

**Village Board Meeting
Monday, September 8, 2009**

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

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

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

ABSENT: Trustee Patricia Abato

Set Dates for October Meetings:

The Mayor said that our next workshop will be Wednesday, September 30, at 7:00 p.m. and our Board meeting will be Monday, October 5, 2009 at 7:30 p.m.

FIRE DEPARTMENT:

A) Authorization to Advertise for a 100 ft. Tractor Drawn Aerial - Return Date October 2, 2009 - 11:00 a.m.:

Chief Dan McInerney said that he had a number of items. He said the first item is a request for the Board to vote to accept the specifications for the 100 foot tractor drawn aerial as written by the Suffern Hook & Ladder truck committee and authorize the Village Clerk to advertise the bids to return on October 2, 2009 at 11:00 a.m.

A motion authorizing the request was made by Trustee Meehan. Attorney Rice said that he had just one thing. He said that he hasn't been provided with them and he has to put some legal jargon in them. Trustee Meehan said subject to the legal terms that Attorney Rice will put in. Attorney Rice said which will give you less than a month. Is that going to be sufficient time? Chief McInerney said that they figured if it gets out by the end of this week that gives them three weeks. Attorney Rice said that considering - he will try and do it on Thursday. Chief McInerney said he didn't know how long Attorney Rice needed. Attorney Rice said he will try to do it on Thursday. He can turn it around relatively quickly but he is concerned. He doesn't know how many potential bidders he has. Chief McInerney said he has a list of eight truck manufacturers to give Virginia to mail out the bids to or advertise so they know. He said they are expecting at least two or three back. Attorney Rice said he can do it Thursday. The Mayor said subject to Terry's approval, we have a motion. He asked if we

had a second. Trustee LaCorte seconded the motion.

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

NOES: None

ABSENT: Trustee Patricia Abato

B) Request for Special Board Meeting Monday, October 19, 2009 at 5:30 p.m. to Award Bid:

Chief McInerney said the second item was to request a special Board meeting for Monday, October 19, 2009 at 5:30 p.m. to award the bid to the manufacturer meeting the specifications. He said that of course this is subject to when we get the bids back. If we push it back a week, we will ask to have this meeting a week later. A motion authorizing the special Board meeting was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

C) Three New Members to the Suffern Hook & Ladder Company - Steven Bell, Tony Gagliano and Brian Cleary:

Chief McInerney requested that we add the following members who have applied for membership at the Suffern Hook & Ladder Company to the insurance rolls: Steven Bell, Tony Gagliano and Brian Cleary. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Haggerty. Upon vote, the motion was carried.

D) Declare 1993 LaFrance 19-1250 as Surplus:

Chief McInerney said just to let the Board know, the new pumper will be delivered and in service by the end of October. So he would like to request the Board to declare the 1993 American LaFrance pumper, known as 19-1250, as surplus and give the Village Clerk permission to advertise it for sale. A motion declaring the pumper as surplus was made by Trustee Meehan, seconded by Trustee Haggerty. Upon vote, the motion was carried.

E) Request Village Board to Accept the Revised Replacement Plan for the Fire Department Apparatus:

Chief McInerney said that the final item is for the Village Board to accept the revised replacement plan for the Fire Department apparatus and all the members were given copies. A motion to accept the revised replacement plan was made by Mayor Keegan, seconded by Trustee Meehan. Upon vote, the motion was carried.

BUILDING DEPARTMENT:

A) Request - Café Dolce to Amend his Live Entertainment Permit:

Attorney Rice said this was referred to the Planning Board and the Planning Board is still reviewing that with a number of issues. And he thinks that after the next Planning Board meeting they are going to be in a position to report back to the Board. Trustee Meehan said he had a question on that. He said that in the letter that they received from the Building Department, they said that all of Café Dolce's - they evidently have a number of outstanding violations - and it is our understanding that the violations had to be cleared up, as he is reading from the Building Department now - "the property currently has 30 open violations and not all of these have been remedied and none have been resolved through the court system." He said that it would seem to him that the Planning Board can't even entertain this until these things are resolved. Attorney Rice said that he doesn't think that is completely accurate. A lot of the violations relate to things that have been done. We have a lot of noise and after hours issues. He said that a number of the issues relate to items that were added and not on the site plan and through the revised site plan process, those issues can be rectified one way or another. Either they are going to say you can do this or you can't do it. There apparently are some violations as he mentioned from having music at times other than when they are permitted to do so and he assumes that those will be rectified. But in the meantime, as he said, the Planning Board is entertaining the revised site plan application as well as the Board's referral for their request for a revised live entertainment permit. So he thinks that the logical thing to do is to wait and see what the Planning Board does because at that point, number one, they are going to have a recommendation for you and, number two, a lot of these violations will be rectified one way or the other. Either the Planning Board is going to say, yes, you can have a revised site plan on this issue or no, you can't on that issue. A motion to table this to the October meeting was made by Trustee Meehan, seconded by Mayor Keegan. Upon vote, the motion was carried.

CULTURE AND RECREATION:

Gail Curtin said that since the last Village Board meeting, they had their final concert of the season and she can report that all concerts were very successful and very well attended this year. They had a senior movie afternoon on Thursday, August 27 and as most of them know, they attended the Suffern Midget Mountie Bonfire and Parade this past Friday, September 4. And last night at 6:00 p.m. they locked the gate for the 2009 season at the Suffern Memorial Pool. She said that although they will receive a written report she certainly would like to go on record as saying that Cristin McKenna and Michael Brennan did an outstanding job this summer. They oversaw 14 lifeguards. They were open every day, regardless of what you may have seen - the weather. In July, they had one day that they didn't open the entire summer. They had an extremely successful swim lesson program from the seniors all the way down to the babies. And overall couldn't have been happier with the outcome and she thinks they would have been proud.

Upcoming, they have the Village of Suffern senior citizen picnic

tomorrow. And she hopes to see all of them at the Elks Lodge beginning at 11:30 a.m. On Friday morning this week, we will begin our day with the employees being invited outside Village Hall for a 9-11 observance at 8:45 a.m. and later that evening they will have another remembrance at the Donna Hallett park at 7:00 p.m. The next senior movie afternoon is Thursday, September 17. And as the Board knows, Dan, Clarke and she have been working with the Suffern Day Committee. They had a meeting last week and once again it is just mind-boggling to them - all of the support that they have been able to get for this event even in today's economy. She said that they received support financially from everyone who supported us in the past and others. So she thinks again that we are going to have a very successful day. She said that they will be working with the Chamber of Commerce once again for the downtown window painting on Saturday, October 17. The Lions Club Blood Drive will be held at the Community center on Tuesday, October 20. They are inviting Josh, the Mentalist, who all of them met last year at Suffern Day, and he will be putting on a show at the Community Center on Halloween weekend - or actually the weekend prior to the actual Halloween date - Friday night October 23 for our second, third, fourth and fifth graders. And they are looking forward to seeing some of his gig. Traditional Halloween parade and costume judging will be that Sunday, October 25. And they have begun selling tickets to New York City for Sunday, November 15. They are going to see the Christmas Spectacular at Radio City Music Hall and the Holiday Lighting will be Thursday, December 3.

