

**Village Board Meeting  
Monday, August 5, 2013**

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

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

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

ABSENT: None

**SET DATES FOR SEPTEMBER MEETINGS:**

The Mayor said the first item on the agenda is to set the dates for the September meetings. The workshop will be held on Thursday, September 12 at 7:00 p.m. and the regular Board meeting will be held on Tuesday, September 17 at 7:30 p.m.

**FIRE DEPARTMENT:**

**A) Update:**

Chief Mike Stark said the only item that he had on the agenda this evening is a joint item between himself and Charles from the DPW which he will discuss under his portion of the meeting which is the roof at the firehouse. He said that he and Charles worked on it together and Charles will speak on it also along with Tom, who is going to comment.

**CULTURE AND RECREATION:**

**A) Update:**

Mrs. Cathy Mills said upcoming events for the Recreation Department are the concert, which they are going to have on August 8. It will be "Reflections - the Big Band" so it will be this Thursday at 7 o'clock at the gazebo. They have the Suffern Fire Department Blood Drive this Saturday, August 10 at the Community Center from 10 to 3. August 29 they have the Senior Picnic. It will be from 11:30 to 3 o'clock at the Mahwah Elks. The pool is going to be closing starting on August 17 ending at 7 p.m. and then it is going to be closing for the season on Monday,

Labor Day, September 2. And then they have Suffern Day coming up which is going to be September 28 with a raindate of September 29 and that is from 11 o'clock to 3 o'clock. And Mrs. Mills said she just wanted to mention something that has just passed - they just had Clifford Theater this past weekend. They had it on Friday night at 7 and then two shows on Saturday and it was a tremendous success. It was a wonderful program. And all the children were wonderful and the directors. It was a great program.

The Mayor asked about the discussion of the position. He asked what we needed to do. The Village Clerk said she sent it in today to create the position.

Trustee Meegan-Corrigan thanked Mrs. Mills for all her work on that. It was a great team effort. Everybody did a great job. Mrs. Mills said everybody did. Thank you so much. The Mayor said he caught the performance Saturday at the matinee and they did a great job and the community center looked really nice. They turned it into a pretty nice theater there - impressive.

#### **POLICE DEPARTMENT:**

##### **A) Update:**

Chief Clarke Osborn said he just had a few items. He said he had one addition to the agenda as well - the hiring of a dispatcher. Chief Osborn said for the update he had two quick things. Number one they are sponsoring a K-9 training on August 20 at the Salvation Army. It will be for bomb training dogs, narcotics, search and rescue and apprehension. He said he wanted the Board to know - he said the Mayor stopped up, he thinks back in June, in regards to K-9 training and we actually made a national publication which they are very proud of, K-9 Courier, which is basically the K-9 magazine for K-9 officers all over the United States. It was a great article and photos of them in there with the training that they did on bomb detonation and what they did was they had a bomb training and fireworks training to see how the dogs would react. And it was very loud and our dog did fantastic with it. So August 20 they will probably have 50 dogs in the Village of Suffern that day. So it definitely wouldn't be a good day for someone to try to do something in town with dogs from all over the region here. That is number one. Number two - two weeks ago on July 24 they met - himself, Charles Sawicki, Trustee Meehan, Bruce McClintock and Sam Jannarrone met with Mahwah officials over flooding issues. Charles and he has been working on proposals and Charles and he has been discussing it. They will have prices very soon on fencing and other things that

need to be done to that area to make the Orange Avenue emergency crossing feasible and practical. So he will keep them informed on that. The meeting was very good.

**B) Appointment of Records Clerk Typist - Colleen Mueller:**

Chief Osborn said that under appointments we need to appoint records clerk typist Colleen Mueller from provisional to permanent status. She has been serving in this position for the last several months. She took the civil service test and is eligible for permanent appointment to that position which she has been doing. Colleen has worked for us as a dispatcher for twenty years and is a very long-time Village resident. The Mayor said he would like to make the appointment of Colleen Mueller to records clerk typist. A motion to confirm was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

Chief Osborn said the second appointment he would ask him to make, which they just finished up their paperwork today, and he apologizes since he did not have it last week, is our dispatcher. Andrew Yorke, a very good dispatcher, took a job with the New York City police department as a police officer leaving a full-time dispatcher position open. Our civil service list - he took a Village residency list, and he is asking the Village to appoint Kyle Lynch, a Village resident. He is a dispatcher with the Sheriff's department part-time and the Town of Tuxedo part-time and also an ambulance corps volunteer and he thinks also a life-long Village resident and he is asking the Board to appoint him off the civil service list to a full-time dispatcher position pending a favorable background check and clearance from the Department of Personnel. The Mayor said yes, that is what he would like because he knows we are not at that process yet. The Mayor asked if there was a motion to confirm subject to the background check and a favorable determination by personnel and Village personnel. A motion to confirm was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried. The Mayor asked what the salary is. Chief Osborn said the salary is \$42,848. The Mayor asked if that was the same salary that his predecessor was getting. Chief Osborn said that is correct. His predecessor was here probably about a year. The same salary.

