told him that he was not going to foot the bill - the Village would not foot the bill - but that he could start construction and extend with crushed reclaimed concrete. And that the Mayor was the one that gave him

permission to do so. He actually gave her what he submitted and gave to the Mayor. The Mayor said that he did meet with him. Mrs. Mulqueen said that she would like to know - she said that she understands that the Mayor may have sat down with this man and met with him and given him permission. Her question is that road was plowed. Where that walkway goes into the Village park that they were discussing before - it was bulldozed. And those boulders are now down in the park. It is hard. You have to climb over them to get through the walkway. She had pictures of what he had done. She asked why the builder had come to her and tell her that you authorized. That is what she doesn't understand. And you deny that you authorized it. Mr. Mulqueen said that it was a walkway and now it is a big pile of debris. And not for nothing, they have been complaining for the last year to the Building Department about him illegally dumping in the back of the property and he believes it was the Village Attorney and the Village Engineer that told him to remove that pile of debris from the back. Attorney Rice said it was probably the prosecutor, Mr. Magrino. Mrs. Mulqueen said that what he was doing was that he was dumping behind that three car garage. Mr. Mulqueen said that in his opinion he attempted to create a plot so he can build the house that he wants to build on it. And here are other pictures of everything that he has done up there. Mrs. Mulqueen said to the Mayor that this man came to her and that you gave him verbal permission to do this. And her question to the Mayor is that you had a meeting with him. Nothing went before the Planning Board. She said she can't imagine the contractor coming down there, spending all this money, if he didn't have some understanding with the Mayor that you would allow him to do so. Mr. Mulqueen said in his words he said that you okayed it. The Mayor said that first of all, he cannot okay that kind of thing. It's unlawful. The Mayor said he had a meeting with him and Dan Haglund who is our Street Department Supervisor - Mrs. Mulqueen said that she heard that Charles was in the meeting also - Charles was involved. He said that both you and Charles were very helpful, whoever Charles is. The Mayor said he is right behind you. That is our Superintendent of Public Works. It was stated to him that if it was done by him that he thinks Dan Haglund explained to him the way it would be done with crushed stone or something like that. But at the same time, Dan Haglund said this is an extensive, very expensive project whether the Village did it or he did it. Mrs. Mulqueen said there is a major drainage issue as you are aware there. She said there is a major drainage issue at the end of Antrim. The Mayor said yes. He said that a lot of people say - not a lot - a few people say that he says things that he didn't say. He did not tell this gentleman that he could go ahead and extend the

road. Mrs. Mulqueen said that they have been calling the Village for probably about a year and a half now and she speaks with Susan all the time. They started dumping this dirt behind this property and debris - pipes, everything - for at least a year and a half ago. Every time they live where they are dumping and what they are doing is that they are dumping into the Village's property so that they can extend the back of that property. Because his ultimate goal is to get a variance to build a home there where that three car garage is at the end of Antrim - that old decrepit thing. It is an old horse stable and it should be taken down at this point. It is a hazard. And this is what they have done. She said that they complain, and complain and complain. She said that quite frankly, until she threatened to get an attorney the other day, nothing was removed. The minute she threatened to get an attorney and sue the Village, there were backhoes in there removing all the dirt that he had put on the Village property. So she would like to know why. All of a sudden now she threatened to get an attorney, she is complaining for a year and a half and now somebody calls the contractor and tells him that he is supposed to stop. That he can't proceed any further and all of a sudden all that dirt is removed when she threatened to sue the Village. Mr. Sawicki said he would like to comment.

Mr. Sawicki said that he met with John Calabro and they discussed a few options. He said he thinks he had a discussion with Mr. Mulqueen on the phone today. Mr. Sawicki said that as he explained to him, he proceeded without - off the appraised property unto the adjacent property he believes that he and his brother own and then there is the adjacent parkland as well. He proceeded to grade the area - he had a silt fence up and he pushed soil - Mr. Mulqueen said that silt fence just went up two days ago. Mr. Sawicki said he can only speak when he went out there. Because he had given him some direction as to what he needed to do. He told him he couldn't do what he was doing. He needed to immediately remove that material unto his property and re-establish what was there. So what he did was able to, from where he saw he started to where he ended, was to blend where he could see the grade. Mr. Mulqueen said if you saw the picture of a year ago you would be able to tell the difference. Mr. Sawicki said yes, if he had the picture it would help. But he also told him that he would have to stabilize the area and what he ended up doing was bringing in seed mats to stabilize that slope. Mr. Sawicki said that if we had pictures of what it was that would be helpful. He said he used his best judgment on seeing what it was on the very end - on each end - and how we could blend it together. That is what he asked him to do. He also right now he

is working on putting in some pavers as the patio and a walkway. So that is pretty much where we stand with that. And again if you have pictures, we could certainly go out there and see what we have there today and what we had a year ago. Mrs. Mulqueen said that another thing that he has done is to fill his property. Mr. Mulqueen said if he wasn't authorized to go in there why isn't the Village going after him for destroying Village property without authorization? If you discussed it and nothing was ever said yes you can or no you can't and he took it upon himself alleging that you gave him the authorization. If that was me I would want to take every action to make sure that if he is accusing me of allowing something to be done on those properties that I don't own, I would want to clear my name. Secondly, if he was doing something and has destroyed public property, I want this man held accountable. Mr. Sawicki said he is not sure if this is where he talked about but is that the entrance to the park. Mr. Mulqueen said yes, right here is where it ends. There are two huge stones that were here that you guys moved to get down there. They are right about here. Mr. Sawicki said that what he did ask him to do was there was some debris and he asked him to clean that out. He may be in the process of doing that. He will be required to do it. And it will be to a natural state once he is done. So he does believe he is in the process of cleaning that up and getting ready. Mr. Mulqueen said putting it back to how it was prior to this. Mr. Sawicki said that again he doesn't know how long that debris was there. Mr. Mulqueen said that started this week. Mr. Sawicki said that when he went there it seemed like it was there for a while. So he asked him to get rid of that - he needs to remove all that. And we are going to be monitoring him and make sure.

The Mayor said that he thinks this meeting could probably be done amongst all of us maybe tomorrow at sometime or after the meeting. He will be glad to meet with them. The Mayor said he thinks this is important and he thinks we have to get down to the bottom of this - who authorized what and where this has to go, which he thinks is the Planning Board which is what he and Dan Haglund told this gentleman. So he would be glad to talk to them on this. He thinks it is extensive enough.

Attorney Rice said that the thing that you did mention. If anyone is encroaching or working on the Village property, and he thinks this is the first he has heard of this, but we have had other instances where this has happened and we make sure that the people either get off or restore the property because that is just not something that is going to be tolerated. Mrs. Mulqueen said and with the drainage issue. Attorney Rice said

this whole issue came to light, and not even the filling on the Village property, but the paving. The first he heard of it was Wednesday. So Mr. Sawicki and he spoke about it on Thursday and we got the construction stopped. And he thinks got the improvements that he wants to make on the right track as far as the procedure so that he again understands what he has to do and he can't do it until he gets those procedures but now that we are hearing about this other aspect - the filling on the Village property. That is going to have to be taken care of one way or the other - whether it is violations in complying or an injunctive action. That is what we will have to do.

Trustee LaCorte said that he would like to request, because we have mentioned, that if it goes before the Planning Board there may or may not, depending on what is required but based on the history here and he knows that Attorney Rice is the attorney on the Planning Board that he make sure that notice goes out to all the adjoining property owners so they know what is going on because he believes it was the neighbors who are here who brought it to our attention. And obviously something was going on. And at least at the minimal there was some sort of miscommunication so he thinks that to avoid it happening in the future that everybody get proper notice.

Howard Greenstein of 3 Burlington Avenue said that they are doing such a great job resurfacing over by Yorkshire and Burlington and the area or the contractor whoever for doing such a great job. It was done very quickly and it was done very efficiently and the road surfaces are really great. And as a driver and a bicyclist it is fantastic so acknowledgment for that. He also wants to just encourage Mr. LaCorte and Mr. Keegan to have a debate before the September 15 primary so that we can hear their positions more clearly in a public forum regarding the upcoming election.

