

**Village Board Meeting
Monday, September 8, 2008**

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

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

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

ABSENT: None

SET DATES FOR OCTOBER MEETINGS:

The workshop for October will be on Wednesday. The Mayor said we have decided to go from Tuesday to Wednesday for the workshops because Tuesday's got a little difficult when we had a holiday on a Monday and the Fire Chief's had meetings the following night and other members of the Village Board and Village employees were not able to make meetings on Tuesday. So we are going to Wednesday, October 1, 7:00 p.m. and the Village Board meeting will be held on Monday, October 6 at 7:30 p.m.

The Mayor said he has a special presentation right now. The Mayor said he would like to ask the members of the Suffern Little League and their coaches to come down to the front of the auditorium. The Mayor said that these are the Suffern Little League 12-year-old All Stars. He said they played in the Canadian-American Can-Am Tournament held in Syracuse from Friday to Sunday, August 8 to 10. The boys played 5 games over the weekend, winning all 5. The title game was a nail-biter that they won 6-5. The team was accompanied by 34 parents, family members and friends and the Mayor said that he would like to give out some certificates to each one of these Little Leaguers and coaches who are present. The Mayor then presented certificates.

Mayor Keegan said that we would start the meeting with a short presentation from the people of Esther Gitlow Towers. He asked Mr. Tekel to come up.

Mr. Lou Tekel said that he has been around the Esther Gitlow Towers for 30 years. He said they have a wonderful relationship and partnership with the Village of Suffern and the Trustees and he would like to thank them for their past help and their future help. He said the two boards have been partners in senior housing. He said they both serve on the same mission of trying to get housing for senior citizens. He said they have been lucky for the past years getting one building, finishing another building, and now they are up before the Board for permission to put their

application in for a third building. He said he knows they have to go through all the other Boards, the Planning Board, the Zoning Board and all the variances and so forth. But all they are here for tonight is to explain their views to the Board and to hope that they will be able to grant them permission to move ahead. He said that in the past 28 years, they have given out 1298 applications for senior housing. He said that 494 have been from the Village of Suffern who have lived in their building over the past 28 years. He said that most of the Board has had relatives who have lived in the building and he hopes that they can help some of the seniors from here on through to get more senior housing. Because the need is vital for this county. He said that is 38% of the residents of Suffern have lived in that building. He said that their present building, which they started to advertise on August 22, has gotten 172 applications in 16 days. Out of the 172 applications, 94 of them are people from Suffern. He said he knows that there is a problem with the address of Suffern. He said that he is not aware that some people may not live in the exact city of Suffern, that they live in the surrounding areas and they still use a Suffern mail box. But they can only go by what they have in front of them without discriminating. Mayor Keegan asked Mr. Tekel if he was not able to determine how many of those residents were actually Village of Suffern residents. Mr. Tekel said he thinks they did. They went through the names and the addresses and they have the list in front of them. But, as they know, the list is made up under HUD regulations and he can only show him the addresses and he has a copy of it which he would like to give to the Board for their examination. He said that out of the 172, 52 of them are from Rockland County, 26 are from outside of the County, and 94 are from Suffern. He said that they have almost two weeks to go for applications. So until they get to the date of September 22, and on the 23rd they are going to open all the sealed applications and they are going to put them into a lottery and they are going to draw them here at the Village hall and hopefully these seniors will get into that lottery. Everybody else will go on that waiting list for that building. He said their own building has a year and a half waiting list. And they hope that they can move forward from there. He said a question came up as to the way they calculate the rents and he would just like to say a few words about that and his grandson Adam will walk them through a complete rent application. So they can see how the rents are. It is not just for very low incomes but it is for moderate income people. And people never understood that they could serve the entire population. It is not made for rich people but it is made for the people who have no housing. He said that they have been looking at some of the statistics in the Census Bureau of 2000 and there are 1588 people in the Village of Suffern that would be eligible for their type of housing and they are only asking for 80 units. So it is only a small button in the whole package.

Mayor Keegan said let's clarify that. He said you are asking for 80 additional units. Mr. Tekel said right. The Mayor said that he just wanted to clarify that. He said that right now there is a tower with 80 units that is getting set to open. The Mayor said for the

audience he just wanted to clarify that they are requesting an additional 80. Mr. Tekel said the application is still in front of HUD and HUD may not even grant them this application. He said that all they are asking for is a letter from the Board supporting senior housing, knowing full well that they have to go through the full gamut of all the Boards and all the variances. And that is all they are asking for. He said that he would like to turn the mic over to his grandson, Adam, who will explain how the actual certification works.

Adam Tekel said that basically his role here tonight is to enlighten and educate everybody in the room about the Department of Housing and Urban Development and what it is and what its goals are and how it fits into us perfectly here in Suffern. He said that since they already have the property and they are looking to develop the maximum amount of senior housing in Rockland County, which we most desperately need, he said he just wanted to enlighten them a little bit about eligibility. About who in Suffern is actually eligible to move into this building. There has been some misunderstanding about HUD and how affordable housing actually works. So what he did was that he drew up a sample of what someone who is a resident of Suffern for whatever length of time they have been here and how we can help them afford to stay in Suffern, which is their goal. And of course their goal is to help and work with the Village of Suffern. He said he wanted to show the social security which is a fairly prolific way of people over the age of 62 who have worked their whole life collecting their social security as well as a pension. The average is \$1100 for social security along with a \$400 pension. So \$1500 a month. \$13,200 in social security for the year; \$4800 as a pension. The way this gets calculated is all part of your rent. Everybody's rent is based on a sliding scale. So if you have a lot of money, your rent is on the high end. And if you have no money, your rent is as low as \$25 a month. But the average rent in Suffern going upwards of \$1400, a \$300 beautiful brand new apartment is quite attractive to anybody 62 and if you qualify. So the way they calculate this is that they break down the income. From the income, they separate out assets. This person, Mrs. Jones, for example, has a checking account here at Provident Bank which is earning 2% and they have \$2500 in there. That earns her \$50 a year. She may also have a CD worth \$60,000 that she saved and that is going to earn her 4% at Provident Bank. He said they calculate the income that the assets are earning, so you can still live comfortably in affordable housing and you can still have assets and that is his point. He said so this person right here would have \$13,200 in social security, \$4,800 in pension, \$50 from a checking account, \$2400 from a CD and condo in Bon Aire. The condo in Bon Aire is worth \$150,000. You bought it 30 years ago and you don't have a mortgage on it, your closing costs might be \$10,000. That leaves you with a net value of \$140,000. He said they count 2% of that \$140,000 so that adds \$2800 to your income. In other words, what he is trying to show the Board, they very much reach middle class average people in Suffern that are 62 that would love to stay in Suffern but can't afford to pay the \$1400 a month rent. So this first page just shows the actual income