Chief Osborn said the last thing that he has is he gave the Village Clerk a list of surplus items - some police cars, some DPW equipment and he is just asking the Board to approve those and once they get approved they will put them on govdeals.com. Lt. Bonkoski oversees that for the whole Village. The Mayor said he has a list here and he will read them off. The Mayor asked if

there could be a motion to declare the following items surplus: air conditioning service machine, two radiator flushing machines - the Mayor asked if these were minimum bids or something - Chief Osborn said correct. The Mayor said minimum bid \$50. Tool box top and bottom - \$35, gas power hand roller - \$100, Slink salter - \$500, Monroe salter and sprayer - \$1500, clear span poly shelter - \$500, 1992 auto part cab and chassis - \$3000, 2008 Ford Crown Vic - \$2500, 2004 Crown Vic - \$2000. A motion to declare the items surplus was made by Trustee Falciglia, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

**7:45 P.M. - PUBLIC HEARING - MS-4 - TO APPROVE THE MUNICIPAL SEPARATE STORM SEWER SYSTEMS:**

The Mayor said it is now 7:45 and we are going to have the public hearing on the MS-4 to approve the municipal separate storm sewer systems. Mr. Charles Sawicki said the MS-4 is the municipal separate storm sewer system and it is regulated by the NYS DEC and we are required to submit a report annually and that report runs from March 9 through March 8. And it essentially addresses any stormwater issues that might occur through the Village.

The Mayor asked if anyone on the Board had any questions. He then asked if anyone from the public would like to come up.

Jean Hennelly of 135 Wayne Avenue said her questions on the report are first - the construction project that was mentioned - there was one project during this reporting period. She asked what project that was. Mr. Sawicki said that was for Good Sam. Mrs. Hennelly said okay. She said there was a mention here that there was a percentage of projects planned in previous years that have been completed and it is only 30%. So what constitutes the other 70%. Which projects were not included in that report. Mr. Sawicki asked which page that is on. Mrs. Hennelly said 7D. It is page 2. There are 36 pages and she didn't print out all 36 pages. Mr. Sawicki said Good Sam, and there is the project on Wayne Avenue and the project on Washington Avenue. They were in the system. Mrs. Hennelly said as of today they are still not approved. Mr. Sawicki said yes. Mrs. Hennelly said it is mentioned here that there was one illicit discharge during the reporting period. She asked what that would be. Mr. Sawicki said actually what happened was the theater - their cooling tower ran onto the pavement and into the sanitary sewer. They have corrected that. Mrs. Hennelly said okay, great. She said there were three stormwater plans that were submitted or approved. Mr. Sawicki said those are the three he mentioned. Mrs. Hennelly said her last question is does your MS-4 coalition have a program to

manage goose population. And someone had put not applicable. And if anybody lives near Memorial Drive or Foxwood Pond there is a good population of geese there. Trustee Abato asked her to speak into the mic since she could not hear her. Mrs. Hennelly said she was questioning that there was no issue with the goose population in the Village because here it says not applicable when the choices were yes, no or not applicable. She is surprised that it was not - we do have geese population in town and it is very high near Memorial Drive and the Little League field is littered and down at Cucolo is bad as well. Mr. Sawicki said he did consult with the Street Department and just from his own observations after filing the report he did notice there are some areas so he thinks next year they will have to take a different approach. Mrs. Hennelly thanked him.

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

A motion to approve the Municipal Separate Storm Sewer Systems - the MS-4 report - was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor thanked Mr. Sawicki for his good work in putting that together.

**AUDIENCE PARTICIPATION:**

Roy Tschudy of 16 Lonergan Drive thanked the Board for the opportunity to address the Board and the audience again. He said first he wanted to thank the Attorney, Mr. Rice, for giving him some nice information. It seems that next week the issue will be resolved regarding the park that we have been trying so long to have put into the Squires Gate area. He asked if they knew that once that is resolved how long it would take for the park to be put into place? Trustee Meegan-Corrigan said she and Charles have been working on that. She said it will be a little bit longer than he would like only because they have the houses at the same time. She said she will have to get back to him. Mr. Tschudy said the houses will be done in September. He said the houses will be taken down in September so hopefully before the snow comes down the park can come in.