Adam DeStefano of 19 Prairie Avenue asked Trustee LaCorte that at the last meeting, when we were talking about the Stay Fit Seniors program, you said that one reason that you weren't entirely comfortable with it was because there was only one bidder. However, for Orange Avenue we only have one bidder for that and that is a much bigger project than the Stay Fit Seniors program. Was there any reason why you felt that way about one and not the other? Trustee LaCorte said that he would like there to be more bidders. So the reason he did it the last time there was no bid that went out until they authorized it last week. So we actually went through the proper process which is required by law which he brought to the attention that any dollar amount

above a certain amount has to go out to bid. So once we got that bid back you saw how we moved forward.

Mr. DeStefano said that one other thing. He heard that at the meeting the builder said that he wouldn't pay the \$95,000 and that he didn't know about it also. If a builder isn't willing to pay that \$95,000 since you are head of the project would you make it so that they are not allowed to build that project or no? Trustee LaCorte said that Mr. Giannettino brought this up earlier and again you weren't at the meeting and Mr. Giannettino wasn't at the meeting. That is not what he said. He said he was not obligated to pay that money. He is not obligated to do anything because he is not the builder. If the committee of citizens, which was appointed by this Mayor, agrees that this is the developer that they want to move forward with and makes a recommendation and then the Village Board adopts that as the developer then what happens is that the Village enters into a negotiation process with the developer. It is called an interim development agreement. It spells out every single detail about the relationship that this Village will have with the developer. The number of units, the type of units, what infrastructure improvements they want them to make, the specifications, financing. So in that, as he has said, he would make it that as part of the agreement they agree to pay for that money. They have never said that they wouldn't do it. We are not at that stage yet. What they said is that they are no obligated to do it. They are not obligated to do it. They are not obligated to build. They are not obligated. They weren't asked a question of whether or not they would or wouldn't do it. They just said they are not obligated to pay it. There is no legal obligation to pay it. So all they were obligated to do was to, in submitting a proposal, deposit \$3000 and they fulfilled that obligation. They could now walk away. And what do we do? We get to keep the \$3000 and they go on and we all go our separate ways. But again that is the process. So he thinks what is very important, especially in the context of an election year and a project that is essential for the future of our downtown, is to make sure that we focus on the facts and that we don't try to sort of obscure the facts in the situation especially when people aren't at meetings. Mr. DeStefano said these are the facts that he heard though and he just wanted to make sure that he got them clarified. Trustee LaCorte said yes, and he clarified it earlier to Mr. Giannettino. We have a committee of eleven people and again, in terms of apartments that Mr. Giannettino brought earlier. They said that if they had to build them now, anyone who builds now, yes, it would have to be apartments. That is because there is no financing available. If they were to build

three years ago, then they would have preferred to build condominiums because they make more money. They have said that if they are designated the developer that anything that they build would be built to convert to condominiums and if they are designated the developer and the economic climate changes that would be the case. Trustee LaCorte said that he can say this. He believes there are, he thinks, at least eleven people on the committee. It was a concern of a number of people at that meeting going in that this developer was discussing, because they were being very upfront with the Village, building at that time luxury apartments. They talked about how they require credit checks, three months deposit. They own all their buildings. It is luxury stuff. He suggests taking a look at what they have done on line. And he can say that it was a concern of his and a concern of everybody else's and when they left it the people who stayed back and discussed it, no one at that point, after talking to the developer, had a concern about the potential of building apartments. So that wasn't their concern after speaking with them. So again, he is not in charge of the project. He is someone who wants to move the ball down the field and he thinks that it is very important. But again we have a committee and we have a process and he thinks it is important that everybody knows the facts and talks about the facts because again we really need to think about the future of this Village. And the fact that a developer has spent a lot of money and is interested in this and whether or not they are chosen will ultimately be a decision of this Board and the citizens committee. But he thinks it is important that we discuss it and we make a decision on the merits and the facts.

Mr. DeStefano said that his other thing now is because he has a problem he is not obligated to pay the \$95,000, is he going to be obligated to pay the \$5000 per unit in lieu of recreation for each unit he builds. Attorney Rice said that is part of the zoning law. Mr. DeStefano said alright. And he said his final thing is because the plan has changed so much from what the original public hearing was on Orange Avenue would it be possible to do a new public hearing with the facts that have come out with this builder so that the entire Village would be able to discuss it and get everyone's opinion on the matter. Trustee LaCorte said sure, he doesn't see why not. He doesn't think the plans have changed. They submitted a proposal based on the plan that was adopted by the Village Board unanimously. So what they put in is based on the specifications that the Board put out. So he doesn't think it has changed that much. But yes he thinks if they want to move forward. They have done redevelopment. They have done it in Yonkers. They have done it

in Montclair. And he knows that the Mayor's position has changed on this. And he suggests that everybody meet them because he thinks they have done a great job and they have great relationships with municipalities. But look. They are smart. They are from the county. They don't want to move forward without community support. So he is sure that they are willing to meet with - to have meetings. They have come when we have asked them so far. So he is sure. He said he doesn't speak for them. He is just a member of the committee who is just moving the ball down the field. Mr. DeStefano said that the main concern is that it originally was supposed to be condos and now it would change to apartments. That is the main thing why he would like a public hearing on that because that is a pretty big change from one type of building to another. Trustee LaCorte said we said 100 units and they proposed 100 units. And again they haven't submitted a proposal. It is based on a conversation that they have had which they said if they were to build it at this time. Trustee LaCorte said he doesn't speak for them. We are not at that point yet. Everything that we are doing - we have had, he thinks, three public hearings here, they have had a meeting with the citizens committee that was appointed. And everything has been open and again he doesn't see why we would continue anyway but the same way that we have done it. Open process, open meetings, and such.

Mayor Keegan said that just for the record. Trustee LaCorte says that my position has changed on it. The Mayor said he is still in favor of building on Orange Avenue. What his position has changed on and he is sure that the gentleman leaving the room had the same concern. We said condos at first. We said we would have five to eight builders. We said there would be retail below. And again he thought Mr. Blauvelt was going to agree to go. If you look at the project and you look at the schematic, his house is gone. But he is still here and he says he is not going anywhere. So these are the things he has a problem with. Is he against building on Orange Avenue? Absolutely not. He has been for this thing for four years now and he is still for it. So he may be against how the plan has changed but he believes the plan can come back close to its original form at which point he thinks he would be in favor of it.

Lois Tschudy said that her husband is the gentleman that was attacked on July 15. She said that before them they have a petition of approximately 75 or 76 names of residents in the area that want those two dogs - one is a Rottweiler and the other one is a Husky. They attacked her two dogs - a Maltese and a Shih Tzu and injured her husband and on the petition they

would like to have those dogs removed from the neighborhood. People are afraid. Like Mr. Levitus said, they are walking with sticks, with pipes. They are afraid for themselves, their children and their dogs. This gentleman rents. He has been living there for three months. She said that she has been walking around that neighborhood for over 18 years with her dogs and she has never had a problem until this gentleman moved in. He has a small fence. And the dogs - you can't even walk in front of his house or in the street. The dogs run up to the fence and growl and bark. So it is very frightening to walk in that neighborhood. So she doesn't walk down that street anymore. And to her it is sad because she can't walk down and say hello to the neighbors that she knows on that street. So she is asking the Mayor and the Board to do something to remove those dogs. When they bit her husband, they were five months behind on their shots. They did not have licenses. And this is the third time that her dog has been attacked. She knows that the Mayor said that he did not hear about any attacks in the area. But her dog has been attacked three times. She said she is asking them to please remove those dogs. She has had information that with a Rottweiler, it is a one bite rule. Where other dogs it is a three bit rule. Rottweilers are one bite. These dogs were quarantined and they were returned to the owner. And as these people said the owners do get very arrogant. When she said to the gentleman you know your dogs attacked my husband. He told her husband that it is our fault because we walk in front of his house. So that is what she is dealing with. Attorney Rice said that as he mentioned earlier, Mr. Magrino and he took a look at the provision in the Agriculture and Markets Act which allows basically a citation to be issued to the owner of dogs and they will be brought for a hearing in front of a local judge at which time a judge can determine if in fact they are dangerous and can determine what the appropriate measure is to make sure that there aren't any additional problems. So Mr. Magrino, who is our Village Prosecutor, will be working on that. And he knows that he is going on vacation this week and he was going to try and get the phone number for you folks and try you last Friday before he left on Friday. But he will be back next week. And if you are in touch with him or he is in touch with you, he has got all the paper work ready to start the process and that is the only way that can legally be done. He said they have both researched it and as soon as he gets back, he will initiate the process with her. Mrs. Tschudy said thank you and anything you can do to help them with this she appreciates it.