Under miscellaneous, on the sheet of paper that they were given, they have worked with DARE Officer Jim Giannettino under Clarke's direction and have set the dates for the DARE dances at the Community Center. And they are moving ahead, as instructed, with the Stay Fit Senior program. She understands from Virginia that the contract has been signed and she believes the next step is for the equipment to be ordered.

The Mayor thanked Mrs. Curtin and said he would like to congratulate her and the lifeguards for a successful pool season. He thinks they deserve a round of applause.

7:45 P.M. - PUBLIC HEARING - APPLICATION FEES FOR A-FRAME SIGNS

The Mayor said that at this time we are going to have a public hearing for application fees for A-frame signs. Attorney Rice said that a number of months ago, at the request of the Chamber of Commerce, the Board adopted an amendment to the site plan regulations and allowed A-frame signs in the business district subject to a number of restrictions and so forth. At the time, they also adopted a temporary application fee of \$25 and to formalize that, the hearing tonight is on the resolution to amend the Standard Schedule of Fees to provide a \$25 application fee for those A-frame sign applications. Trustee Meehan asked if that was annual. Attorney Rice said yes, it is annual. They have to apply every year. The Mayor asked if anybody would like to come up and speak on the A-frame sign issue. Since nobody spoke, a motion to

close the public hearing was made by Mayor Keegan, seconded by Trustee Meehan. Upon vote, the motion was carried (Trustee LaCorte stepped out).

RESOLUTION NO. 7, 2009

BE IT RESOLVED by the Board of Trustees as follows:

Section 1: The Standard Schedule of Fees for the Village of Suffern, A 255 of the Code of the Village of Suffern, is hereby amended to add thereto the following:

A-Frame Sign Permits - \$25 annually.

This Resolution shall take effect immediately.

A motion to adopt Resolution No. 7, 2009 was made by Mayor Keegan, seconded by Trustee Meehan.

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

NOES: None

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

Trustee LaCorte came back after the vote.

VILLAGE ATTORNEY:

Attorney Rice said that unfortunately, he wasn't at the meeting on Wednesday night, so he asked if the Board would give him a couple of minutes of this one particular issue. He said that in late July, the Rockland County District Attorney's office applied to the Building Department for a building permit to operate a Victims Project Unit on the Good Samaritan Hospital property which as he understands it would be primarily for sexual abuse victims, would encompass medical assistance, psychological, law enforcement assistance. Additional information was requested because in that particular zoning district, which is an R-15 residential district, in addition to residences, the only other uses permitted are hospital uses and offices that are connected with the hospital by special permit use. So the Building Department and he requested additional information so the Building Inspector could make some type of determination as far as whether or not this particular use was a permitted use in that zoning district. Ultimately in late August, they received some additional information. They have had a number of discussions with the Building Department and the District Attorney's office. The Building Inspector determined that the use was a permitted use in that zoning district but that the use would require a special permit from the Board of Trustees and site plan approval from the Planning Board as would any particular type of hospital use. In discussions with the District Attorney's office, they are desirous of trying to start this project as soon as

possible because quite obviously there are significant benefits to the public by virtue of such an operation. Attorney Rice suggested that they write a letter to the Board of Trustees, which in fact they have done, requesting that they be exempted, at least to some extent, from some of the review provisions of the zoning law. Now, for many years, a higher level of government, a so-called higher level of government, when dealing with a governmental use as proposed as opposed to a proprietary use would be exempt from local zoning regulations. But the Court of Appeals in New York adopted a different task called the Balancing the Public Interest task, which takes into account a number of considerations including the nature and scope of the instrumentality seeking immunity, the kind of function of land-use involved, the extent of the public interest to be served, the effect of local land use regulation on the particular use involved, the impact upon legitimate local interest, the applicant's grant of legislative authority, alternative location and less restrictive zoning districts, alternative methods of providing the needed improvement and the extent of intergovernmental participation in the project development process and an opportunity to be heard. So those are considerations that the Court of Appeals set and should be utilized in determining whether or not another level of government has some type of immunity from the local zoning regulations. So the thought was that since the Building Inspector has in the first instance determined that the use would ordinarily be permitted in a hospital district, the R-15 district, but that the review process that would be required would take a number of months and enhanced by the fact that there is no change that is proposed to the site itself. The District Attorney's office is proposing to utilize an existing building. He said he thinks they are going to do some minor architectural changes with respect to windows and so forth but there will be no exterior changes to the site itself. The suggestion was made that under this particular balancing of the public interest task the Court of Appeals has announced that the Board of Trustees could determine that this particular use was exempt from the special permit requirement of the zoning law and exempt from site plan review but only to the extent that there are no changes proposed in the site. So if it is okay with the Board, he won't read the whole resolution but he will read the resolved section.

Trustee Haggerty said that before we vote for or against this, he thinks we ought to find out more information about it. Attorney Rice said he knows there is someone from the D.A.'s office here if you have any questions. Trustee Haggerty said he would like to know more about it.

Itamar Yeger who said he was an executive district attorney with the Rockland D.A.'s office asked if they had a question for him. He said he does have a copy of the plans if they would like to see it. Attorney Rice said maybe he could describe for the Board exactly what the proposed use consists of. That might be helpful. Mr. Yeger said the use will essentially take what is now done in the hospital setting out of the hospital itself. Right now when special victims,

and by special victims he means sex abuse victims, people with mental or physical disabilities and victims of domestic abuse, are taken to the facility such as the hospital, various things have to happen with regard to the investigation that are happening now in the hospital setting. And in order to make it better for the victims themselves, because they have been traumatized tremendously by their experiences, what would happen now is that this building would be set aside for medical help for them, psychological help, the County Department of Social Services Mental Health would be involved and so would the D.A.'s office and the police in order to bring everything in the investigatory stage and in the medical stage under a single roof for these victims. And it also assists the victims themselves. There will be a separate area for children. Obviously, they are the most vulnerable victims along with the elderly. But there will be a separate unit for them that would be completely segregated within the building. And he does want to stress, as Mr. Rice did, that the external of the building will remain unchanged except for three window cuts. In other words, just basically making a cut in the side of the building in order to add extra windows for office space and for light to come in. There will be no other changes to the site whatsoever. Everything that is going to happen with regard to changes to the building itself will be happening on the inside and so there will be no effect on the site itself.