Mr. Tschudy said also unless there has been some kind of boycott on basketball rims and backboards he would hope that they can

address that situation for the kids who play basketball down there. So that would be appreciated if they could get something down on that because every time he comes out he gets attacked by the kids in the neighborhood who want to know where their new rims and baskets are. He said he also wanted to take this opportunity to thank Chief Clarke Osborn because Saturday, through the graciousness of the Town of Ramapo, their group, the Committee for the Concerned Citizens of Suffern, conducted a tour of the quarry site for people to get a first hand view of the sheer size of it and what they have been trying to get for flood remediation. He said as you know, everything is stalemated at this time. The developers who had a meeting with them canceled it the day prior to and have yet to answer them to do so again. The town feels that they should not be conjoling or asking the Goldstein's to go ahead and as far as the Village he doesn't know what their position is at this time. So they are asking if it is possible if the Village and the Town and the Goldstein's could have some kind of communication process so they don't go through a flooding issue again. As we all know, it is not just costly to the homeowners. It is costly to the Village, it is costly to the Town, the insurance, FEMA, and it costs quite a bit.

Trustee Abato asked if she may. She said we actually discussed this at the workshop and the Board has decided that they would like to write a letter to the Town of Ramapo and she actually prepared one that she is proposing that the entire Board, including the police chief and fire chief have also expressed interest in signing. So if she may, she will read it to him. She said it is just a draft. She said she is going to be giving it to all the Board members and the Mayor also wants input on it so this is just a draft letter. And it is on behalf of our residents. So if there is any input or anything that should be added to it, please, she would like to hear from them. Trustee Abato said it says:

Dear Supervisor St. Lawrence and Members of the Town Council:

We write this letter to you as a united Board, fire and police department with regard to the Tilcon Quarry property. This is one of a series of letters that we have written to you voicing our concerns over the hazardous and unsafe conditions that exist. The letters that were sent from our police chief, Mayor and Village Board have all gone unanswered with the exception of

one that made promises that were never kept with increased police patrolling and demolition of three buildings that were nothing less than a very serious accident waiting to happen. The lack of concern on the part of the Town of Ramapo is unacceptable. On many occasions, our police department has alerted you to the youth presence behind the fences of the quarry yet nothing has been done to further secure these grounds. We have had repeated cries for help from our residents who all too are concerned for the lack of attention to this property from you, the landowners. The Village of Suffern has suggested on many occasions that the property be turned over to us as the property lies in the Village of Suffern. Once again there has been no communication. Our residents repeatedly ask why the Town of Ramapo would take ownership of a land that lies within the Village knowing that this land could potentially help our flood ridden areas with remediation for these residents who have been repeatedly devastated by rainstorms and those who have completely lost their homes. These residents have worked hard to afford to buy their homes and raise their families and it is so sad that the cries for help have gone unanswered by the Town in which they live in and paid taxes to. At this time, we must insist for immediate action to have these unsafe conditions for this property remedied. We respectfully ask that we receive some feedback to this letter on what is being done - not what may happen in the future. The future is now.

Mr. Tschudy said that is good. He said they appreciate any help, anything that is proactive in that way. He said that there is an insurance clause in there - doesn't the Town of Ramapo pay the insurance on that area which he thinks is a decent amount of money. Trustee Falciglia said \$35,000. Mr. Tschudy said so that means the Village would incur half of that or all of that - if that is the case if they turn it over to you? Trustee Abato said if they turned it over to us? She said they are not going to. They made it perfectly clear that that is not going to happen. That was a suggestion that was made earlier when they took the property over but they are not going to turn it over to us. Other things are happening that she doesn't feel are acceptable.

Mr. Tschudy said alright, okay. He said he just would like to

address one other thing. Tomorrow the Legislature board is having a meeting and he is sure they are all aware that their small group has held meetings in the Village across the street and they have invited Legislators, Village, Town and a lot of different players involved to see if we can find a solution for this flooding information and seeking funding. Well, tomorrow the funding for hurricane repairs and flood mitigation is going to be on the agenda for them and much to our chagrin, they have learned that a one million bond to repair infrastructure at the Haverstraw Bay park damaged by the Hurricane Sandy storm is a resolution that they are going to deal on and vote on - Trustee Abato said that is the Bel Mar area, correct? Mr. Tschudy said he assumes that is it, yes. He said a \$794,000 contract for inspection of the Pascack Brook bypass culvert in Spring Valley, approving an 8.9 million dollar contract vote for work on the Pascack Brook bypass culvert, amending the capital budget for a \$100,000 project on Muddy Creek along Route 304, another \$100,000 bond to cover the cost of work needed for flood mitigation study of Muddy Creek and amending the capital budget by \$50,000 for stream and embankment work on the Sparkill creek in Tappan in conjunction with the nearby Oak Tree Road bridge replacement project. And no where does anything have to do with Suffern. And so he would ask if it is possible if there could be some kind of representative besides them, because they are going to be there to voice their concerns and why are we omitted from this, and it has been well documented our flooding, that somebody represent the Village tomorrow night. So if that is possible that would be a great addition for all of them. He thanked the Board for their time.