and asset side. And then what HUD does is HUD calculates medical expenses. They recognize that every senior pretty much has medical expenses on a regular basis. So what he did is that he drew up an example. He said medicare - everyone who is getting social security is paying into medicare. They have to pay \$96.40 a month for medicare which equates to \$1156.80 per year. An average CVS bill that he sees for his residents before medicare D might average about \$900. So HUD requires them to deduct medical expenses off of the income which in essence lowers the rent, makes it more affordable as a senior to live. So they give every household that is over 62 an automatic \$400 credit every single year when he recertifies all their residents, some of which are here tonight. He said that what they do is that they give them that \$400 reduction so that it can help offset the cost of some of their bills. And on top of that HUD gives up 97% of their medical expense and allows them to deduct that directly off their rent. So if your medical expense totals \$2,056 which will be 3%, HUD expects you to pay 3% of your total income for medical expenses, they will pay 97% and that will be \$2,056 times 3% which leaves you with \$617. So of all your medical bills, HUD only expects you to pay \$617 and the rest comes off your rent. So it brings your rent down significantly. As many of the residents that he has brought with him can testify to the fact that as medical expenses start to get higher and higher, it actually lowers their rent. So to summarize this little example, they have a total income of \$18,000 just from income, an asset income of \$5200 which was the condo in Bon Aire, and they have a total income of \$23,250. That is not such a strange income. Elderly deduction \$400, tenant responsibility for the medical portion \$617, which is all HUD wants you to pay and they are going to pay the rest, and the adjusted total income comes all the way down and now it is only \$22,232. So you living in Suffern earning \$22,000 a year with average medical expenses, and some have much more medical expenses, would only wind up paying at Esther Gitlow Towers \$488 a month. Any other apartment complex in Suffern would be about \$1400 for the same apartment. So it is a great opportunity for us to have the elderly - the baby boomer generation which is starting to turn 62 in mass numbers - and supply, in his opinion, will never reach demand and it is very important for them to proceed if they can get through the Planning Board and Zoning Board. He said he hopes that the Board will take their application seriously because he thinks that senior housing is a vital, vital part of Rockland County as Rockland County has the largest growing senior population in the entire state of New York. He said we need to plan for the future. The money is here now. And he hopes that the Village Board can recognize that because we need to take care of the seniors and this is the best and most affordable way to do so. So they are asking the Board to give them the blessing to move forward to apply for these funds. He said they need the Village Board to say yes, we need more senior housing so that we can get the funds from HUD and build more senior housing for Suffern.

Trustee Abato said that she had a question. Just on the medical, just as a point of knowledge for herself. The total responsibility for the medical is \$617 therefore HUD will take care of \$1339. So

wouldn't that be \$1339 credit as opposed to \$617. Mr. Tekel said the tenant themselves is responsible for 40% of the total income. So 3% of \$23,250 is \$617. Trustee Abato said okay. So why are the total medical expenses \$2,056. Mr. Tekel said the total medical is \$2,056 less 3%. Trustee Abato said okay, so what happens to what HUD's portion is going to be. Mr. Tekel said that HUD's portion comes - your medical, besides from the 3% that you are responsible for, just comes directly off your income. So it brought your income from \$23,250 down to \$22,230, leaving you with a low rent of \$488. Trustee Abato said she is still not following him because she is not seeing where the rest of the medical expenses are. They are still having to pay those. Mr. Tekel said you still have to pay them. That is correct. Trustee Abato said that is all she wanted to know. Mr. Tekel said that the more expenses that you pay, the less your rent comes down and it comes down that HUD will allow you to deduct up to 97% of your expenses.

The Mayor thanked Mr. Tekel for his presentation. He said they will certainly take this into consideration. Mr. Tekel said that he wanted to say one more thing. He said that \$67 is given to every resident in their building for a utility allowance charge. So theoretically the rent should have been \$555 per month following this calculation but they deduct \$67 a month to help the seniors pay their O&R bill, which everybody in this room knows has been going up like crazy. So the rent comes down from \$555 to \$488.

The Mayor thanked him. Trustee Meehan said that he has heard, and right now, of course, Esther Gitlow does not pay any taxes to the Village. And we provide significant services especially police services. In fact, he had asked the police chief to come up with some numbers and just this year alone, we have made 82 police calls to Esther Gitlow and those obviously cost the taxpayers. He said it was his understanding that there was a possibility of a Payment In Lieu of Taxes, or a PILOT, possibly for the third building. He asked Mr. Tekel to comment on that.

Mr. Tekel said that now HUD has recognized that due to a lack of land and good clean sites to build this affordable housing, they have come to the realization that not every community will go along with tax exempt properties and count on that money for their tax rolls. So what they have done is that they have created PILOT programs successfully all through the state of New York where they are allowed to pay money in lieu of taxes and that PILOT program must be agreed upon by Terry Rice, and by their attorney, which is set forth by HUD. And they are allowed to pay money in lieu of taxes now, and so if the Village gives them a proposed number of what they feel is appropriate for that building to pay and contribute each year in addition to the recreation fee and the building permit fees, they would be happy to contribute that to the Village.

Trustee Haggerty asked what a Village of Suffern resident has to do to get in there. Mr. Tekel said that all a Village of Suffern resident has to do is apply. The building that they have right now,

with Rockland County's help, and with the lack of affordable housing, has about a year and a half wait and that is why they need more of this housing. They have a waiting list. All one would need to do is apply and fall into the income restrictions. Trustee Haggerty said that Mr. Tekel has said that several times so he knows that they need more housing, according to Mr. Tekel, but Trustee Haggerty's concern is that for the Village of Suffern residents to be able to go into their facility - what does it take? Trustee Haggerty said he had a person who was very much in need, who was eligible and still never got in it. Mr. Tekel said that the regulations of HUD require them to follow a federal waiting list. And what that audited waiting list does is that it makes it fair for everybody and anybody, and he is not sure about the specific case that Trustee Haggerty is referring to, and he would be happy to look into it for him, but everybody in Suffern that has come into his office and has asked for an application, and he has many of them sitting right here. They have walked into his office. They are residents of Suffern. He has helped them fill out their application and they are loving living at Esther Gitlow. He said they are very accessible. They are there everyday and they will help everybody from Suffern that they can.

The Mayor thanked both Mr. Tekel's for their presentation.

FIRE DEPARTMENT:

Deputy Chief Dan McInerney said that they had two applications for membership at the Hook and Ladder and one member at the Hose Company seeking Village approval to add them to the insurance rolls pending the company vote as well as they are looking to find out the status of the return of the truck bid.

A motion to approve the three applications for membership to the fire department was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

Attorney Terry Rice said that the fire truck, as you know, only one bid was received. Legally, if we receive one bid we certainly have the ability to open it and act on it but strategically it may or may not make sense to open it. He said they spoke about it at the workshop meeting last week. Virginia spoke to the other potential bidders and she will tell him but he believes that everyone else said they were not interested in bidding. At this point in time, if the Board wishes, it can direct that Virginia open the bids tomorrow and give it to the truck committee to assess whether or not it is in compliance with the bid specs and in what matter it isn't if in fact it is not fully in compliance. And if you also want to go further, before you award the bid, you certainly have to authorize the bonding so that you have the money in place before you award the bid.