Frank Shinsky of 12 Memorial Drive said that he has talked to the Mayor before. He talked to Mr. Haggerty, he talked to

Virginia last week. He said that Memorial Drive was dug up in January and Metra still has not fixed his property. He was told it was going to be put back into the condition that it was before they came in. And here it is several months later and they have made one attempt to fix it and then the paving crew came in and disrupted all the work that they did to fix it. They took about 3 ½ to 4 feet off the front of his property and then the paving company took off the little asphalt curb that has been there for thirty-some years. He said he wanted to know when it is going to get fixed. He said he would like a set time. He said if they wanted him to go out and hire a landscaper, he will have them do it and he will submit a bill to us. Attorney Rice asked if Virginia has the information on this. The Mayor said he spoke to Bob Apple - Mr. Shinsky said that's a dead end. That's a dead end. He spoke to him just as well. The Mayor said that he spoke to Dan Haglund the day after he and Mr. Shinsky talked. Dan Haglund said that before they dug up the sewer line, those rocks were not even there. That you added them. And he feels that it is an illegal abutment into the road. Mr. Shinsky asked who this guy is? The Mayor said he is just telling him what he said. He said he doesn't know. He is not an engineer. The Mayor said he did tell him. He told Charles Sawicki over there who went out there with him and he told Bob Apple about your concern. Now, can we give you an exact date? No, we can't. Because the sewer people are going to make good on everything that they have ruined since they have been here. He said he has been assured of this. He has been assured by Chris St. Lawrence, he has been assured by Mike from Metra, and from the whole bunch of them. And we have no intention of letting them leave this Village until this Village looks the way it did before they came in or better. Mr. Shinsky said that when he talked to the Mayor on Family Day at the Suffern pool, he showed him pictures from the 1970s that show you those rocks that have been there for 36 or 37 years. So how can this guy say that I put those rocks there. The Mayor said he doesn't know. He doesn't know. Mr. Shinsky said he showed him the pictures. He saw them, right? The Mayor said he does know this. He told him that he is going to set it up between Mr. Shinsky and the sewer people and Bob Apple. And you can call him right now. I spoke to him about this very situation yesterday in his office. So he didn't forget about him. We didn't forget about him. Can I give you a date when this will be accomplished? Mr. Shinsky said can you give him a year. The Mayor said he can't. He said that we are hearing now that they are going to be out of here by the end of the summer. So he has to go by what he hears. Mr. Shinsky said that if they want to see the pictures from the 1970s, he can show them to them.

Mr. Shinsky said that the second thing - he read in the paper about a month or so ago that the Village of Montebello got money to replace the guide rails on Hemion Road because they were substandard - they upgrade them. He was wondering if there was maybe a way that the State or somebody could look at the guide rails or guard rails on Memorial Drive as you go around the bend towards Lake Road. The SUV's of today - that is not going to stop a SUV of today. The SUV is going to go right over that guide rail. The Mayor said he knows that it has been pointed out to us after the last flood a year ago that some of the bank at the road - Mr. Shinsky said he brought that up. The Mayor said and he has had his street department over there looking at it and they have reported it to the Drainage Agency who basically runs the river. We are not allowed to do anything in a river unless we report it to them. So yes, you have a good point there. The Mayor said to Charles that he thinks we need to get out and inspect those guard rails this week.

Mr. Shinsky said that the third thing which might be like a quality of life issue. He said when he goes down Orange Avenue on Sunday's into Mahwah to go to the A&P or the Dunkin Donuts and then he comes back on Washington Avenue. This is Sunday morning about 11 o'clock or maybe noon time. There already are blue recycling bins out for the week's pick-up. And this is Sunday at noon time. There is cardboard in those blue recycling bins. Isn't there a code where there has to be a twelve hour. The Mayor said yes, they shouldn't be out before the night before. Mr. Shinsky said that there are garbage cans and recycling bins and this is a little quality of life thing. Maybe the Code Enforcer could drive up and down Washington. The Mayor asked where they were - in front of the Bagel Train? Mr. Shinsky said no, on Washington Avenue. When you come to the point - you go to the point up Washington Avenue towards the monument. There are blue bins scattered up Washington. Even Orange Avenue around that little apartment building, around that little dead end street there - Boynton. The Mayor said Boynton Place. Mr. Shinsky said there are blue bins up there with cardboard and the empty beer cases and the recycling he doesn't think goes out until Wednesday and there it is Sunday at noon and the blue bins are already out. And he remembers a resident last month said at this meeting that people coming from Jersey - the first thing they see is Orange Avenue and how bad and deteriorated the road was. Well that's another thing - you see garbage cans and recycling bins out at noon on Sunday when they are not picked up until the following week. The Mayor said he will have the Code Enforcer look into it.

Mr. Robert Zeller of 29 W. Maltbie said that he had three items of concern. He said that he is aware that a month ago, along West Maltbie and Meadow and the block that the Mayor lives on, there are painted lines on the street which the residents were not aware of why these were being put on the street since the road was just repaved. Phone calls were made to this Village hall to find out that it is O&R. To his understanding this entire Village Board was informed by O&R to participate in a meeting and no person showed up. The second concern that he has is that they received a letter from O&R last week, the residents, that they would not continue putting in the high pressure lines. Well, gentlemen, you wasted a lot of money. When you redid curbs and you redid those roads down on the far end of West Maltbie, before the road was even tore up, the contractor hit three gas lines. To him if you know and you are putting a person in charge of this project and you were made aware by him when the road was being dug up that there were low pressure lines down there it makes no sense to him that the high pressure lines weren't put in then. That is like saying you are putting up a house - you are putting the roof on before you put the frame together. Now you are turning around and receiving a letter saying well in three to five years we can put in high pressure lines on those roadways. You failed to make a meeting before they went out and marked up these roads. He would like to know why and who was responsible for not showing up at that meeting. The Mayor said we had a meeting. We had a meeting where our superintendent and Dan Haglund were in a meeting with Orange and Rockland. It doesn't take ten people to be in a meeting about marking roads. If you read the paper article last weekend you will see that Mike from Orange and Rockland admitted he made a mistake and they dug up Ridge Avenue and now they are going to mill it and pave it curb to curb. The Mayor said we were told - he has had four meetings in the last two weeks with Orange and Rockland. We had our Village Attorney on conference calls with them. Neil Winters has called him six times. He knows that the Mayor is disturbed about this as well as the Village Board. The mark outs were done by a separate company hired by Orange and Rockland. That was a mistake. The mark outs. They were told - Orange and Rockland basically doesn't do a lot of these projects with Orange and Rockland employees. They sub-contract out to low bidders just like we do. And these people were under the assumption that they could come in and put these high pressure lines in and we stopped them. Now they can put them in on certain roads that are five years old or older. If the roads are three years or less, they are not allowed to touch them. Now your question was why weren't they told to do it before. The