Trustee LaCorte asked if investigations, part of the investigation, will be conducted there? Mr. Yeger said the initial investigation. In other words, for example, right now if a victim of some sort of abuse is brought into a hospital, the investigatory stage would happen right there in the hospital. The police would go and investigate. It leads to obvious disruptions to the hospital staff. For example, a lot of this is done in the emergency room setting and, frankly, you will have a domestic abuse victim or a child abuse victim or a sex abuse victim in the next bed over from a heart attack victim. And it is kind of difficult to have the police and law enforcement conduct an interview with a sex abuse victim while three or four doctors are working on a patient that just coded. So it assists everybody. First it assists the sex abuse victim because they are not - this building will be in an all enclosed area that will be more conducive to calming them down after an attack and allow them to feel comforted and comfortable in a setting as opposed to, for example, a hospital room or an emergency room setting. And that is the primary concern, obviously. It also assists various others - the hospital personnel themselves because they don't have the law enforcement personnel under foot while they are working in their emergency room or in their hospital setting. So it really is a win win situation for everybody and especially for the victims. That is really what this is all about. It is forward thinking for the victims of abuse who really are our most vulnerable victims. Trustee LaCorte asked if it would be staffed permanently by law enforcement officers and particular members of the district attorney's office who focus on special victims. He said he was just wondering who. Mr. Yeger said the personnel would be whatever is needed for that particular victim.

In other words, the center will be staffed by those who are necessary to take care of a particular victim. A child sex abuse victim, for example, will have different needs than, for example, an elderly victim. And so it really depends on the patient/victim themselves rather than any particular 24 hour staffing.

Attorney Rice said that what we discussed is that there won't be permanent staff there. Mr. Yeger said no there is no plan to turn this into some huge project. In fact, it helps the victims more that this is going to be nondescript and away from the rest of the hub-bub of the hospital.

The Mayor said he thinks the Chief would like to remark on this. He knows that he and the Mayor went over about a year ago when the D.A.'s people came to first look at it. Chief Osborn said that he and the Mayor last year went up to the facility when it was first proposed to the Village. He said he is actually vice president of the County Police Chief's Association. He serves as a liaison with Itamar and District Attorney Zugibe and his staff. He said he will be taking over as president in December of this year at the County and it is something that all the police departments and chiefs do support. He said he thinks the biggest advantage as Itamar said is to be able to do an initial investigation away from a hospital room and basically have some privacy and some security and some sense of security for the victims and we strongly support this. And he wants to thank Terry for helping them out and Mayor Keegan and the Board for listening and hearing them out here. Because we think this is a great thing and all the police departments in the County which he represents on the County Chiefs, they do strongly support this.

Trustee Haggerty asked where this is being done now. Mr. Yeger said that the process is now happening in the hospitals themselves. It is being done in the hospital. That is part of the issue. In other words, a lot of the initial investigations are being done within the hospital setting itself. And the thought is to pull it out of the hospital into a pre-existing building on the hospital grounds. Trustee Haggerty said that in the situation where the police department has to get involved. He thinks we need more information as to where this group is coming from that we expect to have over there, or you expect to have or would like to have over there. Trustee Haggerty said he wants more discussion on it so that we can look at it and make sure that we get the assistance in the Village that might be needed. And he doesn't think we can go and vote on it tonight. Mr. Yeger said that he can't hear what Mr. Haggerty is saying. The Mayor said that Mr. Haggerty said he would like more information on it. He wants to understand where it is coming from. Trustee Haggerty said that is right. Mr. Yeger said he is not sure what was provided to them already. He said there was a letter sent. Trustee Haggerty said that he will make it a little clearer then. He said he thinks we need more information as to why you picked out Good Samaritan and who is going to take care of the details in it. Mr. Yeger said okay, that is fine. He said there is a five year lease with Good Samaritan Hospital because they had a building that is away from - the purpose of this is to be apart from the hospital

while near to the hospital at the same time. And so this building that the D.A.'s office and the County of Rockland has entered into a lease with the hospital is the perfect setting for it. The purpose, the reason to be near the hospital is, God forbid anything happens, they are near a hospital. So again, he is not sure what information was provided to them. He did send a letter to Mr. Rice and he doesn't know if he disseminated it to the Board. Attorney Rice said he gave the Board the information that he provided. Mr. Yeger said that they have in hand the letter that he wrote to the Village. He said he is unsure as to what additional information Mr. Haggerty is looking for. Again, the purpose of this is to assist the special victims. What is being done in this setting is going to be what is being done already in the hospital setting and yet it helps these special victims to have a separate setting for them. Other than a measure of safety having police officers in the Village of Suffern that may not normally be there from other departments, it is not going to affect the Village directly in any significant way because this is already happening.

Trustee Haggerty asked who decides who goes and who doesn't. Mr. Yeger said that unfortunately the victims themselves decide that. Trustee Haggerty asked where the victims will be coming from. Mr. Yeger said from Rockland County. Trustee Haggerty asked if we had any other facilities in the County that if it is a County program that they can do. Mr. Yeger said are there any other facilities that can do this particularly? He said no, there is no facility at all in Rockland County. In fact, this will probably be one of the first in the entire United States for this particular purpose. So the answer to that question is no. Right now it is being done in the hospital itself. So this would be the first of its kind in the County certainly. And the only one. It is going to assist victims from all over the County including Suffern. Trustee Haggerty said he is not satisfied with the information and he is not prepared to vote for it at this time and he thinks that we should have a discussion with the Board telling us who will be doing what, who will fill up or put the people in need into the program, what the Village is going to have to do, what the Village is going to get for what they are doing. He said he thinks there is a lot more information. He said he appreciates the need for something like this but he doesn't appreciate the fact that the Village of Suffern and Good Samaritan is going to be involved in this or be fully involved in it and handle it. He thinks that more discussion is needed with the Village rather than just talking now about the problem. And if that is a problem he is sure it is something that we would like to help out with. But he doesn't know how many people we are talking about. There are a lot of people involved that could affect the Village and he thinks we need a lot more discussion.