A motion authorizing Virginia Menschner to open the bid was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

BUILDING DEPARTMENT:

A) Request: Good Samaritan Hospital - Temporary Certificate of Occupancy:

The Mayor said we have a request from Good Samaritan Hospital to continue their temporary Certificate of Occupancy. Attorney Rice said that Mr. Montalbano is here on behalf of the hospital. Attorney Rice said he spoke to him Wednesday after our workshop meeting and he is going to address the couple of issues that the Board was interested in, in particular the fact that the sidewalk construction ceased before it got to Hillcrest. And also the story in *The Journal News* about Good Sam apparently wishing to expand the emergency room and how that is going to work in with the planning process that has to occur with the Village Planning Board.

Mr. Montalbano said that this is their application to extend their temporary Certificate of Occupancy. He said that they have completed the entrance and exit on Route 59 and what is remaining are the utility poles from Orange and Rockland Utility. According to our contractor, Holt Construction, they are awaiting Orange and Rockland to come to the site, take the poles down, connect the underground electric. The finished paving for the entrance and exit on Route 59 will take two or three days. They expect that this will be completed within the next couple of weeks. He said they are not sure. It depends upon O&R's work schedule. And the hospital is anxious and the medical office building is anxious to get that entrance opened on Route 59.

He said that Mr. Rice called and asked him if it was true that there was some concern whether or not the hospital was going to continue the sidewalk down to Hillcrest. Mr. Montalbano said that the hospital is committed to completing the sidewalk down to Hillcrest. It will be completed as we agreed. And he is not sure what the work schedule is. Whether it will be finished this fall or whether it will be finished in the spring. He said they agreed with the Board that they would complete the sidewalk by July of next year and hopefully it will be done much sooner than that, but the sidewalk will be installed. He said the third question, and he spoke with Mr. Schneiders, the executive vice president of the hospital, concerning the article in the newspaper as to a potential expansion of the emergency room. That is something that is under active consideration by the hospital. There has been some fund raising activity but they don't have any final plans yet. They are working with their architect. They anticipate that they may have to expand the emergency room but they haven't gotten approval from New York state, they haven't gotten approval from Bon Secours and they are at the first stage of fund raising, namely, trying to raise some money because even if they don't get approval, they have to make some renovations with respect to the emergency room.

Attorney Rice said that the temporary c.o.'s were for 50% and he thinks it was originally a third and then 50%. He said his understanding is that you are at 50% occupancy at this point so we

are staying at 50%. Mr. Montalbano said he is not sure if they are beyond 30 or 33%. Attorney Rice said he saw from the Building Department. They have them at 50%. Mr. Montalbano said we are at 50% now? Attorney Rice said that is what they tell us. Trustee Abato said that we have said that you will not exceed 50%. Mr. Montalbano said okay. And what happens if we do exceed 50%. This is a first for him. Trustee Abato said that is not complying with the terms. Mr. Montalbano said the only thing he believes that they need for compliance with their agreement with the Village Board is to open up that drive that is still closed. He said they had agreed that they would complete the remainder of the sidewalk by July of 2009. If you look back at the minutes of the Board. And he believes that Ms. Abato was the one that strongly urged that and they agreed that they would do that. They originally had an agreement that they would complete the sidewalk within one year from the time that the certificate of occupancy was issued. You then requested, and other Board members requested, that they complete the sidewalk no later than July 2009 and they are going to do that. He said he thinks they have to build a retaining wall to complete the sidewalk from where it presently ends down to Hillcrest and that is why that hasn't been finished. Attorney Rice said that when they put the condition of the one year on completion of the sidewalks, he thinks that that was before we got into this continuum of temporary c.o.'s. He said he didn't think the Board thought it was going to go this route. Mr. Montalbano said that he was sorry, but he couldn't hear him. Attorney Rice said that when the Board put the condition on the sidewalks of completion within one year it was the Board's anticipation that there wouldn't be a continuum of temporary c.o.'s because that is highly unusual. Yes, you said July but originally the anticipation was that it would be done sooner, he believes. Mr. Montalbano said that he can inquire on that. He doesn't know what Holt's work schedule is on that. Attorney Rice said it doesn't matter. He is just correcting the fact that we did think it was going to be done sooner.

Trustee Abato asked if he knew how many times he thought we were going to be renewing this temporary c.o. Mr. Montalbano said that he really couldn't tell them. He said that he thinks that if they complete the sidewalk. He then said that first of all, he doesn't think completion of the sidewalk should prohibit or does not prohibit the issuance of a certificate of occupancy for the shell of the building. Attorney Rice said that he thinks if we ever get to that point then we are going to have to come up with some type of security to make sure that it is done. Because otherwise he doesn't think that the Village or the Building Department really would be able to issue a final c.o. He said he thinks that the Board can consider some type of bonding. Mr. Montalbano said he doesn't think Good Samaritan Hospital is going anywhere and they certainly have spent a lot of money putting up the medical office building. He said he thinks that their assurance to this Board that they would complete the sidewalk by July, and you have the ability to fine them if they don't do it, through the Building Department. Attorney Rice said with all due respect he thinks that the Board tries to treat everybody equally and under the law they shouldn't

be issuing a c.o. with something outstanding like that and we have had a long history with Good Sam and we just want to make sure that everything is done properly. So it is certainly up to the Board but he thinks that if we ever get to that point he thinks that is something that is going to have to be considered. Trustee Abato said to get to the point of the July 2009, she had to kick her feet and scream for several meetings to get them to actually commit. So for her, she agrees with Terry. She said that she thinks that we have to have some kind of assurance whether it is bonding or something. Mr. Montalbano said it didn't take you several meetings at all. He said that they asked him at one meeting and he turned to someone from the hospital and they said yes. Trustee Abato said yes but it kept going on and on about the sidewalks and finally we said we want a date because it kept getting pushed back, pushed back, pushed back.

Trustee Meehan said that one of the things that happens is that you go and build a beautiful sidewalk and then they come up to him and the other Board members and ask where the rest of the sidewalk is. So he is asking him where the rest of the sidewalk is. Mr. Montalbano said that he told them July 2009. Do the rules change every meeting? Trustee Meehan said that he has been involved in construction a lot. He said he was involved in the construction of the most difficult and most expensive public building built in this County so he knows a lot about this and he was Planning and Public Works Chairman there too. You don't build a sidewalk and stop. It doesn't make any economic sense. And it looks terrible. And they are very unhappy. Trustee Meehan said that when you go talk to your client. Mr. Montalbano said why should you be unhappy when they have done everything that you have requested of them. He said that he objects to that. He said that you requested certain things of them. The sidewalk was an afterthought when two citizens showed up at a Village Board meeting when we were going through the approval process and you asked them if they would put a sidewalk in. And they agreed to put the sidewalk in. You then asked when will you complete the sidewalk. We said that we would complete the sidewalk within one year of the issuance of a certificate of occupancy. You then asked them to please change that to no later than July 2009 and they agreed to that. And now you say to him that you are unhappy. Well he is unhappy that you want to change the rules. Trustee Abato said it is not the rule, with all due respect. When you start building a sidewalk you don't build half a sidewalk and then the next year continue the sidewalk. First of all, it doesn't look nice. It is our Village. Number 2, it is not safe. You go down a sidewalk and all of a sudden it stops. And, you know what, we have driven past there and the residents drive past there and they are very unhappy. And she thinks that we have a valid beef with the fact that you can't start something and not finish it. That is really taking advantage. The Mayor said the biggest problem is that we don't have any communication with the hospital. Mr. Montalbano said yes you do. He said that Attorney Rice called him and he picked up the phone immediately. He said if you had a problem you could always pick up the phone through Terry and speak to him. There are representatives of the hospital that you can speak to