Mayor said they were told to do it before. But they didn't have the manpower or the finances to do all these lines before we did the roads. They did however do Hillside Avenue, James Street and other areas. Mr. Zeller said that we took and put, from his recommendation, and let's go back - he was the one that informed him on the dead end of West Maltbie, before it was even paved, before the curbs were even put up - he was the one who informed the Mayor and the Board that there were low pressure lines sitting up there until 1927. The Mayor said right and you also advised - Mr. Zeller said that you, Mr. Mayor, stood exactly on the corner with the person that you put in charge of this project of repaving these roads when three gas lines were hit on West Maltbie. Mr. Zeller said explain to me - the Mayor said that Mr. Zeller told us a lot of things. He said that you told us that the curbs were cracking, they weren't right, the driveways were done wrong. Mr. Zeller said we are not discussing that - we are discussing the point that you are putting an engineer on a project. The Village Board is putting an engineer on this project. That is putting a roof on before the sides of the house are together. You have put an engineer on that project to oversee that project. The Mayor said what project? Mr. Zeller said curbs and roadways. They hit three gas mains. That tells you right then and there that before the road is even uprooted that there are low pressure lines. The Mayor said he is not an engineer, he is not a DPW worker, he doesn't work for O&R. Mr. Zeller said this Board put - the Mayor said he tried to know all this stuff and he said to Mr. Zeller not to accuse him of doing something. Mr. Zeller said this Board put somebody to oversee this project. Is he right? There was somebody to oversee the paving of the road. Is that correct? The Mayor said our DPW supervisor. Mr. Zeller said he was out there. What he is saying that there were three gas lines that were hit at the time that the curbs were put in. The Mayor said right. And you assumed that there were three gas lines. Apparently nobody believed you. Mr. Zeller said that now you are telling the residents that it is okay to put in high pressure lines when they should have been discussed before the project originally started. The Mayor said that again, if you want to discuss this, he is in his office every day, all day. He would be glad to sit down and discuss the whole West Ward issue - the high pressure, the low pressure lines, the roads, the whole nine yards.

Mr. Zeller said that number two - probably a year ago and he thinks the Chief is aware of it of the instances that has been happening in the Town of Ramapo and the Town of Clarkstown about solicitation. He said he asked the Village to kindly look into putting a solicitation law into effect into this Village. And he

feels that we really, really - regardless of whether it is somebody selling vacuums or somebody selling magazines - that they have to be - Trustee Abato said we have that - the Mayor said he knows what he is saying. The Mayor said he has had two people at his house in the last week trying to sell him vinyl siding. Both people he asked if they had a permit. One said yes. The Mayor asked where is it. He couldn't produce it. The other one said no. The Mayor said he called Virginia's office and he asked if these people had permits. They said no. The Mayor said we report them. We can't stop people for religious reasons being out there like the Jehovah's Witnesses there every couple of weeks. Now there was a Baptist Church going around about a week ago. You can't stop religious organizations. However, anybody else coming around, they have to have a permit. Mr. Zeller asked if we were doing a background check. The Chief said by law we can only do so much. But we do check what we can.

Mr. Zeller said his third issue is that he looks on our website and he doesn't see a job description of our Code Enforcer. And what he means by this is that he has a gentleman, and Mr. Zeller said he lives at 29, that our Code Enforcer issued a very large and substantial fine to this gentleman. And he thinks that our Code Enforcer should have the courtesy - he is representing our Village - to go and knock at a door. The Mayor said he knows who he is talking about - are you talking about Mr. Alfieri? Mr. Zeller said yes, he is. The Mayor said he spoke to Dominick Alfieri in his office after the Code Enforcer addressed him. The Mayor said he had tons of garbage out in front of his house. Mr. Zeller said he did. The Mayor said which he said was meant for the Wednesday pick up. The Mayor said he called Mr. Loniewski and said look, let's work with him. The Mayor said he knows he has commercial vehicles in his driveway from time to time as well as two other locations in the Village. He said he spoke to Mr. Loniewski who said alright, we'll give him an ACD, which basically is a warning. You have three months to clean up your act or else we are coming back. So as far as the Mayor knows everything was worked out already. Mr. Zeller said that the point is this gentleman, in his opinion, is overstepping his bounds. He has a 75-year-old woman who doesn't speak any English hyper-ventilating. And then going on another neighbor's property to take pictures. He doesn't belong on anybody's property. He said he thinks he should be courteous. He thinks he should knock on a door and he thinks he should see if the party is home before he enters anybody's domain. And he is not doing it. The Mayor said that if you feel there is a problem with the Code Enforcer, that he is doing something wrong, you need to write him a letter with the particulars, write this Village Board a

letter and we will investigate it. Mr. Zeller said he definitely will.

Rich Karpp of Lonergan Drive said that first of all he would like to comment on the Suffern dog story. He said that he personally, within seven to ten days before the dogs attacked, he personally saw the dogs loose twice on two different days. The first time he told the owner and he said no, they are good dogs. The second time when the dogs were out the owner was there. And he said he wanted those dogs taken back in. The owner said but they are good dogs. Well, you see what happens with good dogs. So he knew the situation. He said he is a dog person. He does not blame the dogs. He blames the owner. It is his responsibility. And also the dogs were sent to Hi Tor he thinks for an eleven day quarantine. After the dogs came back, he personally saw the Rottweiler out roaming again. So if this gentleman cannot control these dogs, and there is a four foot fence, and he has two dogs and he knows what he is talking about. The Mayor said did you see the dogs loose. Mr. Karpp said yes. The Mayor said what did the police do. Mr. Karpp said they responded. He said the owner brought the dogs in by that time. Every time he had dealings with the police, they responded. The Mayor said that we now have a deal with Ramapo that if they call them and the police respond - the police are not going to jump on the dogs back and take them in - Mr. Karpp said no, but that is not the thing. It's like you're closing the door after the horses ran out. The Mayor said that Ramapo will come down with their dog wagon and they will apprehend the dog the way it should be done. Mr. Karpp said okay. The Mayor said he can't tell him anymore than that. We want to work with you. Mr. Karpp said he just wanted to let them know that there was a history before this happened and they also attacked somebody else ten minutes before they attacked Roy. The Mayor said you are right. If we don't hear about something then we can't do anything. He said he lives on the west side of town. Mr. Karpp said you can't do anything? The Mayor said if we don't hear about it then we can't do anything. Now we are hearing about it. Mr. Karpp said okay, but the dogs are still there. The Mayor said we are going to address it. Mr. Karpp said there is a four foot fence. The dogs go over with their head and their paws. The people do not want to walk their dogs by there anymore. Attorney Rice said he mentioned it before. There is a procedure in the Agriculture and Markets Act. Mr. Karpp said he knows that. Attorney Rice said that is the only way it can be done. Mr. Karpp said okay. Attorney Rice said just like a criminal defendant, there has to be a process. Mr. Karpp said he just wanted to let them know that it is not just the story that two dogs get out and attack

somebody. The owner knew the situation and he decided to dismiss it and let his dogs do what they had to do. The second thing. On Spicer Road, on the corner, those trees overhanging. The Mayor said they are on the list. Mr. Karpp said he just wanted to say it again just to get it off his shoulders. The Mayor said he dreams about that. Mr. Karpp said he doesn't come up here much. Second of all, right across from there. There are the O&R wires coming down out of a pole. From the pole, they go into the ground and then go into Squires Gate. O&R was out there two or three or four weeks ago trimming trees. But still the wires go right through the trees. The tree is not going to knock the wire down but the tree could get hit by lightning and that could cause a problem. That is second. Third of all. The Chief did a good job with the speed bumps. Unfortunately, where they were supposed to go the worst spots were missed. The Chief responded but could not be heard. Mr. Karpp said that on Orange Avenue, right before South Street, there is a sign - stop here on red. He asked if that was a legal sign. The Chief said he believes so. Mr. Karpp said that 1 out of 100 stop. The Mayor said that line needs to be - Mr. Karpp said that the people going there and the landscaping it is difficult because of Washington Avenue coming out. It's a bottleneck. The Mayor said the line needs to be redone and the bushes need to be trimmed away. Mr. Karpp said how come the sign welcome to Mahwah is before South Street? The Mayor said maybe it is to warn you that you are getting there. Mr. Karpp said no, it says welcome, so you hit there.

The Mayor said we have been at this for an hour on public participation. He asked if people could limit their statements to about three minutes for the sake of everybody here.