The Mayor said that just to clarify something this is already going on in the hospital and has been going on. Correct? Mr. Yeger said correct. The Mayor said all you are doing is that you are moving to a different spot on hospital property, correct? Mr. Yeger said that is exactly right. The Mayor said that you said before that there is going to be no impact to the Village of Suffern. Correct? Our

police officers of Suffern are not going to be manning this. Mr. Yeger said oh, no, not at all. Chief Osborne said that if our police department is called, we have jurisdiction obviously over the hospital. All you are doing is that you are taking this from an emergency room setting to a facility that is separate from the emergency room that is basically for the victims and even for the officers to be able to do a thorough initial investigation outside the hospital - from behind a curtain with other people two feet away from it. That is all it is. He said we are not going to be policing it any differently then we are doing now. The Mayor said that it is just a center for domestic abuse victims. He said he doesn't have a problem and he thinks we should vote on it.

Trustee Meehan said that we received Mr. Yeger letter a good month ago and part of the letter said that if you have any questions please call the undersigned or something to that effect. And he thinks that it is incumbent upon the Board members that if they don't fully understand it to contact the proper party who wrote the letter. He said he is sure if he had called Mr. Yeger he would have been glad to have spoken to him about this situation. So he doesn't want to hold this up for another month and, like the Mayor, he is prepared to vote for this this evening. Trustee Haggerty said that like the Mayor, if you had the information too, you should have let the rest of the Board know at that point and he thinks that if the Mayor was aware of this thing some time ago, it should have been brought up before so that we can discuss so that we don't walk into a problem. The Mayor said that Trustee Haggerty got the same information as he did. Trustee Haggerty asked when that was. The Mayor said when was that put in the boxes. The Mayor said right here. August 27. All about the special victims center. Every Trustee and the Village Attorney - Trustee Haggerty said August 27? That doesn't seem like a year ago. He thought that is what he said when he knew about it. The Mayor asked Trustee Haggerty if he got this package. Trustee Haggerty said he got all kinds of packages. The Mayor said everybody got this package on August 27. It is all about it. It explains the whole program, everything about it. The Mayor said he got it. He asked Trustee Meehan if he got it. Trustee Meehan said yes. The Mayor asked Trustee LaCorte if he got it. He said yes. The Mayor said that they all got it and read it. Trustee Haggerty said okay. Then we should have discussed it. The Mayor said if you had questions on it, we were at a workshop last Wednesday, why didn't you ask then. Trustee Haggerty said he knows we did. We have a lot of workshops.

Trustee LaCorte said that he just had a question on the lease. He asked if the hospital was donating - he said he knows they have to have an official lease - but are they donating the building. Mr. Yeger said yes. Trustee LaCorte said okay. Mr. Yeger said and a lot of the work is all being donated as well. It is really an unbelievable opportunity for the County and for the Village. Trustee LaCorte said that to the extent that our police department, just as an example, he presumes that the jurisdiction depends on where the incident occurred, right? Typically so if there is, God forbid, a sexual assault in the Village of Suffern and the victim

is brought to Good Samaritan Hospital, presumably they would call the Suffern Police Department, who would come and would interview the victim. So obviously to the extent that the victim is in stable enough condition this would occur in this building. Mr. Yeger said correct. Trustee LaCorte said instead of just occurring in the middle of a hallway and then there could be counseling. So he has to believe that there has to be some staff that is there. Chief Osborn said that right now, say there is a domestic violence case that took place in Stony Point. We have no involvement in the hospital. The only time we go is if there is a problem - a disorderly person problem there. So with all this we have no involvement. If anything it will be better if we have a domestic or a sex abuse or a child abuse case. We will be able to use that facility. Officers, detectives, investigators. Trustee LaCorte asked who investigates. Chief Osborn said that we would investigate anything in Suffern. Trustee LaCorte said that is what he is saying. If there is a sexual assault in the Village. Chief Osborn said if it is in Stony Point, Stony Point would send their detectives down. Trustee LaCorte said he understands. But he is just saying that the example that there was a sexual assault on a Village of Suffern resident, our police would go to the hospital instead of interviewing the victim in the hallway they would interview them and talk to them and counsel them. But if it happened in Stony Point, then they would come. Chief Osborn said that we would have no involvement at all if it is not in Suffern. We wouldn't even know unless there is a problem in the emergency room. We could be up there every day whether there is a problem inside with a drunk so we are there a lot anyway. This may alleviate it.

Mr. Yeger said he does want to stress that this won't add any additional burden whatsoever on the Village of Suffern police department. It is not going to add anything. In fact, it may actually take some away because there will be officers from outside of the jurisdiction of the Village there. If something happens nearby they would be hearing the same call. So it certainly doesn't add anything to the burden of the police department. Attorney Rice asked statistically what he thought the annual volume is. Mr. Yeger said he was sorry, he just doesn't have the numbers to answer that question. He said he will say that the County, thank goodness, is a safe County so while there are a number of them the numbers are not astronomical. And again all they are doing is moving from an environment that is difficult to ease a victim's pain and conduct an investigation to a place where it is easier to do that for them. Both from the victim's side and from the law enforcement side. He said he didn't know what more he could add to that.

The Mayor asked if anybody wanted to make a motion on this. Trustee LaCorte asked when they would want to open it. Mr. Yeger said yesterday. As soon as possible, to be honest. They are ready to go and they have been ready to go for a while and again these are volunteers that are going to be - the materials and the workmanship are going to be donated by unions and by people who care and by police officers themselves on their down time. There are a couple

of D.I.'s from the District Attorney's office who will volunteer their time when they are off from work and he knows that there are other police department's doing the same thing. Trustee LaCorte asked if he could notify us when it is opening. Mr. Yeger said he certainly will. He said he did want to say that they will be going through - that they will have to apply for a building permit. Attorney Rice said you have already. Mr. Yeger said once this is done, he is assuming that they are going to be doing that on an expedited basis, he hopes. But this will be done with the Village's direct involvement to alleviate any concerns with regard to that.

A motion approving this was made by Trustee Meehan. Attorney Rice said he could read the resolution. He said it would take about two or three minutes. The Mayor said they have all seen it. Attorney Rice said that just to tell them, we go through the various considerations under the Court of Appeals case on the weighing of the public interest and there are some restrictions on this and he said to the extent that the applicant proposes any change to the site plan of the property it is required to get site plan approval and the Board of Trustees reiterates that any change in the use of the hospital property is subject to a special permit approval, site plan approval and any other necessary land use approvals that relate to the application so this is a particular instance because it is the District Attorney's office and any other uses that the hospital proposes on the site certainly are subject to the ordinary review processes and it also states that the particular use has been granted immunity from the special permit approval, cannot be changed, altered, increased or varied in any respect without obtaining a special permit from the Board of Trustees and site plan approval from the Planning Board. So basically, as he says, when you factor in the eight or nine considerations that he suggested that the Court of Appeals said apply when you are trying to determine whether or not another governmental use is subject to the local zoning law, the resolution provides a balancing of those various interests and you are finding that although the use is already determined to be a permitted use, they don't have to go through the special permit review process or the site plan review process just for this use and just as it is proposed. So again, if the hospital wants to do something there, they need to go through the process. If the D.A.'s office wants to change the use, wants to expand the use, wants to change the site, then they are going to have to come back and visit the Village to deal with those issues.