that are available. The Mayor said we should not have to come to you. You are the one that wants to do the building. Someone should call us and say we would like to set up a meeting, we would like to give you the progress in our hospital so that when we get the e-mails and the phone calls from the residents why is there only half a sidewalk we know what to tell them. That is simple enough. Do you agree? Mr. Montalbano said that he will do this. He said that he will go back to the hospital. Trustee Abato said that she would have preferred that you did absolutely no sidewalk until you were going to do the whole thing. Mr. Montalbano said that the hospital originally, originally, had not intended to put a sidewalk in. Trustee Abato said that is water under the bridge. We are past all that. Let's not go there. Mr. Montalbano said that they agreed to put a sidewalk in and they agreed at a meeting with you. He said that he is just upset about the concept that the public believes that perhaps the hospital has not fulfilled its promises to this Board. It has fulfilled its promise to this Board. If you are saying to me please go back to the hospital and ask them to complete the sidewalk sooner than July, 2009 as was originally agreed, he would be happy to do that. But he doesn't want the public nor this Board to have the impression that we did not comply with what we agreed to with you. Trustee Abato said that she doesn't think there is one person in this room that believes that for one minute. She said that she thinks that what they are saying to him is that if you start something, finish it. Mr. Montalbano said okay, he will go back and talk to the hospital. Trustee Abato said that if you polled the audience, she is sure that is what they think. Trustee LaCorte said that he thinks the one issue going back, and that pre-dated this Board, was the agreement which was on that piece of paper was that you would do the sidewalk within a year of the c.o. and he doesn't think that anyone anticipated that we would be constantly going back for the temporary c.o. So then when we had the discussion we were seeing this thing and what is going on with the sidewalk and you said it is within a year of the c.o. and we haven't been granted a c.o. and the Board said well, you have been granted temporary c.o.'s and isn't that a c.o. So we have been in this process of granting temporary c.o.'s for pretty much four years. Mr. Montalbano said he promises them that he will go back to the hospital and he will talk with them and if we can get this done this fall, he would be happy to even be in touch with Terry and send him a letter or call him and just tell him the results of his conversations. He said that they don't want to be in an adversarial position and he doesn't want them to believe that for any moment that - he said he understands that the hospital had intended not to do the sidewalk going west to where the bus stop is down to Hillcrest until they were going to do it all at once. But they decided to if they didn't have to build the retaining wall, they built the sidewalk in a westerly direction to where that driveway is. And maybe that has created some confusion and that created also phone calls about well are they going to stop the sidewalk there and that was never their intention. And they are going to complete the sidewalk. And he will go back and urge them to do it as quickly as possible. Trustee Abato said that is all and thanked him.

A motion to grant the temporary c.o. subject to the same terms and conditions as the prior extensions was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

CULTURE AND RECREATION:

Mrs. Gail Curtin said that the recreation update since their last meeting is that they had their last teen pool party on Tuesday, August 12, concert on Thursday, August 14, and they participated in the Suffern Midget Mountie parade and bonfire on Thursday, August 28. She said she would like to remind them and hope that they join us at the Herb Reich Senior Citizen Picnic this Wednesday, September 10, at 11:30 a.m. at the Mahwah Elks Lodge. She said that as they know, the Village will also be remembering 9-11 two times. On Thursday, September 11, employees are being invited outside of Village Hall at 8:45 a.m. and the community is then invited to the Donna Hallett Park in Squires Gate on Thursday evening, September 11, at 7:00 p.m. She said they are proceeding with Suffern Day and both chairmen are sitting right here and they are working very, very diligently and they are happy with their progress both from what they call the field and off the field. She said that she also wanted to point out to them, and she hoped that they saw in the latest copy of *Rockland Magazine* on page 21 where they list several day-tripper trips, Suffern Day is included in this issue of *Rockland Magazine*. So the chairmen, she is sure, are very happy with that.

The Halloween Window Painting in conjunction with the Chamber of Commerce will take place on Saturday, October 18. The Halloween Parade will take place on Sunday, October 26 at 2:00 p.m. Tickets are now on sale for their next trip to New York City to see *Mama Mia* on Saturday, November 15. The Holiday Lighting has been scheduled for Thursday evening, December 4. The Pearl Harbor Commemoration has been scheduled for Sunday afternoon, December 7. Mrs. Curtin said that Kathy Van Sickle and she have been working with the Tech Spectrum Computer company and the latest information that we have this evening is that sometime this week, the updated website will be launched. She said we are learning what all that means, by the way, but by the end of the week we will only be making changes to one website. She said that at the Mayor's request, the Recreation Department has taken on the responsibility of updating the Village window on the new Chamber of Commerce kiosk and she has for them a smaller version of the current poster which is on that kiosk which lists the activities that she just mentioned.

Mrs. Curtin said that on behalf of the Suffern pool, she hopes that they will allow her to read a letter:

Honorable Board Members:

As has been tradition, you will be receiving a copy of the Head Guards' 2008 report. I do not expect that the report(s) will reach us (subsequently, you), for a few

weeks, and will take this opportunity to provide a brief synopsis.

As has been tradition, we opened the pool in what gave the appearance of "early." There were comments from residents about how delighted their children were to be able to swim sooner than the norm. The Suffern Memorial Pool was opened on Saturday, June 21 and was open each and every day until the evening of Labor Day, September 1. There were no bad weather closings the entire season. As stated, you will receive a copy of two detailed reports at a later date. For now, however, please accept my opinion that the 2008 pool season in your Village was a huge success. I believe that your continued cooperation, financial support and confidence in the planning process were greatly responsible for this outcome. Thank you.

Mrs. Curtin said that in addition to that, we did send a letter of thanks to Bob Conklin and the Water Department for their tremendous assistance at the pool this year, to Chief Clarke Osborn and his department, and to Dan Haglund and his department. She said the other two items on the agenda include, and she thinks Virginia has for them a resolution, for funds for the Clifford Theater program. She asked the Village Clerk if she would be covering that under her section. Virginia said that Mrs. Curtin could explain if she wanted. Mrs. Curtin said she didn't have the final.