Jim Giannettino of 2 Memorial Drive said to Trustee Abato that on her letter he would personally add that if they cannot secure the property that you consider hiring a security firm. Trustee Abato said it is funny that you say that because in one of the letters that Mayor sent to the Town of Ramapo one of the responses was that the Town was in touch with a private security including reaching out to Avon to see if any security company would take on the quarry. And nothing ever happened. Mr. Giannettino said it is nice that they are in touch but it has been years. Trustee Abato said exactly. Mr. Giannettino said they have to do more than to be in touch. Trustee Abato said right. That was one of the suggestions from the Mayor.

Mr. Giannettino said the issue that he is going to bring up was brought to his attention several months ago. He said he hasn't

brought it up in the hopes that he would hear about it at a meeting but to his knowledge this has never been discussed. It is a lawsuit between Doyle and the Village of Suffern in the amount of \$301,000 for sewer plant work. Did everyone on this Board know that this was going on? The Mayor said yes, this was the lawsuit regarding the company that put on the digester roof cover and we had problems with them all along - the delays, going through the winter, they couldn't complete by the date, we changed the date, had a liquidated damages provision. So yes, he thinks everyone. Trustee Falciglia said they received a Federal Express letter - each Board member - Mr. Giannettino said from the person that is doing the suit? The Mayor said correct. Trustee Falciglia said yes. Mr. Giannettino said and that must have been back in January, he assumes. Trustee Falciglia said yes. He was told that it was under control. Mr. Giannettino said how come the public was never concerned that there was a lawsuit. You didn't have to give specifics but you could have informed us that the Village is being sued for over \$300,000. Trustee Falciglia said he thinks at the time he was threatening to move forward on a lawsuit. Attorney Rice said there is an action pending and we are defending it. Mr. Giannettino said he is not denying that you are doing that. His fact is that this was filed in early 2013. He said if you want the docket number, he will give it to him. The Mayor said he doesn't think it is an issue. It is a situation where we used them and we have a disagreement over how much money they are owed and what they are owed. Attorney Rice said he would be happy to tell him about it. He asked Mr. Giannettino what is the question. Mr. Giannettino said the question is, and somebody sent him a copy of the whole lawsuit, so he knows what the question is. There are things in here that supposedly were questioned by the Village and approved by the overseeing engineer and why wasn't part of this paid if it was authorized by the general engineer on the project. And why as Village residents aren't we at least told that we are on the hook for \$300,000 plus. The Mayor said we are not on the hook. This is a dispute over how much money there is. He said look, you were Mayor. You know that there are lawsuits all the time. This is not alleging any improper behavior. We contracted them to do work. They were the bidder awarded the contract. They completed the work. And there is a dispute over how much money they are owed because of provisions including liquidated damages and how we asked them to proceed. This was the first major part of the sewer overhaul. And everyone was well aware of what was going on. Again, it is just a dispute over how much they are owed. There is no liability above what potentially they were contracted for. Mr. Giannettino said

but you were owed. There is no liability above what you were owed. The Mayor said exactly. Mr. Giannettino said it is \$301,000. It is not like it is \$2000. Trustee Falciglia said he doesn't think that was the amount of the dispute. Mr. Giannettino said he has it right here. Trustee Falciglia said he doesn't think that was the amount. But where are we with that? Attorney Rice said he doesn't want to go through all of the items involved besides the fact that it is very expensive. There are offsets to a great extent. Probably the heart of the matter is that when a previous extension was granted the contractor signed an agreement that there would be no further delay claims. And the majority of the claims that are pending are delay claims. So they are frivolous on the face. We have liquidated damages as an offset against the claims that they are making. They owe money to subcontractors so they can't be paid until that gets resolved. So while undoubtedly there is some amount of money that is owed to the contractor it is nowhere near, in his estimate, and Charles estimate and the engineer's estimate, anywhere near that number. Mr. Giannettino said that is good but he doesn't think you answered Trustee Falciglia's question. He wants to know where we are at. Trustee Falciglia asked who was handling this for us. Are you? Attorney Rice said yes. Mr. Giannettino said he was aware that Terry was handling it. Attorney Rice said we are going through discovery as well. Mr. Giannettino said from what he understands it is their turn for discovery? Attorney Rice said we are going back and forth. The Village has had their discovery? Attorney Rice said no. The Village has not had their discovery. Mr. Giannettino said so they have had theirs but you haven't had yours? Attorney Rice said they are producing documents and we are sending out discovery demands. Mr. Giannettino said okay. It was just curious to him that there was never any mention made of this suit and we have had other suits where it has been brought up and it has never been detailed. Mr. Giannettino said if that money is paid out in this budget you are going to have a huge deficit unless you bond it.