The motion was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: Trustee Haggerty said we need more discussion

ABSENT: Trustee Patricia Abato

Mr. Yeger thanked the Board and said he appreciated it. The Mayor said good luck.

POLICE DEPARTMENT:

Chief Osborn said he had a couple of informational items. He thanked the Board for their support with that last venture. He said he appreciated it. He said just to give them a quick update, he mentioned a few months ago that Officer Mike Fennessey was going to be stepping down from the REACT Team, which is the County SWAT Team. He said that every department in the County has officers assigned with the exception of Clarkstown and Spring Valley, who have their own SWAT Teams. But all the rest of them are on the County REACT Team. Officer Fennessey has been on the team for the past six years. He was an original member of it. He was also in the United States Army at one point so he was a very good pick for it. He has done a fantastic job. He is stepping down and we are going to be putting on Officer Rick Marsh, who has gone through a series of interviews and physical and agility tests and he did very well. So Officer Marsh will be going in October to start training with the County SWAT Team. Chief Osborn said that this past Friday night they participated in a statewide DWI check with the Rockland County Sheriff's Department as well as the Rockland County Stop DWI office and in a four and a half hour period on Orange Avenue, they checked over 750 vehicles that went through this check and they came out with 4 arrests, which shows in a good way that most people were obeying the law and doing what they were supposed to do. He said they came out with numerous summonses as well and they had their license plate reader checking every vehicle that went through, checking the license plates just to make sure that they are properly registered or not stolen. He said that obviously, with the start of school, tomorrow they are going to be having Officer Jim Giannettino, our DARE officer in the schools for the next few days immediately working on school safety issues and they appreciate that. He said that DARE hockey started last week and they have 9 teams this fall with over 100 players. A majority of them are Village residents, and he encourages anybody to come up and watch the games on Thursday and Friday evenings up at the rink. And he wants to thank Gail for helping them as well as Charlie and Dan Haglund in the DPW for taking care of that rink for them. It is a big help for them. And last but not least, in August they had 43 arrests.

AUDIENCE PARTICIPATION:

The Mayor said that please, if you come up, state your name and your address for the record.

Jerry Levitus of 20 Lonergan Drive said that he just wanted to present to the Mayor and to the Village from his wife Gloria and himself a flag that he bought several years ago which has all the names of those who perished in 9-11. All the firemen, policemen and women and the EMS victims of 9-11. And it has on this flag those who also were from the Village of Suffern. The only thing that he would like to stipulate is that this flag be displayed somewhere that people coming into the Village or into Village Hall will see those names, especially the names of those who perished at 9-11 who

were from the Village of Suffern. He said he believes that we have six and there are four names on there and he would like to have this displayed. So he would like to present this to the Mayor and asked him to come down. He said that this is all the names of all the people from 9-11 - firemen, policemen, EMS and it also has the names of all those who came from here from the Village of Suffern and he would like to present it to the Mayor at this time. The Mayor said that he would just like to say that he is honored to receive this flag and he thinks he speaks on behalf of the whole Village Board that they are all honored to have this flag and we will display it proudly. He thanked Mr. Levitus.

Al Ross of 29 Lafayette Avenue said he wanted to say hello to everybody because he knows everybody. He said he has an issue with the Village Board - two issues. One is code enforcement. Second issue is protection from the bad businesses, such as Dona Maria, the place next door to him, and he told the Mayor he knows what he is talking about. He said they are harassing his customers walking out of the place. He said he feels bad for the cops because they have to drive by. He said we have armed guards in bars. And we only suspend these bars for three months? He said he would hate to be a cop here in Suffern if that is what the case is. He said his second problem is why only three months? Where guys with bullet proof vests and armed guards? He said he never heard of a bar like that and he comes from the toughest neighborhood in the Bronx. He said he never heard of it. He said he doesn't know who is going to tell him anything different. Three months is crazy. He should have been shut down. He said he is not a lawyer so he doesn't know.

Trustee LaCorte said that with Dona Maria he believes the first infraction was a three month suspension of the license but now it is revoked. He doesn't have the live entertainment. Mr. Ross said he didn't know that. Trustee LaCorte said completely revoked. He is allowed to come back in three months to reapply but he has no live music permit. Mr. Ross said but he comes back in three months and reapplies. Trustee LaCorte said nobody can stop him from reapplying. It doesn't mean it will be granted. But right now he lost his permit. Mr. Ross said he just thinks it puts the whole community in jeopardy. You are just liable to drive by and get shot if somebody is going to have a shoot-out. It is not the OK corral yet.

Mr. Ross said that today he had an incident that he would like to make everybody aware of. A customer walked past his store and waved to him. And the next thing he knows, three guys come out of the bodega next door to him, the little one, he thinks it is Rockland MiniMart. They start chasing her down the street. He said he doesn't want to play officer hero in the town but he thinks that the Village Board should shut down these bad businesses. They are having one after another. One more incident. He said he doesn't know how many incidents Clarke has. But he reads the newspaper and there are plenty and dangerous situations for the cops, for him, for his grandchildren, for everything.

He said his second issue is for code enforcement. He said he feels, and he doesn't know the law, and he tried calling Terry Rice and he didn't get a return phone call. But he doesn't know the law. He said he provided the Code Enforcement with pictures - the head guy - with pictures that he personally took himself. That is breaking the law. Somehow the pictures as told to him are not good. You can't use pictures to fine anybody or do anything like that. But in New York City, if somebody robs a store and we have a picture on the camera, guess what, they are going to lock up. So he doesn't understand why we can't use pictures like anybody else. Clarke, the Chief, could use anything that he has. But he wants to see these guys prosecuted in some way. He said he has pictures here from David Shen's fire escape. Why don't we see this. There is no bars going up the steps. He said he has the pictures. Are the pictures no good? He said he wants to hear Terry tell him that the pictures are no good to lock somebody up or.