Vince Crapella said that Mr. Giannettino is leaving and he kind of owes him an apology. He said he would be a poor politician or a poor elected official but he had something he wanted to say. And he is not here. He stepped out. But when he was Mayor and Mr. Crapella was the president of the Chamber of Commerce, and he has been president twice, his door was always open to him. And he was very accessible. And Mr. Crapella felt he was kind of rude the last time we had a meeting. Mr. Crapella said that what he would like to address, and he very rarely writes things down, and he has great respect for him as a Mayor and as a person but he is deeply disappointed that he refuses to debate Trustee LaCorte. You are quoted as saying that people know who I am. Now this sounds very egotistical and he doesn't think this is what he is about. He asked the Mayor if he forgot the evening when this place was filled - it was overflowing - when you had a debate and you handled yourself so very well. He asked the Mayor

if he remembered that debate. The Mayor said he is not going to comment on political issues at a Village Board meeting. The Mayor said he will hear him out, though. Mr. Crapella said that he feels it is beneath the Mayor to quote lame excuses for not debating Trustee LaCorte. He said he feels he is above using lame excuses for not debating. Residents or merchants - they want to hear more than political rhetoric about the candidates. Every candidate for the past four years, this whole Board, has talked about Downtown Revitalization. We still have crumbling sidewalks and crumbling curbs. Not sidewalks. Curbs and crosswalks. He said he is going to be finishing up quickly. He said what better way than a debate can two candidates answer pointed questions from residents and merchants. He asked the Mayor to please don't listen to his advisers. You have the persona and the intellect to debate. And he is speaking as someone who respects him. Don't allow yourself to look like a Mayor who is insecure to participate in this debate. And there is no better way than to debate to highlight the differences between two candidates. We have had 25 debates in this country. He said that the Mayor is a good person. Don't make yourself look like you are afraid to debate. Don't listen to your advisers. They are giving you lame excuses not to debate. The Mayor said that just for the record - since we are talking about politics, which he doesn't want to - but just for the record he believes Mr. Crapella doesn't live in the Village of Suffern and he believes that he has had a fundraiser for his opponent in his establishment. And he also believes that he got an e-mail today on debate. Mr. Crapella said that he has been president of the Chamber twice and he has lived in this Village for 22 years and he has been an activist and he fought for the Mayor's election - he made phone calls for him to be Mayor. So he does have a right to say his peace. And he did not have a fundraiser. The Mayor said I know who you are supporting.

Jeff Genser of 32 First Street said that in regard to the debate, he is saddened that Mayor Keegan did not respond to an e-mail that he sent him regarding a debate. And that is all he is going to say about that. Mr. Genser said that he would like everybody to realize that this is the only debate that you are going to see for this election. The Mayor asked him to please address the Board. Mr. Genser said that he believes that this will be the only debate that anybody will see. He said that he feels that at this meeting there have been a few planted people to try to come up to try to embarrass the Mayor and to try to embarrass Dagan LaCorte when we have extremely important issues to discuss here, such as the Orange Avenue project, the quarry, the water supply, the infrastructure of our Village, the future

direction of the development of the entire Village, aka some clear master plan and direction we will be moving forward to. None of that is happening and it makes him feel - he said he is a registered Democrat and votes in every election but he feels like he is going to vote - he is not going to vote. He is going to withhold his vote in protest since there is no response, there is no debate, there is no discussion over the most important issues that are facing the Village. The future for our kids and this is just a matter, it looks to him, everybody doesn't want to talk about anything they just want to protect their own positions, stay where they are, stay in power and keep the status quo the way it is and everybody is happy. He thanked them for listening to him.

The Mayor asked if people could limit their comments to three minutes.

Jack H. Rosenberg of 13 Somerset Drive said that under 7c you have an item involving Conserv. And he wants to speak about them when that item comes up but he knows of course that this is the only opportunity for the public to speak. He asked if he could have their assurance that at that time he could have a brief comment about Conserv - about something that is six years old. He said he doesn't want to take up the time now unless they tell him that he cannot speak when that item comes up. He asked if he could speak at that time. The Mayor said you need to speak now.

The Mayor said he had two minutes left and he is sorry.

Mr. Rosenberg said that six years ago an offer was made to the Village Board by a general contractor that had a huge contract. They offered to supply two benches that they would pay for and he believes install and they wanted to know if the Village Board would accept them. Eventually the Village Board did accept the offer and then they had to decide where they would be placed. And by the time that decision was made, the relationship between Conserv and the Village had deteriorated so nothing happened. Now, he notices that they are going to be awarding a bid for \$145,000 under 7c and he thinks that it would be incumbent upon the executive officer to ask them whether or not they would not like to give those two benches at this time because the Board voted unanimously to accept it. That is all he has to say about that.

Mr. Rosenberg said that there were a number of people present at the committee meeting on urban renewal and there were a number of people who weren't on the committee who also spoke and he

would dare say that each and every person who was there has a different version of what was said - Trustee Abato said his time was up - Mr. Rosenberg asked her to let him finish. Trustee Abato said the Mayor asked her to say when it was three minutes. The Mayor said let him finish his sentence. Trustee Abato said they are trying to be fair to everybody. Mr. Rosenberg said that you let everybody talk here for fifteen or twenty minutes and you are going to shut me up? Trustee Abato said she wasn't shutting him up. She was doing - Mr. Rosenberg said yes you are. You don't know what you are talking about. You are shutting me up. Trustee Abato said you don't need to be yelling at me. Mr. Rosenberg said he does need to yell at her because she is doing a political job. How dare you allow politics to be discussed at a Village Board meeting. Three times politics were discussed at Village Board meetings. It is totally out of order. He has never discussed politics when he is up here. He is discussing things for the Board to do. The Mayor said alright. Mr. Rosenberg asked if they could tell him what their duty is as a Board to take something to do with a political event. It is not your function. The Mayor said he will give him one more minute. He said there is a line behind him. Mr. Rosenberg said that he was present at the committee meeting and so was the Mayor and so was Dagan and so was Mel Berkowitz and so was a bunch of other people. A former Trustee was also there. He said he doesn't know all the people but there were a lot. And each and every one of them can say what happened. He said he can tell them his version of what was said and done at that meeting and it was entirely different from what Dagan LaCorte just said and that is alright. And he can tell them this that there are a number of issues that have to be discussed that were not discussed here earlier tonight. And he thinks it is incumbent upon the Board to have a public hearing as soon as possible or as practicable because there are a number of points that have not been discussed that are pertinent and the last one of which is that. The Mayor said he thinks it was agreed to. If they want a public hearing, we will have one on it.

Jim DeStefano of 19 Prairie Avenue said that first of all he would like to reiterate a little bit of what Mr. Rosenberg had to say. He said he had an e-mail in his hand that was sent from Village Trustee LaCorte to several people about coming to the meeting tonight to question Mayor Keegan about why he is not going to have a debate. You know what, Jack, you are right. This should not be politics and for the past - since February - everything has been about politics and the only ones that are getting cheated are the people and the residents of the Village of Suffern. That is enough said on that. Mr. DeStefano said that

he was at the meeting that they had for the builder, Mr. Kole, who came in for the Orange Avenue project. One of the things that was a little bit shocking to Mr. DeStefano was that he wasn't informed about the money that was going to have to be paid by any builder that came in. Had he known that he would have been obligated to pay out this money that was paid out to Ryan Karben and to Saccardi and Schiff and also he doesn't even know if he was informed about the money in lieu of recreation per unit. Any builder who comes in should be notified by that and should have been notified about that by the chairman. Mr. DeStefano said he was at the meeting and that was the impression he got. One thing that he would like to say is that the project scope has changed dramatically from when we had the hearing here. When we were talking about eminent domain, we were looking at taking a three block unit and putting in, he believes, three hundred units at the time. Now we are down to a one block area. Mr. Blauvelt's property. Everyone says that his property is not going to be taken but the property - evidently he looked at the drawing and his house is no where on the drawing. There is no retail space there. We are going from condos to apartments. And he just wants everyone to keep this in mind. Out in Brooklyn they had a unit that went from condo to apartments. They couldn't get rid of the apartments. Do you know where it was? You saw it on the front page of the *Daily News*. They had homeless people living in luxury apartments. Everybody was up in arms about it. He said he thinks we really need to sit back and wait until this economy gets better. If we are going to do this in the Village, let's do it one time. Let's not do it and do it the wrong way.