Isabel Haggerty of 4 Parkside Drive said she was curious. She said you were having a discussion about the September meetings. Did you end up with September 11? The Mayor said the 12<sup>th</sup> and the 17<sup>th</sup>. Mrs. Haggerty said oh, that is all she wanted to know.

Adam DeStefano of 19 Prairie Avenue said he is here today because about a month ago he submitted a FOIL request asking for the current up-to-date budget for the 2012-2013 fiscal year. Over a month later he still hasn't received any information on that. He

said he has another copy of the FOIL request asking for the same thing. The Mayor said the budget is on the website. Mr. DeStefano said no, not that. What we have actually made for the 2012-2013 fiscal year. The Mayor said that is not what you requested. Mr. DeStefano said he went in and asked the Village Clerk specifically if that was the proper wording last time and they said it was. The Mayor said this is just asking for the budget. Trustee Abato said yes, that is just asking for the budget. She probably - it was probably a misunderstanding. The Mayor said it is right online. We can produce a copy of the budget if you would like. Mr. DeStefano said he came in several times last week and he was told that he couldn't get that information at the moment. And he was just wondering why - Trustee Abato asked who told him that. Mr. DeStefano said he talked to Tom and asked him if he could get the information and he told him that he couldn't. The Mayor said we will get you a copy of the budget. If you come in tomorrow he will make sure he gets him one. Mr. DeStefano said a month later on that request and he came in and he felt like he was getting stalled on it. The Mayor said it is public information. 2012-2013 - Mr. DeStefano said it is not the budget. He is asking for what we actually made - not the budget. He can get that online. The Mayor said that is what is in there. Mr. DeStefano said what is the wording that he should use then to get the - the Mayor said he doesn't know. He is not writing his FOIL request. Mr. DeStefano asked Tom what was the wording that he should use. The Mayor told Mr. DeStefano that he can address the Board. Mr. DeStefano said if you don't have the answer he was going to - the Mayor said you can come in tomorrow and work out the type of FOIL request you want to make. That is fine. But you gave him a copy here in which what you requested is answered. The Mayor said we don't have the ability to read your mind and tell you that it is something else that you want. If this is what you wrote we will give you this. If it is something else that you want you can come to the Village Clerk's office. Mr. DeStefano said he has come in several times and asked Tom Zordan for the specific information and Mr. Zordan was told that he was not allowed to get said information. The Mayor said we can deal with this in the Village Clerk's office tomorrow. Mr. DeStefano said he just wants to know why he would not be allowed to get the most up-to-date revenues and expenses. The Mayor said he can't answer his question. He is looking at what he requested here. What you requested here is readily available. If you want something else and it hasn't been given to you then we will make sure that you request it and get you the right information. That is what he can answer. So that answers your question. Mr. DeStefano said then

what should he specifically - he asked Attorney Rice. Attorney Rice said he is not sure what he is asking for either. Mr. DeStefano said specifically - you know how at the end of a fiscal year you have your actual revenues and expenses. Attorney Rice said to come in, fill out the FOIL request. He said he is sure Tom will tell him the right wording. If it is an existing document you are entitled to it. But he does not have to make up documents for you at your request. So any existing document that isn't under some exception or something you are absolutely entitled to see. So fill out the FOIL request and it goes past him and as long as it is an existing document you can have it. Mr. DeStefano said he is assuming then that the most up-to-date like what we spent in each category would count as an existing document. Attorney Rice said he doesn't know. What is why he answered it in that way.

Trustee Meehan said on the question - just briefly - he has asked for updates on the budget. But the Village has the capability at any time to produce that. And he knows the law is if it is an existing document. Well, it sort of, he said we can give you - in other words, if he were to ask he would get a print out from Tom of exactly the budget as of August 1 or something like that or a very recent date which will show our liabilities, the revenues that we have received and haven't received in that particular budget. Now his question to the Attorney is does that constitute an existing document. He said he will wait until he finishes with the Mayor. He said the question to the Attorney is does that type of print-out of the budget as of a specific date, not as of the end of the fiscal date, but as of a specific date constitute a legitimate FOIL request. Attorney Rice said he thinks he would have to talk to Tom about whether or not it is an existing document or something that can be produced by just pressing a key. If it is something that is that simple it is one thing. If it involves him compiling things and so forth then it is not an existing document and subject to FOIL. Trustee Meehan said okay. He thinks that is a fair answer. Mr. DeStefano said thank you for the information. That is all he is looking for for this.