Attorney Rice said that pictures are not good to lock somebody up, no. Mr. Ross said okay, if they break into a store. Attorney Rice said to let him finish. He said when you have something like that and you give it to the code enforcement officer, obviously they have probable cause to investigate it and to go further with it. You have a few steps between the picture and locking somebody up. That is his point. If you give them that, they have the basis to find that there is probable cause to go ahead to investigate something further and issue appearance tickets and so forth, and then it has to go to court, of course. So yes, that is a good start for the process, absolutely. Mr. Ross said that he knows the detectives in Suffern that he knows personally from his camera they were able to apprehend a couple of criminals and from a picture. All of a sudden the code enforcement tells him a picture is no good. He provided them to the Mayor's office. That's no good. Attorney Rice he can't tell him what the code enforcement officer said, obviously. Mr. Ross said it is not hearsay, it is fact. Attorney Rice said he wasn't there so he can't say what the code enforcement officer said or didn't say, but if you give them pictures that certainly gives them a good start to investigate a violation. Attorney Rice said he doesn't agree that they are worthless. Mr. Ross said okay, he said he has one more and then he will leave - he said he is not here to embarrass anybody so don't take it personally. It is just business. He said that as far as code enforcement. About two months ago, David Shen, who we know, he is not going to call him David Shen. A bad landlord because he doesn't want to be sued. A bad landlord that destroyed this Village. Well, the bad landlord got a million violations when he wanted to sell the building. Okay, Mr. Ross was happy about that. They fixed all the violations. It is right next door to him. But the building inspector is the one that fixed them. What is that? Is that a conflict of interest? He doesn't know. Attorney Rice said to say that again. Mr. Ross said in other words, if he was fined, let's say they gave him 20 violations for bad wiring. Now, he accepts the summonses and he accepts all the violations and then the next thing he knows that the building department all of a sudden we have an electrician and that electrician, not that he is

a bad guy, he is a nice guy, but all of a sudden the electrician is fixing up all the violations. So in other words, if I give you ten violations, you come to me, I'll hook you up. Trustee LaCorte asked Mr. Ross if he was saying, and he wanted to get this clear, if he was saying that somebody from the building department did the physical work to rectify the violations as a contractor? Mr. Ross said he believes so. Trustee LaCorte said believes so or knows so. Mr. Ross said it is not hearsay. It is fact. But he can't show them a picture because a picture is no good. Attorney Rice said that is obviously a potential problem. Obviously on its face. What he would suggest he do is to write a letter to the Mayor, to him, to the Board, laying out this information because obviously if someone has done something that they shouldn't do, we want to know about it. Mr. Ross said that everyone of them are his friend and he has been around for a thousand years downtown. He said he is not here to embarrass anybody but there is some law breaking going on here. Attorney Rice said then tell us about it and it will be investigated. He promises him. Tell Clarke, tell the Mayor, tell him in writing and it will be investigated. Mr. Ross said okay. He then asked what he should do with these two pictures being they are no good. Put them in the garbage? Attorney Rice said he didn't say they were no good. Mr. Ross said pictures are no good. So if you see a guy with a gun in his hand. Attorney Rice said that he would suggest that he do exactly what he just suggested on the other item. Write a letter to us with the pictures and tell us that the code enforcement office hasn't investigated this. Mr. Ross said he doesn't get no where. He said he doesn't want to interrupt him. He said he doesn't get no where with the code enforcement office. Zero. He is told pictures, everything evidence means nothing. Attorney Rice said then what he needs to do is write a letter to the Village - to the Mayor and to him - and tell them what the facts are and he can be sure that it will be looked into. Mr. Ross said okay. He asked if he should give these two pictures to anybody. Attorney Rice said you can give them to us but he doesn't know if they will know what they are looking at. Mr. Ross said he doesn't want to break the law now because we have the Chief of Police here. Mr. Ross presented the pictures. He said one is the fire escape that nobody sees.

Jeff Genser of 32 First Street said that he read in the newspaper last week that there were three people apprehended after robbing a waitress on her way home from work. In the paper it implied that they were Hispanic because they were speaking Spanish to the woman who didn't understand. She opened her pocketbook. It is a dastardly deed and he wants to commend the police department with a quick job at catching those three perpetrators. But it brought to mind a rumor that he had heard recently and he was curious to know why that rumor never made it to the newspaper, if it is a rumor or if it is not. The Mayor said it was in the newspaper. Mr. Genser said this is a different issue and he is going to ask them now. He asked if it was true or false that at the Virginia Menschner gazebo at some point during the summer, he thinks approximately two and a half months ago, there were swastikas, hate crime epitaphs, anti-racial remarks about different racial groups and they were

immediately painted over and sort of like covered up as if it was not truly a crime. And he believes that does fall under the heading of a hate crime and he would have liked to have read about it in the newspaper. He said he doesn't know if anybody else would have been interested but he would like to know if it was true or false. Did that happen or did it not happen? The Mayor said it is true. Mr. Genser asked if there was any reason why that didn't make the paper. That seems to him to be something that all the people in the Village would be very concerned about and would want to find out what happened, whether there was anybody seen on the new cameras that we have.

Chief Osborn said that we did arrest somebody. We did an investigation and we did arrest somebody shortly after. They were juveniles. Mr. Genser said he was just curious to know why it didn't make the paper. It seemed like news to him. Chief Osborn could not be understood. He said we can't always control what goes in the paper.

Jim Giannettino of 2 Memorial Drive said that as all of them know, he attended the workshop on Wednesday and the DPW Superintendent read kind of a lengthy list of things that he felt needed to be done and he is just going to go through it real quickly. A firehouse fence for \$8500 to be funded by the County Sewer District, the B lot fence, between \$6000 and \$8000, may be paid by the Parking Authority. Roof repairs at the Wastewater Treatment Plant, for \$10,000, funding unknown. Door actuator at the Wastewater Treatment Plant, \$5000, equipment budget. Center Line Striping, \$10,000, in the budget. Fire Alarm repair at the Wastewater Treatment Plant, cost unknown, funding unknown. Guard rail at Lake Antrim and the Suffern pool, \$5200, funding the Recreation fund. Police Department doors, \$4100, funding unknown. Add a new labor position for \$34,000 in the DPW, not in the budget. Wastewater Treatment Plant - he wanted to hire a company, an outside company for \$25,000 to review it for efficiencies and possibly energy savings, funding unknown. Mr. Giannettino said that his first question is that Riddick Associates has been doing work for the Village of Suffern for approximately 73 years. Why would we be looking for an outside contractor at a cost of \$25,000 to review this building and give us suggestions on what we can do to be more efficient, both energy and dollar wise. Mr. Giannettino said to feel free to answer, if they would like. The Mayor said he would actually like his Superintendent of Public Works to answer that question since it is his request to have that done. Mr. Charles Sawicki said that the actual request was to authorize him to continue discussion with O'Brien and Gere. O'Brien and Gere is a water and wastewater treatment consultant that is widely known throughout the United States and throughout the world. So they have a very good track record. To answer the question about Riddick Associates he said that he thinks that Riddick has done a fine job for us but quite honestly, the way that he has been able to see it over the last three months, is that whatever we are doing at the sewer treatment today we have done 27 years ago. There is no change. There have been no improvements. And he thinks that there