The Village Clerk, Virginia Menschner, read the following:

RESOLUTION NO. 10, 2008

I, Virginia Menschner, the duly acting Village Clerk of the Village of Suffern do hereby certify that the following resolution was adopted at a regular meeting that the Village Board held on September 8, 2008 and is incorporated in the original minutes of said meeting and that the said resolution has not been altered, amended or revoked and is in full force and effect.

WHEREAS, this organization has received a special grant in the 2008 and 2009 New York State budget; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;

NOW, THEREFORE, this body resolves the following:

1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in "GUIDELINES to prepare Grant Agreements for non-construction projects \$50,000 and under - Fiscal Year 2008-2009," provided by the New York State Office Parks, Recreation and Historic Preservation.

2. That Virginia Menschner, as Village Clerk of our organization, is hereby authorized to sign legal documents on behalf of our organization and that such signature is acknowledgment of the acceptance by this body of compliance with all terms and conditions of the grant agreement, to be executed by the grant.

A motion authorizing Resolution No. 10, 2008 was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

Mrs. Curtin said that as they know, that grant was achieved through Assemblywoman Ellen Jaffee's efforts and it is for \$2,500.

And the final item that Mrs. Curtin has is a request for herself and Louis Ciaccio to attend the New York State Recreation Conference. This is a one-day conference in White Plains. Total cost \$120. 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

VILLAGE ATTORNEY:

Attorney Rice said that he covered everything that they needed to talk about at the workshop meeting.

POLICE DEPARTMENT:

Chief Clarke Osborn said that he had no report this month.

AUDIENCE PARTICIPATION:

Ennis Mehdi of 35 Park Avenue said that he and his wife walk from CVS down to the library and they walk on the sidewalk that the hospital has completed. And then they have to go into the street, actually, so it is actually endangering them. He said they are walking and there is oncoming traffic coming at them so what Trustee Abato said was absolutely correct with the fact that it is an endangerment to us.

He said that he has a request that the Board, at this point, make a motion and pass a resolution and send it to the Planning Board before they meet Wednesday that eminent domain, that power, will not be exercised in the case of the urban renewal project. He said there are folks in the Village that are family - they are family to him, and they are family to other people in the Village. They live here. They have neighbors. They work in the Village. They work for

professionals and the professionals have practices. It is not just affecting one particular individual - a homeowner - it is a ripple effect and it's that kind of a thing that will affect other people. So he asks that the Board do this because he thinks it is something that is morally correct. The Village is a family. So he would like them to respond to his request. Attorney Rice said that first of all, the statute envisions a particular process and the Village Board already made the determination to have the Planning Board proceed with the hearing and he frankly thinks that legally it would be premature for the Village Board to act until the Planning Board has completed the process and made a recommendation.

Mr. Mehdi said that their recommendation is based on the Saccardi and Schiff assessment which includes certain tracts that Mr. LaCorte indicated that you folks would exercise your power of eminent domain if it came to that point. And all he is asking is that they state that they will not exercise that power of eminent domain. Attorney Rice said that the Board is not going to make a determination that they are not going to exercise their legal authority. They are going to let the process continue and then when it comes back to them they will make whatever they think is the appropriate determination. But again, as Mr. LaCorte has said on a number of occasions, number one - eminent domain is not the first choice and number two - the only thing that the Village Board has agreed that they would ever consider if it ever got to that point is eminent domain on the first of the three blocks. Trustee Abato said no residential. Attorney Rice said right, where there are no single family homes. Except for one who is in agreement. Mr. Mehdi said that what happens is that by this we have rendered those properties carrying essentially because if people have to sell those properties for whatever reason, you are not going to have any buyers out there. You can ask any realtor and with this in the open with no final resolution, other than if you have to sell, other than vultures, will not be out there purchasing. Trustee LaCorte said that it will come back to the Village Board. There is going to be a public hearing that the Village Board is going to consider these very issues. We are just following the process. Trustee Abato said the Board has not exercised its power to do anything with the eminent domain. It is just that that is there in place if the Board chooses to use it or not. But in no way shape or form has anyone on this Board ever said that they are going to take it. That is a very last resort for all of us. That is not our choice. Mr. Mehdi said but you are leaving that as an option and that is all he is asking.

Mr. Mehdi said that he wanted to commend every one of them for the amount of time that they point into their jobs and things. He said he knows personally how hard they work and that they want to improve the image of the Village and do what's best for the Village. He said he thinks that we have 11,000 or 12,000 residents here of all professions - doctors, lawyers, architects, etc., etc., and he thinks it probably would be a good idea to have a town hall meeting where we communicate to the entire Village residents like we do via telephone. It was really nice in the summer time when we had those excruciating hot days. He said he got a telephone call

saying that the Community Center is open and come and you can sit there and cool off in the air conditioning. He said he thinks a communication, and it is not going to cost a lot of money because he is sure our telephone options are that you can make as many calls for a flat rate but a call like that inviting everybody to come down to see what their recommendations are to improve the existing image of the Village. Because right now there is an image, in his opinion, that encourages people that have certain illnesses to come here to pay and get their fix. Specifically, you have owners of properties that, frankly speaking, all they are interested in is the money. It is obvious it does not matter to them who they rent to as long as it is a permitted use or if it is not a permitted use, they will come to ask for a variance. One of the properties that he specifically refers to is the OTB. He said he doesn't see any reason why our Village here, a family Village, should permit such an establishment to exist in this Village. It's encouraging people of a certain demographic to come into the Village from other areas here to get their fix and pay for it. There is no benefit to the Village absolutely. In fact there may be detriment. Because those same people may be the same people that go to the liquor store then which also is satisfying the particular, in certain cases, an illness that certain people have. So it is not building additional residences that will attract individuals who then will need certain stores. What he thinks that we have to do is get the input from the 11,000 or 12,000 Village residents who have suggestions on what can be done to enhance the type of establishments that are in the Village such that then you attract the type of people that would patronize those types of Villages. If you go into places like Ramsey, if you walk down their main street, you see specialty shops. He said that we could have certain types of specialty shops that would attract a certain demographic that would enhance the image of the Village. He said that is his recommendation.

Michael Curley of 84 Orange Avenue said that he doesn't think prohibition should come back to America. He thinks that capitalism is a right in America. People have a right, whether it is a liquor store or off-track betting or any of those things - they have a right - or a car wash or whatever it may be. But his real point is that a few months back when they discussed about selling water and there was some decisions on selling water and not selling water. He said if you look back at that time period we had the Town Board of Ramapo with Chris St. Lawrence as the Supervisor who went ahead without even speaking with this Board, had a meeting where he spoke about how we should conserve water. His question that he leaves with everyone here - did he already have negotiations or did that Town Board already know about the quarry property and the multitude of condos that might be there that would need water. Was his purpose not to conserve water but to sell it to someone else down the line. And he asks the Board to look into that - just to think about it. So we realize the character of people that we are dealing with and it is your responsibility to protect the Village of Suffern and the people, which he believes they are doing. He said he is going to spend his time and look into it for everyone.