George Gabrielson of 26 Prairie Avenue said he had two issues. One is perhaps of maybe deep concern. At the foot of Harmony Park on the corner of Boulevard and he is not sure what that smaller street is leading into Harmony Park (the Village Clerk said Abby Lane). Mr. Gabrielson said there is a rock wall that is part of the property on that corner. There are something that looks larger than a wasp - dozens of these - that are very aggressive

and there is a lot in the news right now about killer bees. We have heard quite a bit of that. He said he really doesn't know what these are. He tried to find out through the internet what these might be. But they are extremely aggressive. He said first of all he wanted to notify the Board and secondly is there a department within the county which oversees or would check to see if we have a concern at this point. Obviously the homeowner would probably need to be notified of this concern as well. He said he is opening it up to the Board. Is there a Department of Health that might - the Mayor said there is a Department of Health. It could be the Health Department. He said we could reach out to them. Trustee Meehan said you could also possibly reach out to the Board of Cooperative Extension in helping to identify them. Mr. Gabrielson asked if that was something the Board would be interested in doing or should be doing? Trustee Meehan said he is certainly interested. He said he wasn't aware of the problem. Mr. Gabrielson said that is why he brought it up today. Trustee Falciglia asked if this was on someone's property. Trustee Meehan said Mr. Gabrielson could certainly call the Board of Cooperative Extension and ask them to do this - if they provide that service to citizens. Mr. Gabrielson said sure. Trustee Meehan said to ask them if they would do it. He said he was chairman on that organization about thirty years ago. The Mayor said Virginia is going to call the Board of Health tomorrow and look into it also. Mr. Gabrielson said that would be great. There are kids that go into the area. There are dogs. There are people that are going. The Village Clerk asked if it was on Abby Lane and Boulevard. Mr. Gabrielson said it is Boulevard and Abby Lane - the entrance into - as you are going into Harmony Park it is on the left hand side. There is a stone wall that is over there. And he wishes right now that he had a picture of it to show them or even a video. They are quite aggressive.

Mr. Gabrielson said the second issue is for anyone that does any walking or extensive walking in the community there is a sidewalk issue. In some areas it is more than just a 1/4 inch or 1/2 inch. It is as much as probably an inch and a half where the sidewalk is quite a bit - or even two inches - where it is quite a bit shifted over a period of time. He said he wanted to bring this to their attention. But he also wanted to bring a solution up as well. Because he knows budgets are stretched everywhere. He said perhaps we could have some participation on the homeowner as well as the Village in correcting some of that. The Mayor said the sidewalks are the responsibility to be maintained by the homeowner - not the Village. Mr. Gabrielson said and the property

belongs to who? From your property line to the road - the Mayor said the Village owns the property but the sidewalks are maintained by the homeowner. Mr. Gabrielson said perhaps a lawyer would go after deep pockets in a situation where - the Mayor said he knows typically it is the residents. He said he knows that happened growing up in his house. Once someone tripped and they ended up suing them. Mr. Gabrielson asked what about liability insurance. Does the Village have liability insurance for the roads and sidewalk? Attorney Rice said sure. Mr. Gabrielson said he would think that a smart lawyer would say well if you have liability insurance for that aren't you really protecting - Attorney Rice said we are one step ahead of them. We have a local law that basically says it is the homeowners responsibility and we are not liable. By using those magic words under a court decision we are not liable. Mr. Gabrielson asked if that was something that was passed unanimously through the residents of the Village of Suffern. Is that something that they would agree to or have agreed to. Attorney Rice said the first part - the part that it is the adjoining property owner's responsibility has been on the books for decades and decades. The other thing - the magic words he refers to - we did amend the local law somewhere between five and ten years ago and that required a public hearing so whatever input people wanted to have they certainly had an opportunity. Mr. Gabrielson said okay. And would you say what percentage of the Village - the homeowners - understand that that is their responsibility. Attorney Rice said he really couldn't tell him. Mr. Gabrielson said if you were to venture a guess. Attorney Rice said he thinks it is a pretty common law in most municipalities so he thinks it is probably general knowledge. He couldn't tell him for certain. Mr. Gabrielson said that may need to be revisited especially since there has been a big turnover of homeownership as well and perhaps there are quite a few people who don't really know what you expressed to him - this point. Perhaps we could have it in a newsletter or the Suffern Times. Some way of getting the message out there so that people realize that part of it. Mr. Gabrielson said if a homeowner does decide to do something with their sidewalk is there a standard code in which they are repairing that. Attorney Rice said there are specifications. Mr. Gabrielson said there are specifications and is there a permit required and how does that work? Attorney Rice said yes. Mr. Gabrielson asked if the fee was waived or is there a charge for that. Attorney Rice said he didn't know. Charles may know. Mr. Gabrielson asked if anyone knew if there was a fee associated with that. Mr. Sawicki said a permit is required but the fee is generally waived. Mr. Gabrielson said great. That is a

real fair way. He thanked the Board.