have been a lot of new technology that is out there. He said he thinks we spend a lot of money on electrical utility costs. We spend a lot of money on sewerage sludge disposal. So he thinks there are a lot of improvements that can be made that will save the Village a fair amount of money. He said he thinks we owe it to the residents of the Village of Suffern to review these items. And at this time, he did not ask for \$25,000 to be spent. He just asked to be authorized to continue discussions with them to see if in fact it would be worthwhile.

Mr. Giannettino said he would like to ask Mr. Sawicki a question. He asked him if he was an expert in this field because Riddick has been doing this longer than he has been alive. Mr. Sawicki said that he would answer that question. He said that no, he is not an expert, and that is why we would want to bring in an expert. He said again that he doesn't want to put Riddick on trial here. Mr. Giannettino said he doesn't think he is going to because anybody that has dealt with them knows that they are an upstanding firm that has done right by the Village. Mr. Sawicki said that he is not pointing out any one particular thing that they have done wrong. He is not here to do that.

Mr. Giannettino said his next statement and question is that it was said at the workshop that we are going to do additional roadwork and as soon as that statement was made, and he doesn't mean to keep picking on him, but these are questions that he needs to ask. Mr. Giannettino said that Mr. Sawicki said that he needed Riddick to do the specs for the roadwork and for the drainage needed on the roadwork. Mr. Giannettino said that we hired an engineer. We are paying him \$97,000, which is \$15,000 more than the previous engineer made, and we are still hiring outside contractors and engineers to do the work of the Superintendent of Public Works. The Mayor said he would answer that. He said that yes, we need Riddick to engineer our roads. But the shape of the sewer plant over the years, and again he is not here to trash anybody either, but there were things going on down there - several Mayors before he got here - that should have been addressed that weren't and Riddick, who are the experts in the sewer treatment plant apparently didn't see these things like a digester roof that is going to cost \$500,000 to fix but if it was sanded and painted, it wouldn't be costing us that. Riddick didn't see electric boxes actually disintegrating off the walls from the caustic chemicals down there. So he agrees with our Superintendent that he thinks we need a different set of eyes down there, especially a group that can deal in this day and age with the environment and with sewer treatment plants. Nothing again against Riddick but Riddick is a small operation.

Mr. Giannettino said that the things that the Mayor mentioned as far as electrical boxes rusting, roofs rusting. He said we have our own employees down there. Doesn't anybody bring that to anybody's attention. Mayor Keegan said no. Mr. Giannettino said no? The Mayor said the only one that brought it to our attention was the person that he picked when he became Mayor to be our safety person that went down there and did his own inspection and came out with all of

the infractions that he found down there. Mr. Giannettino said that was four years ago and we are talking about them now. The Mayor said no, that was 8 months ago.

Trustee LaCorte said that what he was going to say is, because he doesn't necessarily agree with what the Mayor said, about the issue with the roads. One thing that we did talk about with the previous Superintendent of Public Works when we did that very large project was, just like Mr. Giannettino said, we have an engineer and why is the engineer not working up the specs. Because typically it is his understanding that in a road project that they take about 5 to 8% to do the specs. Now obviously, if we were to do it on site, you still have to hire contractors to do the surveying and outside things. But that was something that we did discuss at the workshop and the issue as to why do we have, and no offense to particular people here, but an issue when the previous Superintendent of Public Works and we were in the process of looking for someone, and he knows that Jack, and he doesn't want to speak for him but we discussed this also because we kept on paying more and more money to Riddick and at a certain point we were saying that if we are going to have an engineer then there needs to be some engineering that is done. So we did discuss at the workshop whether this particular road project if the specs could be prepared by our own department to save us money. And he doesn't think we made a decision either way. We didn't authorize Riddick to do that. But again he thinks it is something that we should discuss because we have an engineer and we want some engineering done. Mr. Sawicki asked if he could comment on that. He said what he did say at the workshop and it did come up as he discussed was that he had indicated that he would put together the specifications. That he would provide the construction management and administration. But he would need survey work which we would not be able to do. And that is what we would utilize Riddick to do. And he thinks Mr. Giannettino needs to take little bit better notes the next time. Mr. Giannettino said that since he wants to get personal, he would like to know if he is an engineer, number one. Mr. Sawicki said yes he is. Mr. Giannettino asked him if he was a licensed engineer. Mr. Sawicki said no. The Mayor said either was the guy you hired. Mr. Giannettino said excuse me. He didn't hear him. The Mayor asked if Dennis Rocks was a licensed engineer. Mr. Giannettino said he had no idea. He didn't hire him. The Mayor asked him if Carl Rossi was. Mr. Giannettino said no he wasn't. But he did all his specifications and he got his engineering degree. The Mayor said next question. Mr. Giannettino said that the Mayor was being very defensive. He said he is asking questions that should have been asked. The Mayor said he doesn't need him attacking our employees. Mr. Giannettino said the questions should have been asked when you approved or not approved the employee.

Mr. Giannettino said his next question is, and he is going to direct this to Dagan, is that you voted against the Stay Fit program against using Recreation funds to fund that program. At the very next meeting, you voted to spend \$12,700 to repave the parking lot next to the pool and use Recreation funds. His question is why