Because he thinks it is important. Because if he had knowledge, and he had negotiations of any sort going on with that quarry, then his whole facade and the conspiracy that they set up to force us, to even kind of force us to not sell our water, which would have given the taxpayers a 26% difference in their water bills is a crime in itself. And he thinks it is all of our responsibilities because as a town representative, and that whole Board, they then sold out this whole Village of Suffern. And that should be looked at because then it wasn't a point of conserving water. It was a point of who the town wanted us to sell our water to. And he thinks it is just a point that we should think about.

Dave Gutierrez of 23 Meadow Avenue said that there have been a lot of questions and a lot of unclarity and he just wants to ask a question from an educational standpoint. Has Mr. Blauvelt agreed to sell his house or has he agreed to eminent domain of his house. There are so many questions and so many stories going around. Trustee LaCorte said that he can speak although he hasn't had direct conversations because we are not negotiating. But he knows that in the past that he or representatives of his family had conversations with developers. Trustee LaCorte said he is not sure if there was a contract signed. He believes prices were agreed upon. You had the original developer, River Development, and then you had Ginsburg. So he does know that there were prices thrown about and there were numbers. He doesn't know if there was a contract signed. But that was the case in the past. Trustee LaCorte said that one thing that he would speak to that Ennis had said, without getting into the whole issue, he doesn't know necessarily, and again it is not that the Village has or they have said or they have all said, and he doesn't think there is any consensus here to use eminent domain on residential properties. But in terms of changing the zoning. It could be argued that the property becomes more valuable because he does know that in the case of Mr. Blauvelt and in the case that was paid for Lou's - that the prices paid for those properties or were offered for those properties, was much higher based on the anticipation of some sort of condominiums going in there than would otherwise be paid. So there is one thing to say that you are not willing to take away people's homes, and he thinks they all agree to that, and he believes everyone strongly will make that opinion heard when they get the opportunity to comment on this. But necessarily the idea of redeveloping property and even potentially rezoning it and leaving it in the hands of the property owner to determine whether or not to develop is not necessarily something that is bad for property values.

Mr. Gutierrez said that if Mr. Blauvelt or his children, in the case of whether or not they are taking care of his property, decide not to sell at all, is there a possibility that eminent domain will be used. Trustee LaCorte said that hypothetically, yes. Mr. Gutierrez said it is not hypothetical. Trustee LaCorte said let's just see what is going to happen. There is no point in addressing hypotheticals here. We will have to come to that point. Mr. Gutierrez said that there has been some discussion that eminent domain would be used to take the Green Room. Trustee LaCorte said

that there has been no discussion. They have not had any negotiations with any property owner about anything. Mr. Gutierrez said that he is trying not to be argumentative but what he has read in the paper and all that is that if eminent domain is used it is going to be used for Phase I. Trustee Abato said that you can hear from this Board that there have been no discussions as Dagan has stated of any eminent domain powers being exercised. Mr. Gutierrez said great. He said if eminent domain is used, will there be some kind of program or project or initiative to place our displaced people in the Green Room and/or Phases II or III or whatever. Trustee LaCorte said that with respect to businesses, there is relocation expenses provided under law. That is something that is negotiated. He said that all he knows is that at a point, Ginsburg had had a price based on what they thought it would cost them to acquire the land, based on conversations they had with every landowner. The extent and how far they got and where they were, he doesn't know. And the similar with the developer came before them. Mr. Gutierrez said great and he thought Mr. Curley's statement was pretty interesting and insightful and something to look into.

Arnold Helfgott of 35 Park Avenue, Apt. 2A, said he moved to Suffern about 37 years ago and he has lived here for about 27 years. He said there is no question in his mind that there are things that can be done in the Village that would improve the Village. For example, the old gas station - Lou's gas station - that really isn't something that you would really want to have in the Village or even the commercial building next door. But he is vitally concerned about the type of merchants who occupy the stores in the Village. We don't need 3 check cashing places in the Village and we don't need 8 convenient stores in the Village. He said he does commercial real estate and all kinds of real estate. He said he can find himself a place to live anywhere in Rockland or Orange County but the only place that he would ever live is in the Village of Suffern. And he had a commercial customer that was referred to him by another customer who had an antique shop in New Jersey and she heard about Suffern and thought she might be interested in opening up a store here. Since he got her from another customer he wasn't worried about her so he told her to drive through the Village and there were several places that were available and get back to him and he would make an appointment to see it. Well, she did that and she said to him after, called him up and said, "Arnold, the Village of Suffern is not where I want to put my money." There is an antique shop that opened up right on the corner - Finders Keepers. That is the type of shop you want in the Village. And there is no question that there are things in the Village that we don't need here or that could be improved but the urban renewal project that is proposed is not a good idea. If you try to get out from East Park Place onto Orange Avenue, you can't do it. Try to make a left turn onto Lafayette from Park Place, you can't do it. 1400 units is going to put at least another 2800 cars on the streets which Chief Osborn and his police officers are going to have to take care of. Orry Osinga's project on Cross Street is going to add at least 100 cars. But his project is in the Village but it is not in the Village because it is far enough away not to

impose the traffic on the Village streets and a project of that nature which units start at \$369,000 is a good addition if you want to talk about residential housing. There is only 56 units there. And it is only going to put another 100 cars on the street. It is in the Village but it isn't. It doesn't impose its presence on the Village. And that project is actually going to increase all of the real estate values of the entire Village. It will certainly increase the value of the apartments that are facing the gray building, even the houses on Cross Street. It is going to increase the value of that.

So while the Village needs some improvement urban renewal is not the way to do it. He said he doesn't know how that project started but it was a bad idea. And if the Village tries to attract stores like Finders Keepers which just opened up and it is a very nice store and he was in there and he spoke to the owner. This is a type of merchant that you want in the Village. You don't want 3 check cashing places and you don't want 8 convenience stores. The convenience store across from the Mosque started out as one store and then it became two stores and then it became three stores. The Mayor said he agrees with him. The Mayor said that Mr. Helfgott lives at 35 Park. The Mayor said he lived in the Village when they built that - the Petrone building. Dr. Petrone built that building. 35 Park Avenue. And there were a lot of people against it. But you just said that you lived there for 27 years and you have had no problems. And the Mayor said he sees no problem with that building. And we have Bon Aire Park which has been there for 45 years with 3,000 people and he has never seen a traffic jam in or out of the place. So, yes, traffic is a concern but we have to control these things. He said that Mr. Helfgott mentioned the number 1400. 1400 didn't come off our lips. He said he thinks the quarry was added into that and we haven't made any decision on the quarry. The only thing we have made a decision on are the Cross Street project and we are trying to get something going on Orange Avenue. And again in the last month we have lost three lucrative businesses. Good Vibrations is going out, we lost a jewelry store right down the street from them, and Flirt Sushi went out, and before them was Wicky, which only lasted about a year or two. So we are losing business and if you ask these business owners why they are leaving they say because we don't have enough shoppers. So, he knows it is the old expression - if you build it they will come. But in this respect we believe you bring the people down then the owners of these retail businesses will want to have more lucrative businesses, better businesses and things that shoppers want to see.