Beth Barone of 5 Mansfield Place said that she would like to encourage the Village Board to institute time limits for people speaking in these meetings. Everybody has very important issues to discuss but meeting after meeting she is seeing many people at the beginning of the meeting talk for five, ten or fifteen minutes. She said she thinks we really need to have a three to five minute time rule. Use a gavel. If people don't have their statements finished, then they lose out that month. The Mayor said the problem is that you really can't anticipate how many people are coming. He said we want to give everybody all the time that they need to talk but if we have an idea that there are going to be thirty people talking, you are right, we have to establish times. She said just so we can try to get everybody home in a reasonable hour as well.

She said that a couple of quick things. She said she knows we talked about the gazebo last month and it was mentioned that it

was being worked on. It looks worse today than it did a month ago. The Mayor said he was there this morning. She said she hopes that the wood is being replaced. It's something that is a key focal point for people coming into the Village. Also, she is hopeful that item 7c is to repair the ramps on the sidewalks near the curbs that are all broken. It was something that was talked about eight months ago in one of the Board meetings. The Mayor asked if she meant downtown where the tiles. She said yes, the ramp. The Mayor said they are part of the cross-work project that went out to bid. So as the new crosswalks are built they will be replaced as well. Mrs. Barone asked if they had a time estimate of how long it will take. The Mayor said we got the bids back so now it is up to the Board to either adopt the bid. The bid was \$127,000, he thinks, and we have a \$60,000 grant. So if we do go forward we are going to have to come up with, he thinks, around \$85,000, which he is being told that we do have in CHIPS money which is highway money. So we are attempting to go forward with that. Mrs. Barone said that will make the downtown look a lot better. She said that one other thing is Dona Maria. She said that she also doesn't want to see businesses fail but she does think that we need to take a little bit harder line when we have a business that has had multiple issues or they have a security person with a pistol at one point a while back and there are ongoing issues there. So she would like to see the business owner within that establishment take responsibility. It seems a lot of times he is not accepting responsibility for the issues that are happening there. Last but not least they are still curbsless on Mansfield Place so they will be continuing to ask about that as we go forward.

Jo Corrigan of 46 Park Avenue said that she agrees with Beth about the time. She said she understands that everybody has a lot of issues but we need to figure out a better solution to that. She said she had a suggestion on the people who had the supervisor and you have a meeting with this homeowner. Perhaps if the supervisor doesn't give building advice to a homeowner they won't think that they are able to do what they want to do. She is not quite sure why a supervisor would be advising a homeowner on how to build something. The Mayor said when he said advising he meant he told him his options. Believe him this is the first case since he has been Mayor that a resident said that the Mayor told him that he could go ahead and extend his street. Ms. Corrigan said she is not even suggesting. She said how to avoid that in the future would not be having our Village employees guide them on what they should do. They should have an outside contractor. The Mayor said right. He walked into his office and he called Dan in because the Mayor doesn't know much

about the streets and he advised both of us. Ms. Corrigan said nor should you. That is why you have a professional. She said her other thing is that since everybody else is talking about roads, 49 E. Maple Avenue. She said she is done. She has had it up to here. The road is still torn up. There is a dumpster from God knows where. There is cement laying all around. There are open windows, there are bricks. The poor people that live behind that, like they didn't go through enough. Now they have to go through this disaster. The Zoning Board gave them everything they wanted and now we are dealing with it. The Mayor said they are still building over there. They aren't finished with the project yet. Ms. Corrigan said yeah. They say they are. If they get in trouble they bring a builder in. The Village Clerk said the front porch isn't even finished. Ms. Corrigan told Virginia to not even get her started. She said she can't even walk on that side of the street. There is not even a sidewalk any more. And they get a violation. Are they paying their violations? How do we follow up with something such as that. The Mayor said that we don't have the Code Enforcer here. Ms. Corrigan said that poor John is so sick of hearing from her it is ridiculous. He probably has her on call blocker. But enough is enough with 49 E. Maple. So if something could please be addressed with that as soon as possible. And very quickly, she is on the committee for the Orange Avenue renewal program and she did hear a completely different story then everyone else was saying about money and all that. Everything that she understood was that it was going to be negotiated and that this was an opportunity for us to learn about one of the proposals that has come in. Yes, it is the only one at the moment. But this is what is there. And everyone should really take an opportunity to learn about it because she too was against the idea of rentals. She is turned around on that. So she thinks that people being educated and knowing the truth is the best solution to all that malarkey going on.

The Mayor asked if the next two gentlemen could be the last two since there was still half the meeting left.

Bill Pamm of 176 Doxbury Lane said that he had just a few words about this debate that some people brought up. He said he was in charge of a couple of debates that was run by the Suffern Civic Association and he felt that very little light was shed on these debates. Each side brought their supporters there and they already had decided who they were going to vote for. He said he would suggest, especially the people here and the people listening, that you have the chance to see the actions and the behavior and how they dealt with you for quite a number of years

between the Mayor and Mr. LaCorte. By now, he is pretty sure how most of them have decided who to vote for and he would suggest that is the best thing and that a debate is not going to help anything.

Mel Berkowitz of 52 Milford Lane said that he had a couple of things that disturb him to a point and probably should be discussed. He said that at this meeting with Koles, the representative that was going to build or perhaps might build here, he asked a question about financial responsibility. He was the one that asked that question. Why? Because seven months ago he saw it in the paper. And the paper said in the article that one of our Trustees stated that whatever happens the money will be coming back. We have no problem. He said he can't imagine any financial person or any builder thinking of finances would want to give money back to a program that he has nothing to do with going forward if we build a, b, c or d. That is step number one. Number two he would like to find out what papers or magazines we ever put the article in to invite somebody. Perhaps we didn't go far enough. Perhaps we ought to investigate that. Maybe we only did it once or twice. We probably should try to get some other bidders or other people who have some background in building by putting in additional papers. He doesn't know if we put it in the *New York Times*. There are plenty of real estate papers out there. And he is not sure if we ever put it in those either and we should probably look into that.

He said regarding recycling and regarding the issue in Bon Aire and Stonegate and all over Suffern. He said he is on the recycling committee and he has volunteered a number of times to sit down whenever there is a contract, perhaps there is a number of people that could sit down because they are involved in recycling, are involved in cleaning in this Village, and are involved in certainly big enough projects to say hey, maybe we can offer some suggestions to any new group that come along and perhaps want to take on the responsibility of picking up the recyclables and the garbage that we do have. So once again, third or fourth time, he is sure he and others who have already left would probably say how about picking me or somebody else and say let's sit down with the attorney or anyone else and say these are the problems. Perhaps we ought to put it into the contract when we go forward. And regarding the contract. He knows through people where he lives and other people in Bon Aire that there is lots of conversation that continue to go on because he thinks that some of the information that is with Scuffy or with somebody else is perhaps not clear. If we have Trustees that have personal meetings or private meetings on an

ongoing basis during a six month period and we don't get all the information, perhaps the attorney doesn't get all the information, it is tough to find a new contract for a new carting company if we have people going in separate directions on so many different times.