**DEPARTMENT OF PUBLIC WORKS:**

**A) Transfer of Funds:**

Mr. Charles Sawicki requested authorization to transfer funds in the amount of \$15,000 from various Street Department accounts to a seasonal help account. He said these funds would be used to hire two (2) temporary seasonal laborers for three months - not to exceed three months. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

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

NOES: None

ABSENT: None

**B) Bid Approval:**

Mr. Sawicki requested authorization to approve a contract for the roof replacement of the Fire Department Hose Company located on Washington Avenue. The low bidder is Hayden Building Maintenance Corp. of West Nyack, New York. The contract amount is \$68,032. Attorney Rice asked Mr. Sawicki if he ran all these past Tom and if there are appropriations in existence. Mr. Sawicki said Tom has made the appropriate adjustments. A motion awarding the bid was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

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

NOES: None

ABSENT: None

**C) Proposal Approval:**

Mr. Sawicki requested authorization to issue a purchase order for the replacement in kind turn key installation of the process return pump station at the Wastewater Treatment plant. The lowest

priced proposal is from TAM Enterprises, Inc. of New Hampton, New York in the amount of \$23,250 and this will be charged to the WWTP capital account. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

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

NOES: None

ABSENT: None

**D) Solicit Bids:**

Mr. Sawicki requested authorization to advertise bids for the replacement in kind of three (3) UV motor, drives and control panels. Bids will be due Monday, August 26, 2013 at 2:00 p.m. A motion authorizing the request was made by Trustee Meegan-Corrigan, seconded by Trustee Abato. Upon vote, the motion was carried.

Mr. Sawicki requested authorization to advertise bids for the replacement in kind of three (3) activated sludge motors, drives and control panels. Bids will be due Monday, August 26, 2013 at 3:00 p.m. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Mr. Sawicki requested authorization to advertise bids for the replacement of the fuel supply system located at the Street Department garage. This system was damaged during Hurricane Sandy. This replacement will be partially funded by FEMA in the amount of \$12,968.35. Trustee Abato asked where the other portion was coming from. Mr. Sawicki said the plan is between the various departments to prorate the additional cost. He said we don't anticipate a great deal more than that amount. Trustee Abato said so we are prepared. Trustee Falciglia asked what is FEMA giving us. Mr. Sawicki said \$12,968.35. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Mr. Sawicki said he would like to add an additional item to the agenda. He said he was requesting authorization to hire two seasonal laborers for the Street Department for the duration not

to exceed three months. The rate of pay is \$15 per hour and will not include any holiday pay or fringe benefits. The applicants that he is recommending are Mr. Aramus J. Morris of Suffern, New York and Mr. Sean M. Szklany of Suffern, New York. The Mayor asked if we could make this subject to personnel and background checks. Mr. Sawicki said they have already been approved by Rockland County personnel. Trustee Falciglia asked if this was budgeted for. Mr. Sawicki said we just transferred the funds. Trustee Falciglia said he doesn't know if this is the time. He said he just wanted to bring something up. He was looking at some overtime and it seems like, and he didn't write all the numbers down, but it seems like some of the departments are way over budget. He said he didn't take a historical look at that and maybe it is skewed and maybe the two past months it normally goes like that. But he is looking at if you keep up at that pace like a quarter of a million dollars over budget. Mr. Sawicki said he is not sure what department you are talking about but that is not the DPW. In terms of a quarter million dollars. The Mayor said what tends to be is that we do tend to run in the beginning of the year higher around this time. The two big times are, where obviously we are in the beginning of the fiscal year, are summer vacations and then Christmas holidays. So those are always the biggest ones - July and August and then - Mr. Sawicki said that over the last couple of months we had taken on some additional projects and as the Mayor had indicated we do have to deal with vacations and any sick time and we still have to get the work done. That is one of the reasons why he wants to bring in these two seasonal employees so that would limit or reduce the amount of overtime that would be necessary. Trustee Falciglia said you understand his concern. You look at that and that translates to like \$80 to \$100 per taxpayer in the next budget. Mr. Sawicki said it is going to have some high points and low points and it is going to average out for the most part. Trustee Falciglia said okay. Mr. Sawicki said again that is the reason why he wants to hire these two gentlemen. Trustee Abato said she had a question. She said we had talked about hiring some of the youths - you never took advantage of that? The Mayor said we did. Mr. Sawicki said what we plan on doing with these two gentlemen is putting them on the back of the garbage truck. The Mayor said that the people we hired did work but we didn't feel it was appropriate to use them in the DPW based on their age and their experience. Mr. Sawicki said oh, okay, that was your question? He said we used them in the office. Trustee Abato said we did use them. Mr. Sawicki said yes. The Mayor said more inside. Trustee Abato said great. She is glad that worked out. A motion to hire the two

summer employees was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

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

NOES: None

ABSENT: None

The Mayor thanked Mr. Sawicki for his good work.