Mr. Helfgott said that one of the problems that the Village has is that the real estate taxes need to be paid on the property, no matter who occupies the property so the owners really don't care about that. But many of the owners, or let's put it this way, some of the owners in the Village they don't care about him, they don't care about anyone who lives in the Village and they don't care about the Village itself. There is someone who is going before the Zoning Board of Appeals right now to get a variance and this particular person lives in Mahwah. And there are commercial

properties available. Why doesn't she open up a store there. He said he thinks it is the massage parlor that just closed in the strip where the Indian restaurant is. He said he thinks she is probably the one that is moving in there. The Mayor said that is Good Vibrations that we are talking about. But there are commercial properties that are in Mahwah. He said he is sick and tired of people coming before the Board and asking for variances. If they want to open up a business here, they should open up a business where there is a permitted use. Not come in and say that we want to open up a business that is not a permitted use. We want to get a variance. And that is what happens. He said that the hotel on Orange Avenue, that is an antique. That is a fantastic building and he thinks it should be restored instead of being torn down. It is just a wonderful, wonderful, beautiful, beautiful building and it should remain a part of Suffern. When he moved here 37 years ago, Suffern, the Village of Suffern, the Town of Rockland, Rockland County was a comfortable place to live. These days if a builder finds a postage stamp, they let him put a house on it. And people are constantly asking for variances. They buy a piece of property and then they want a variance on it. And in many instances they get it. The Mayor said he believes he made his point and he appreciates his input. Mr. Helfgott said that he loves this place, he loves the Village of Suffern and he wouldn't live anywhere else but the Village. The Mayor said he agrees. Mr. Helfgott said but the Village, no question, could use some fixing. But the direction that the Village is taking is not going to really fix it the way he thinks it should be fixed.

DEPARTMENT OF PUBLIC WORKS:

The Mayor said Mr. Haglund is not here tonight.

A) Request to Bid for Street Sweeper - Return Date October 24, 2008 - 11:00 a.m.:

The first item is a request to bid the street sweeper, with a return date of October 24, 2008 at 11:00 a.m. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

B) Refuse Containers - Set Public Hearing - October 6, 2008 - 7:45 p.m.:

The Mayor said that we are having a little problem lately, not just lately, with garbage receptacles. And some folks have been going out and buying large square-type garbage receptacles with attached lids and basically these receptacles are too big and they are not really made for being picked up in the Village. There are really a lot of these and we have seen them out there - even bigger than this. They have a steel bar on them where, in certain areas, they come along like Middletown they come along with a little four-wheel machine and they pick them up with a hook and dump them. The problem is we have had several employees injured picking up these because they are pretty heavy empty and when you fill them up they

are 50, 60, 70, 80 pounds. He said that what we are recommending and actually what the law in the books says, he thinks, 25 pounds or 22 pounds, and what we are recommending is up to 35 pounds with a detachable lid. Which is your everyday garbage can where you see a whole host of them anywhere you shop. This particular unit is not what we want residents using. Again, it is injuring our employees and we really request that people don't buy them and don't use them. He said he had one gentleman who said who is going to give him his \$1000 back. He said he doesn't know of anybody that has paid \$1000 for a garbage can but if he paid \$1000, it is probably one of these monsters that we are talking about. The Mayor said that really, it is a simple thing, and make sure that you have wheels on it too. The wheels basically are for the resident to wheel it out to the curb. The Mayor said you don't have to have them but it does help the resident to get the garbage cans out to the street. The thing is that they are getting too heavy and we want to lighten the load for our employees.

A motion to set a public hearing for October 6, 2008 at 7:45 p.m. was made by Trustee LaCorte, seconded by Trustee Meehan. Upon vote, the motion was carried.

C) Request to Bid for Business District Crosswalks - Return September 24, 2008 - 3:00 p.m.:

A motion to authorize the bidding for the business district crosswalks with the bid to be returned September 24, 2008 at 3:00 p.m. was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried. Attorney Rice said that we talked at the workshop on that because of the timing on that because we wanted the bid to be awarded and hopefully started if not completed. He said that Dennis is going to have in the bid specs that the project has to be started within five or ten days after award of the bid. He said that he is not 100% certain that the entire project will be finished before it gets too cold but he is confident that most of it will be finished.

VILLAGE CLERK:

A) Approval of Minutes of Special Board Meeting - July 14, 2008:

Village Clerk Virginia Menschner said this is for approval of the minutes of the special Board meeting of July 14, 2008. A motion approving the minutes was made by Trustee LaCorte, seconded by Trustee Meehan, with Trustee Abato abstaining, since she was not present at the meeting. Upon vote, the motion was carried.

B) Approval of Minutes of Regular Village Board Meeting - August 11, 2008:

A motion approving the minutes of the regular Village Board meeting of August 11, 2008 was made by Trustee Abato, seconded by Trustee LaCorte, with Trustee Meehan abstaining, since he was not present at the meeting. Upon vote, the motion was carried.

C) Permission to Attend KVS Information Systems, Peekskill - October 24, 2008 - Barbara and Joanne (\$20.00 each):

The Village Clerk said this is a request to send Joanne and Barbara to an Information Systems meeting up at Peekskill on October 24 and it is only going to be \$20 each. A motion approving the request 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

D) Resolution No. 11, 2008 - NYS Unified Court System Justice Court Assistance Program:

Virginia Menschner said this is in the same line as the recreation one except it is a little bit different.

RESOLUTION NO. 11, 2008

I, Virginia Menschner, Village Clerk of the Village of Suffern, Rockland County, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Village Board held on Monday, September 8, 2008. The following action was taken subject to the Village Board approval:

MOTION: It is moved to AUTHORIZE Mayor John B. Keegan to prepare, sign and submit a grant application entitled "NYS Unified Court System 2008 Justice Court Assistance Program" (JCAP) and to be the official representative acting in connection with the application providing any additional information, if required and execution of the contract.

A motion approving Resolution No. 11, 2008 was made by Trustee Abato, seconded by Trustee Haggerty. Upon vote, the motion was carried.

E) Resolution No. 12, 2008 - Community Development:

RESOLUTION NO. 12, 2008

Resolution authorizing the Village of Suffern to amend an agreement with the County of Rockland for the purpose of undertaking a Community Development program.

WHEREAS, the Secretary of Housing and Urban Development of the United States is authorized, under Title I of the Housing and Community Development Act of 1974 as amended, and Title II of the National Affordable Housing Act of 1990, as amended, to make grants to states and other units of general local government to help

finance Community Development Programs; and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more municipal corporations, to apply for, accept and expend funds made available by the federal government, either directly or through the State, pursuant to the provisions of any Federal Law which is not inconsistent with the statutes or constitution of this State, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

WHEREAS, the Community Development Act of 1974 as amended, Title II of the National Affordable Housing Act of 1990, as amended, and any "Eligible Activities" thereunder are not inconsistent with the statutes or Constitution of the State; and

WHEREAS, a number of municipalities have requested Rockland's participation, and the County of Rockland has determined that it is desirable and in the public interest that it make application for Community Development Block Grant funds and HOME funds as an Urban County; and

WHEREAS, participation by the County of Rockland as an Urban County in the Community Development Program requires that the Village of Suffern and the County of Rockland cooperate in the undertaking, or assisting in undertaking, essential community development and housing activities, specifically those activities authorized by statutes enacted pursuant to Article 18 of the New York State Constitution.