Trustee LaCorte said he wanted to address one thing. The e-mail list in the meetings - there is a representative from every single condominium and co-op in Bon Aire and Stonegate. He said that you had mentioned to him once several months ago that members of your condo or co-op didn't want to be on the list. Mr. Berkowitz asked what was that last statement. Trustee LaCorte said you had mentioned once to me that they didn't want to reveal who they were on the Board. There was one Board who we didn't have contact information for. But pretty much - his understanding now is every single group the president is on an e-mail list. And again it is an issue. And I discussed this with you of spreading misinformation. There is no one having partial meetings or agendas. It is the presidents of all the groups getting together to discuss issues that affect them. And he knows that Mr. Berkowitz was concerned about recycling committee not being there. It didn't involve the recycling committee. It involved concerns with Scuffy and the Mayor knows it all and one specific issue which is bulk - you know, construction debris, water heaters - stuff like that - and what they discovered in a meeting was that they weren't able to determine it until Scuffy came in and had a meeting which took a long time to organize and yes, he did push them to come here. And Virginia is aware when they had a particular gentleman in charge they weren't very receptive was that it was eventually figured out that they were doing exactly what was required under the contract and it was just a case that Interstate or Waste Management, whoever the predecessor was, was delivering more services than required. Which when you think about it makes sense. It is a large company. Someone gets a call, they call someone in middle management and you know what, hey, send them another dumpster, make another pick-up. It's not their money. So through the years they ended up getting in that area more services than really were required under the contract and when Scuffy bid they bid according to the letter of the bid spec and they delivered what was required of them. Which unfortunately based on what people were accustomed to was not sufficient. So we were trying to determine what was required and now to send out an e-mail and just say you know if we could look into clearing up one thing, what would that one thing be and that is it. And again he doesn't know Mr. Berkowitz's group or what number it is off hand but Virginia and he for four years have worked on a list that

has a contact of every single person and it is the presidents of every group so everybody is informed. Mr. Berkowitz said that he doesn't want to take more than three minutes which he already has and he thinks that is another issue. However, since Trustee LaCorte addressed him then he will address Trustee LaCorte. He said you are talking about the bulk which you brought up. It seems that there are individuals, whether they are living here or not, or even Scuffy as one indicates their chart. They will pick up something for a certain amount of money. He said they all don't know that. The facts probably never went back to Terry Rice or anybody else that they can incorporate and send it out to everybody. He said it was up in the air. He said they can't do that as a Bon Aire or as a Trustee or as anybody else. It is too many things up in the air. So he can't imagine why this guy wants to stay anyway. He probably has a million calls, which is another issue. He probably shouldn't get so many calls. He can't do his job properly when he gets 30 or 40 calls a day. So we should look into that. Again, Mr. Berkowitz said he wants to be on the committee to help to cause and to help solve the problems that we have caused already. Whether it is this carting company or the next carting company. That is it.

Dave Columbia of 17 Lexington Avenue said that he came to say that Good Samaritan looks great, the wall looks great coming into Suffern now the problem that we have is Washington Avenue. They have a burnt down building which was burnt down six months ago or eight months ago. He doesn't understand why it is not cleaned up. Not only that, he has a big problem with the code enforcement here. It is being used. They are in and out. Bringing machines in. Dropping off plows. It is being used. The building over here one woman mentioned. He said he thinks the Building Department is doing a terrible job here as far as looking after permits. One property our park is being backfilled in. The Building Department should be on this. It is not a very big town. The Code Enforcer should be on it. And the other thing is the lot next to the new condos that they just built. He said that he sees they are not using it anymore and he thinks that should be cleaned up too. He doesn't know who is in charge of that. He is just confused why a building that was burnt down that made all the news everywhere has not been cleaned up yet. He said he knows towns that he does work in and so on and so forth it is cleaned immediately. Within a month. Because it is an eyesore. The eyesore coming into Suffern is gone. Very well done. Again, Good Samaritan did an excellent job. The wall is done. Now the backsides aren't done. As far as 202 and this whole sewer thing and everything else, that is a nightmare. He said he won't even discuss that. He won't even bring it up. This

whole thing. The Mayor said he agrees with him there. Mr. Columbia said that is a nightmare but that is another subject and he is not going to get involved in that. And he had one other question but he met the new fellow here in charge of the roads and he is going to call him tomorrow. He said it was a good change done and he would like to see the rest of it done and he just doesn't know who is in charge of getting it done. The Mayor said we will check that.

The Mayor said we will move on with the meeting.

POLICE DEPARTMENT:

Chief Clarke Osborn said that he would give a quick update. In July they had 30 arrests. It has been a very busy month and a very busy week. In the first nine days they had twenty-two arrests in the Village. They are out there targeting warrants - doing a warrants sweep. The police officers are doing a great job at it. We received a grant from Assemblywoman Ellen Jaffee's office for \$3000 for DARE. It is appreciated. Sgt. Dave Tarantino will be attending motorcycle school next week at the Warwick Police Department up in Orange County. And the last thing that he will give a quick update on is the motorcycle unit. Just to give them an idea on how good it is going. Sgt. Gloede patrolled the Village for 16 tours in July. During those 16 tours he issued 56 vehicle and traffic summonses, most of it speeding on residential streets, and we used only 16 gallons of gas. Just to give you an estimate, the average car, just to figure this calculation out, would have taken between 60 to 80 gallons of gas during this month at the same time. It is going very good. Obviously we are saving on the fuel. And it is going great. And just one last thing. The fire department did a great job Friday night. Just to give them an example of what they did. He said they had a gentleman fall out on his balcony on the fifth floor of Park Avenue apartments and instead of breaking the door in and going in they decided to call the fire department and the fire department brought the ladder truck up to the fifth story balcony and they were able to get into the apartment and open the door so that the emergency workers could come in to attend to the man. So he just wanted to give the heads up. The fire department is going out of their way constantly to help the police out.

DEPARTMENT OF PUBLIC WORKS:

A) Request Board's Approval to Transfer Unused Funds from Project 2008-004 Activated Sludge Pump and Ultra Violet Pump

Repair in the Amount of \$20,101 and Approve an Additional \$6,000 for Various Repair and Replacement Projects at the WWTP:

Mr. Charles Sawicki said that he would like to request the Board to approve the transfer of unused funds from project 2008-004 activated sludge pump and ultra violet pump repair project in the amount of \$20,101 and approve an additional \$6,000 for various repair and replacement projects at the Wastewater Treatment Plant. Trustee Abato asked Mr. Zordan where that extra \$6,000 was coming from. Mr. Zordan said from the fund balance. A motion authorizing the request was made by Trustee Meehan, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Dagan LaCorte (who stepped out for a moment)

B) Request Board's Approval Authorizing the Mayor to Sign Amendment to Change the Estimated Expenditure for Snow and Ice Agreement for 08-09 - Resolution No. 5, 2009:

Mr. Sawicki said he would like to request Board's approval authorizing the Mayor to sign an amendment to change the estimated expenditure for snow and ice agreement for 08-09 - Resolution No. 5, 2009.

RESOLUTION NO. 5, 2009

RESOLVED, authorize Mayor John B. Keegan to sign Amendment to Change the Estimated Expenditure for Snow and Ice Agreement for 08-09.

A motion approving Resolution No. 5, 2009 was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried, with Trustee LaCorte still out.

C) Request Board's Approval to Accept Lowest Bid for Business District Crosswalks Project in the Amount of \$145,114 - Conserv Construction Inc.:

Mr. Sawicki said he was requesting Board approval to accept the lowest bid for the business district crosswalks project in the amount of \$145,110 to Conserv Construction Inc. A motion

awarding the bid was made by Trustee Abato, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Dagan LaCorte (stepped out)

D) Request Board's Approval to Authorize Full Payment of \$119,078.10 to New York Bituminous Products Corp. for Slurry on Newly Paved Roads:

Mr. Sawicki asked the Board to approve the full payment of \$119,078.10 to New York Bituminous Products Corp. for the slurry for the newly paved roads. He said that what they are going to do here is to retain 5% until all the work is seen and approved. Trustee Abato said that she didn't think that was enough. The Mayor asked Attorney Rice if 5% was enough. Attorney Rice said he was going to leave it up to Charles. If they have a problem, what do they need to cover it. Mr. Sawicki said he is only aware of one small little problem - a potential problem. He said he thinks the job was done rather well overall. Trustee Abato said that she just feels that we have been burned so many times on so many roads and we put out our money before we actually have gotten the product taken care of. She said she just doesn't think that 5% is enough of a message that we want our roads done correctly. Mr. Sawicki said we could increase that to 10% but generally more than 10% is not held for retainage. But you could increase it to 10%. Trustee Abato said it is not customarily 10%. Mr. Sawicki said that 10% is fine but he is saying that generally more than 10% is not. Trustee Abato said that she wouldn't see what the problem was if their intentions are good that they are going to make sure that they get the job done correctly and in a timely fashion and they wouldn't have any problem with our holding back any portion of the money. She said she just thinks that 5% or 10% of the money is just a small risk for us to take in lieu of the fact that we have gotten burned so many times. It is up to the Board. She would like to move that we hold 20%. Attorney Rice said he thinks you are going to have a problem with 20%. There were bid specs on this, correct? Trustee Abato said that she would make a motion that we hold back 15%. She said she can't see that they would be upset if the roads were done properly. Trustee LaCorte asked if we wanted to wait and see what we have gone through and see it. He said that

he knows that he has neighbors of his that some said it was great and others said they had a couple of concerns. It's not that we don't want to pay them. It's just that we want to make sure. Attorney Rice said you have to pay them. Trustee LaCorte said that it is weird that outside his house - is there a coincidence but there is something like a big clump. Mr. Sawicki said that what they do is they go around taping off the curb boxes and that might have been the case where it bubbled up and they didn't remove. He is not sure. He would have to see. Trustee Abato said she is going to leave her motion. Trustee LaCorte said he is not trying to bust. Trustee Abato said she is going to motion that we hold back 15%, 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

VILLAGE CLERK:

A) Approval of Minutes of Special Board Meeting - April 7, 2009:

Village Clerk Virginia Menschner said the first item is for the approval of the minutes of the special Board meeting of April 7, 2009. A motion approving the minutes was made by Mayor Keegan, seconded by Trustee Abato. Upon vote, the motion was carried.

B) Approval of Minutes of Regular Board Meeting of May 4, 2009:

The Village Clerk said this next item was for approval of the minutes of the regular Board meeting of May 4, 2009. A motion approving the minutes was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

C) Approval of Minutes of Regular Board Meeting of June 1, 2009:

The Village Clerk said this is for approval of the minutes of the regular Board meeting of June 1, 2009. A motion approving the minutes was made by Trustee Abato, seconded by Mayor Keegan. Upon vote, the motion was carried.

D) Amend 2009-2010 Tax Warrant:

The Village Clerk said the amount was \$8,553,771.16 which was

the amount that we had amended to \$8,552,354.11. And the difference is \$1,417.05. A motion amending the tax warrant 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

E) Request for Block Party - Mrs. Irene Walsh - September 19, 2009 - 2:00 p.m.-10:00 p.m.:

The Village Clerk said this is a request from Mrs. Irene Walsh to have a block party on Terrace Avenue and Willow Drive on September 19 from 2:00 p.m. to 10:00 p.m. A motion authorizing the block party was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

F) Request for Block Party - Mrs. Kim Hamilton - August 29, 2009 - 1:00 p.m. to 10:00 p.m.:

The Village Clerk said this is another request for another annual block party on Saturday, August 29 between the hours of 1:00 p.m. to 10:00 p.m. And this is on Crane Place and Chadick and the person is Kim Hamilton. A motion authorizing the block party was made by Trustee Abato, seconded by Mayor Keegan. Upon vote, the motion was carried.

The Village Clerk said we already took care of the return of the bids and then we have a request from Sacred Heart Church to have a circus on October 9, 2009 and that is on a Friday night. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that during July we paid down \$135,000 of bond debt. Our outstanding balance is now at \$5,235,000. Our BANs outstanding total is \$1,375,926 and as of July 31 the total outstanding debt is \$6,650,926. As we talked at the workshop on Monday night, he just wanted to ask, and he doesn't need the Board to vote, if it is alright to go out and talk to the energy supply companies about our electricity. As he indicated, we have a contract that is running through July 31, 2010 so he wanted to

go out and do some pricing to see if we could get a much better price going forward. And the preliminary things that he has found would save approximately 25% reduction of our electric costs. So he is going to talk to a few people and as soon as he gets all the paperwork together, he will talk to the Board and we will proceed based on what he finds.

Mr. Zordan said he is requesting approval to pay the firemen's length of service award program for their annual contribution in the amount of \$131,392.29. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Abato.

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

NOES: None

ABSENT: None

Mr. Zordan said the auditors completed their preliminary work and everything looks good. He said they will be back October 13 to perform the remainder of their audit work. He said we have switched our life insurance carrier effective August 1 to J.J. Stanis and Company and we anticipate a cost saving of 6.6% over last year. And he just wanted to let everyone know that Virginia and Joanne did a lot of hard work getting that all taken care of.

MAYOR:

A) PBA Contract:

The Mayor said that at this time he would like to bring up a vote. He said he knows the Board has all had a copy and he is sure they have reviewed it. And he would like them to vote on the PBA contract. A motion to pass the PBA contract was made by Trustee Abato, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: None

NEW BUSINESS:

Trustee Abato said that she attended the Farmer's Market a few weeks ago and in the opening, the Mayor and she were lucky enough to be there for the ribbon cutting ceremony which was really very nice. And they had talked with this Board and actually has been in contact with Christopher St. Lawrence on many occasions about the Stonegate property and what can be done with it. And although the gazebo in memory of Mr. Wiener, a fine man who gave a lot to this community, is such a wonderful addition to that property, she felt as though there is something that we could do more with such a beautiful piece of property so that everyone can enjoy it. So she asked Supervisor St. Lawrence if there would be a possibility if we could work with the Farmer's Market and several of our residents here in Suffern who are very interested in starting a community garden in that land area. She is happy to say that Christopher St. Lawrence has agreed that we are more than welcome to do that. And he has also donated all of the soil that we would need to start that community garden. So she would like to ask the Board to make this a project which the Village of Suffern would co-sponsor with our residents as well as our Farmer's Market who hopefully next year will be bringing down fruits and vegetables from our community garden to our Farmer's Market. A motion authorizing the request was made by Trustee Abato, seconded by Trustee LaCorte. Trustee Meehan said that on the motion, he really thinks it is a good idea. They have a community garden in Nyack and he investigated this and so did his wife. His wife met with the community garden people in Nyack. And he thinks it was about two years ago that he requested, in working with the Mayor and working with Gail Curtin as well, they felt that the best audience for this community garden would be the people who lived in multiple dwellings - the condos or apartments. So what they did was that they notified all the presidents of all the condos and they sent out letters to all the rental units from the building and gave them about a month and unfortunately they had a meeting and only one couple attended. And after that they dropped it. Mr. Meehan said that he still thinks it is a good idea and he will support the motion and maybe we can give it another try. Trustee Abato said just to give him some information. She said that they also have reached out to civic groups - the boy scouts, the girl scouts. They are trying to get a community involvement with not only our residents but also our civic groups who have taken great interest in it as well. And she agrees with him that she doesn't think it would probably work alone on just the condo residents. She thinks it is going to have to be a complete community effort. And she thinks that

is what is going to be the beauty of the project is that the community will come together. The Mayor asked if it will be done this year. Trustee Abato said she didn't think so. She said she thinks it is going to be something that they are going to have meetings with the Board and the residents and formulate some plan for it and make sure that they have enough people for the garden. She said she just thinks it is exciting that there are a number of people and a number of civic groups who are interested in coming on board with this. She said she thinks it is very exciting for our community. The Mayor said okay. He will support it. Upon vote, the motion was carried.

OLD BUSINESS:

Trustee Meehan said this is a motion to authorize the Mayor to hire KW Commercial which is a real estate firm to provide a broker's property opinion, the legal definition, on the lease value of part of the property occupied by the Village Department of Public Works. This would be in reference to a possible lease from the Village to the villages of Airmont and/or Montebello for their contractor to use space at the DPW. He said that what we are doing here is not making a decision but Terry told us we need to establish a value before we could even think about leasing it to anybody. We need to establish a lease value. Trustee Abato asked what the cost of this would be. Trustee Meehan said the cost of this would be not to exceed \$500. A motion authorizing this was made by Trustee Meehan, seconded by Mayor Keegan.

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

NOES: Trustee Andrew Haggerty

ABSENT: None

A motion to adjourn the meeting at 9:51 p.m. was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