**VILLAGE CLERK:**

**A) Approval of Minutes of Special Board Meeting of May 21, 2013:**

Village Clerk Virginia Menschner requested approval of the minutes of the special Board meeting of May 21, 2013. A motion approving the minutes was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried, with Trustee Abato abstaining.

**B) Approval of Minutes of Regular Board Meeting of June 10, 2013:**

Ms. Menschner requested approval of the minutes of the regular Board meeting of June 10, 2013. A motion approving the minutes was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried, with Trustee Falciglia abstaining.

**C) Request from Georgie Porgie's for Two Tables and Two Chairs:**

Ms. Menschner said we have a request from Georgie Porgie's for two tables and two chairs and it was approved by the Code Enforcer. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

**D) Request - Suffern Women's Club to Sponsor Fundraiser:**

Ms. Menschner said they are requesting to have a fundraiser and it is supposed to run as part of an event which they are looking for for ovarian cancer and it offers the symptoms during the month of September and they want to display ribbons on the

different parts of the Village. A motion approving the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried. The Mayor asked if they had the date there. The Village Clerk said the month of September.

**E) Amend Resolution No. 14, 2013:**

Ms. Menschner said that at the last meeting we made a resolution to hire one of the boys from the county but we hired two. So she would like to change that from one to two.

AMENDED RESOLUTION NO. 14, 2013

RESOLVED, that the Village of Suffern hire two (2) youths from the Rockland County Youth Bureau to work with the Village of Suffern from June 24 to August 26, 2013

A motion to amend the resolution to two hires from the county for the Youth Bureau was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried. The Village Clerk said for their information they are both working out very good. The Mayor said great job.

**FINANCE DEPARTMENT:**

**A) Capital Projects:**

Treasurer Tom Zordan said he believes the Board received an e-mail with the schedule of the fire department accounts that they want to move around so they can pay for the fire roof. So he would just like to get that approved. A motion approving the moving of the accounts was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

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

NOES: None

ABSENT: None

Mr. Zordan said we have two capital projects that they talked about on Thursday that have been fully funded and the expenses have been fully spent and he just wanted to have those projects

closed out. And those two projects are project 2011.003 and that's for the pumps for the sewer plant and the total amount was \$190,000. So he would like to get that one closed out. And then another one is project 2007.004 and that was for the UV lift pump and that was \$30,000 and that has been fully exhausted and he would like to get that one closed out. A motion closing out the accounts was made by Trustee Meehan, seconded by Trustee Abato.

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

NOES: None

ABSENT: None

Trustee Meehan said at the workshop meeting Tom was there and they had some questions and there was a special question that came up with reference to the fire department roof. Basically Tom said well we don't have enough money for that and then we had a discussion and there was a feeling among the Board at that time that they would like to sit down and have a meeting with Tom and since we are all here now. And he doesn't know if the Mayor, since he is working here on a day to day basis, that his presence would necessarily be - but it would be a Village Board meeting so what he would like to do is schedule that. Trustee Meegan-Corrigan said we are going to do that for next time. Trustee Meehan said after September? He said okay. The Mayor said but why - is there a reason why you wouldn't just want to do it as a meeting with the Board members to come in and meet with him. Trustee Meehan said no, they thought they would like to have everybody together. He asked if we wanted to schedule that. Trustee Meegan-Corrigan said let's schedule that in September.

**TRUSTEES:**

**A) Trustee Jo Meegan-Corrigan - 15 Minute Parking in Front of Handy Store:**

Trustee Meegan-Corrigan said there has been a request and she said that she knows that sometimes we grant these requests and she thinks it is a pretty good idea that the Artistic Floors, the shoe store and also the Handy Hardware Store is requesting that on their side, closer down to them, if they could please have a 15 minute parking spot. Trustee Meegan-Corrigan said she spoke

with Bill Schoenleber and he thought that perhaps in front of the shoe store and she was wondering if the Board had any issues with that. The Mayor said we have to do a local law so we have to set a public hearing. Trustee Meehan asked if we had any 15 minute spots in that area now. The Mayor said we have one at the liquor store. We have one across the street at the pizza shop. Trustee Meegan-Corrigan said they are kind of all up at the other end. A motion to set the public hearing for September 17 at 7:35 p.m. was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Attorney Rice asked Chief Osborn to take a look at it and give him a description.

The Mayor said once again great job to everybody involved with Clifford Theater. To Chris and Jillian and to their staff for directing it and everyone and all the kids. It was a really great performance. He said to Cathy good job.

A motion to adjourn the meeting at 8:38 p.m. was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.