WHEREAS, this Board deemed it to be in the public interest to enter into a Cooperation Agreement with the County of Rockland for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED, that Mayor John Keegan be and hereby is authorized to amend the Cooperation Agreement between the Village of Suffern and the County of Rockland for the purposes of undertaking a Community Development Program pursuant to the Housing and Community Development Act of 1974 as amended, and Title II of the National Affordable Housing Act of 1990, as amended, by amending Paragraph 7a-b of the currently executed agreement with the following:

7: The County and Municipality agree that the cooperating unit of general local government has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b. A policy of enforcing applicable State and local

laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions."

A motion adopting Resolution No. 12, 2008 was made by Trustee Abato, seconded by Trustee LaCorte. Upon vote, the motion was carried.

F) Return of Bid for Wall Repair at Water Plant:

The Village Clerk said that we received one bid for \$347,319 for the wall repair at the water plant. The Mayor said we can build a new building for that. He said it is a ridiculous price and he thinks we should rebid it. A motion to reject the bid was made by Trustee Abato, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: None

A motion to rebid to repair the wall at the water plant with the bid return date to be filled in by the Village Clerk and Mr. Lindsay was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

A) Request Permission to Attend GFOA Workshop in Rye - October 3, 2008 - Cost \$90 plus Mileage and Tolls:

Treasurer Tom Zordan asked for permission to attend the GFOA cash management workshop in Rye, New York, on Friday, October 3 at a cost of \$90 plus mileage and tolls. A motion authorizing the request was made by Trustee LaCorte, 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

B) Resolution No. 13, 2008 - To Amend Budget Ending May 31, 2008:

Mr. Zordan said that he was requesting the following resolution to the budget for the fiscal year ending May 31, 2008 as attached.

RESOLUTION NO. 13, 2008

RESOLVED, WHEREAS, at the end of the fiscal year there may be variances, both positive and negative, in the budget to actual comparisons of several accounts of the Village on a detailed level; and

WHEREAS, it is more efficient and effective for the Village Treasurer to make the appropriate budget transfers to increase the budgets of accounts in a negative balance by decreasing the budgets of accounts in a positive balance.

NOW, THEREFORE, BE IT RESOLVED, that the Village Treasurer is authorized to make the necessary year-end budget transfers, provided that a list of such transfers is furnished to the Village Board at the completion of such transfers.

A motion adopting Resolution No. 13, 2008 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

Mr. Zordan said that the auditors completed their preliminary audit work and are scheduled the week of October 14 to perform the remainder of their audit work. And lastly, we paid down \$170,000 of bond debt in August. That was our first payment on our bond for the road improvements. Our outstanding balance is now \$5,780,000 and our BANS outstanding total \$1,067,318 as of August 31 and the total outstanding debt is \$6,847.318.

MAYOR:

A) Appointment - Eric Andresen to Assistant Maintenance Mechanic:

The Mayor said he would like to appoint Eric Andresen to assistant maintenance mechanic. A motion confirming the appointment 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

B) Appointment - Community Development Advisory Committee:

The Mayor asked the Village Clerk to read the names, which are as follows: Vincent Capella, Robert Apple, Dorothy McClintock, Fred

Rella and as advisory, the Supervisor of Public Works, Dan Haglund. She said that we have to get one more person. The Mayor said we don't have to vote on this since this is his appointment. Trustee LaCorte asked if Dennis was supposed to be on there and not Danny. The Village Clerk said you usually have the superintendent. Do you want Dennis? Trustee LaCorte said that there is engineering that has to be done typically. The Village Clerk said that we are going to have him as a consultant on there. Trustee Haggerty said we need a consultant to help us with the selection. Trustee Haggerty asked if they were supposed to be Village residents? Trustee Abato said they are. Trustee Haggerty said there is one that is not in the Village. The Village Clerk said that Vincent Capella is a business person and that is why we have him. Trustee Haggerty said he is not talking about him. The Mayor asked if he was talking about Dennis. Trustee Haggerty said no. He was talking about the second one you mentioned. The Village Clerk said Robert Apple. Trustee Haggerty said no. The Village Clerk said Dorothy McClintock. Trustee Haggerty said yes. The Village Clerk said she lives in Berkeley Square.

C) Resolution No. 14, 2008 - Mayor to Sign Rockland County REACT Team:

The Mayor said this is for the Mayor to sign the Rockland County REACT Team.

RESOLUTION NO. 14, 2008

RESOLVED, Mayor John B. Keegan is authorized to sign the County REACT Team through LETPP Homeland Security Grant Agreement.

A motion adopting Resolution No. 14, 2008 was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said that just for information, a bench was requested between Esther Gitlow and the library for our senior citizens to sit down on half way back and forth. He said he spoke with Craig Long, who as we know, is on the library Board and basically the Mayor kind of agreed that we would split the difference of a bench for the seniors. He asked if anyone would have a problem with that. He said that he didn't have any numbers. Trustee Haggerty asked where we were going to put the bench. The Mayor said on the sidewalk between Esther Gitlow and the library. The Mayor said when they walk to the library, several of them can't make it. Trustee Haggerty said behind the wall. The Mayor said yes. The Mayor said that we don't even have to vote on it tonight but it should be a pretty small number. And the library agrees to pay for half of it.

The Mayor said that 7 Washington Avenue he thinks that everybody knows about that. He said he just wants to run over it real quick. He said that we have had Riddick survey it and the lady at 7 Washington Avenue has agreed to donate a portion of that very sharp curve over near Washington and Wayne. And there have been many

accidents over there. You can't pass two large vehicles without one of them stopping. So we believe that we will get 10 feet of that corner donated and hopefully we can take that sharp turn out of there. It is going to cost the Village some money because you have to re-engineer the whole road going around that one turn. So there could be a fee up to around \$30,000 or \$40,000. He doesn't know. But it may be worth it to get rid of that unsafe condition over there. Trustee Haggerty said that he thinks we can do that just as well with a changing of the line so that the people on the right side coming down and turning will stay on their side and won't cut anybody off. Making a right turn down on Washington. He said if it is going to cost a lot of money, he doesn't think it is worth it. The Mayor said you just can't take out the one corner according to Riddick who are the engineers. You have to re-engineer the whole road so that whole turn comes around both lanes. So he doesn't know. He said we will look at it and he has Fred Rella looking at a possible grant and we are going to talk to Senator Morahan to see if we can get money for it. Trustee Haggerty said if we can get money for it, that is something else.

A motion to adjourn the meeting at 9:10 p.m. was made by Trustee LaCorte, seconded by Trustee Haggerty. Upon vote, the motion was carried.