are we using Recreation funds since the County sewer project parked all their heavy equipment there, ripped up the parking lot, did all kinds of damage throughout the Village, and there is supposedly a fund that they are supposed to pay for things like this. So you didn't want to use the money for the Senior Fit program but you did a parking lot with this program. He said that you don't have to answer if you don't want to. Trustee LaCorte said he didn't know if there was a question there. Mr. Giannettino said the question was why did you vote to use Recreation funds on a parking lot when you were opposed to using them for a Stay Fit Exercise Program for the seniors in the Village of Suffern. Trustee LaCorte said the reason was, in terms of, he believes, in light of the fact that we have a number of recreational facilities that it needed work and it would be better served to use that money for repairs. In terms of your conclusion that the parking lot needed to be repaired due to damage that was done by the County sewer project, that is not the conclusion that they were led to believe. He said that yes, they park vehicles there, but again, as you can see here, we have the repairing of the fence which we are asking the County sewer district to pay for. So whatever damage they have done, we are asking them to pay for. This was something that needed to be done and so instead of going to the General Fund in which there was no money allocated there, we used Recreation funds, which is good that we have that money there. That is why he thinks it is smart to keep that money there and to use it wisely because, for example, if next year if the roof, God forbid, went on the Community Center or something else, we have the ability to have a fund that we can use to tap into instead of raising taxes on residents and in the alternative, he wasn't particularly against spending money at all on senior citizens or fitness in general. He said he just felt that it would be better served to come up with an alternative program and, unfortunately, he wasn't given the opportunity because they voted on it. But he had a proposal in which somebody was willing to come in and give 240 classes over a period of a year - all different types of classes - aerobics, Pilates, in addition 50 hours of time that could be used by Village residents at a pool as part of the program. So he just felt that maybe it would be better, instead of having equipment, that they could have professionals come in and probably have four or five classes a week that would be open to anyone in the Village - seniors and non-seniors - and offer a wide variety of classes. He said he didn't feel the need, necessarily, to spend \$20,000 on equipment. Mr. Giannettino said that was a very good answer except it didn't address the \$12,700 you laid out for the parking lot. Trustee LaCorte said he did answer that. Mr. Giannettino said no, you said you were against using Recreation money because we may have to do improvements on our pool or other recreation facilities. Yet you turned around the next month and used the money for a parking lot. Trustee LaCorte said yes, as a repair, just as he said. Mr. Giannettino said you got a pool of \$50,000 from the County for any damage they did to this Village. Trustee LaCorte said that he was making the assumption, and he is sorry, but he doesn't agree with him. As he said to him, and that was his answer, is that you are making the assumption that that parking lot needed to be repaired. Mr.

Giannettino said he is not assuming anything. He lives across the street. Trustee LaCorte said you are making the conclusion. Mr. Giannettino said that he saw it for six months what they did. Trustee LaCorte said that is not the conclusion that was given to them. So he thinks that he did answer his question. Trustee Haggerty said he thinks you ought to let the Mayor answer the questions.

The Mayor said he will give the real reason why we did that. Mr. Giannettino said that if you want to answer that, go ahead, but he didn't ask him the question. The Mayor said you are making speculations tonight. He said the reason that we used the \$12,000 and not sticking up for Mr. LaCorte but the reason we did that was because the money in lieu of recreation can only be used for recreation. The liquidated damage money we wanted to hold on to because we have a lot of other things like fire house fences, like the turn on Washington Avenue that we wanted to use that money for. So we didn't use the \$50,000 that Mr. St. Lawrence promised us. We wanted to save that money for other damages because that money could be used for anything to do with damage done by the sewer department. And therefore we used the \$12,000 from the Recreation fund because otherwise it just would have sat there. Mr. Giannettino said okay. He said his next question is that on July 26, there was a fight between the patrons of Dona Maria and Georgie Porgies involving 104 people. He said that he understands that you revoked Dona Maria's license from August 10 and told him he could come back here on October 1 and if nothing went wrong, you would consider reinstating his license. What happened to George Porgie? His patrons were involved in that and no action was taken against Georgie Porgie. Mr. Giannettino said secondly, and he will go on and if they care to answer at the end, they can. He said that on August 16 a near-riot broke out on Lafayette Avenue with 300+ people fighting and property damage. He said to his knowledge, no action has been taken against the establishment where these 300 and odd people came running out at 2 or 3 o'clock in the morning destroying the Village and fighting among themselves. He said it is almost a month. He asked if they thought this Village Board is sending a message that law and order is to be respected in this Village by taking no action whatsoever. He said the Police Department, he is assured, that they did a report on this and he is sure that the Mayor and the Village Board got the report. And it is almost a month and not one thing was done to this establishment.

The Mayor said okay. He will answer him since Mr. Haggerty would like the Mayor to answer his questions, unless you direct them to somebody else. Mr. Giannettino said no, whoever would like to answer it. You could all answer it. The Mayor said he goes under the recommendations of the police chief. Now if the police chief says that Dona Maria's has a bad track record and he recommends that something be done over there, that is what we do. He said that Georgie Porgie's name had never come up in any conversation about the fight or whatever. He said he doesn't know the particulars. The Mayor said he heard 150. And now you are saying 130 or something like that. Mr. Giannettino said 100 or 104, somewhere in that

neighborhood. The Mayor said he doesn't know. Mr. Giannettino said it was also in your minutes of your Board meeting so he thinks you should read the minutes. The Mayor said that as far as NV Lounge, NV Lounge did come before him and he went before the Board speaking about NV Lounge. The Mayor said he got all the particulars. He thoroughly investigated it. The Mayor said you say there were fights. The Mayor said there were apparently no fights on record, no one arrested. Mr. Giannettino said he thinks you should check with the police department about no fights on record. The Mayor said that came from the police chief. Mr. Giannettino said he is not putting him in a position. He can answer if he likes. The Mayor said that he doesn't know. But he does know this that the man's capacity of the lounge is 300 and he had 300 people. And when it was time to close, the 300 people walked out. He had 14 security guards hired. The Mayor said he is not sticking up for the man, believe him. Mr. Giannettino said it sure sounds like you are. The Mayor said he left this man's fate to the Village Board and you can ask them and they will tell you that. But he did talk to this man. He went down and he fixed the kiosk. There is no proof that it was somebody from his establishment a block and a half away that broke the kiosk but he went down and fixed it himself. He put new light bulbs in, put new glass in, whatever. The Mayor said he happens to know that the man runs an establishment where there has been no trouble, no complaints. And he doesn't think there is any police record. He said he thinks you have to be 30 years old to get in the place. You have to be well-dressed. We have never had a complaint about his music and as we did with Dona Maria's and Café Dolce and a few others, the Mayor said he believes everybody gets their day in court. And everybody gets a chance. There was no security guards walking around with six-shooters on them and bullet-proof vests. Mr. Giannettino said no, that was Dona Maria, and that went unpunished. The Mayor said yes, he agrees with him there. The Mayor said he has a letter from NV Lounge a copy of which went to each Trustee and if you like, he can read it. It says:

Dear Mayor Keegan:

Please accept this letter as a showing of my sincere regret the incident that occurred outside my establishment Saturday night. I was well-prepared with my security staff that night. 14 security personnel on duty. I did not believe that there would have been a need for police presence. In hindsight, I should have communicated with the Village prior to Saturday night giving you the opportunity to better prepare. My DJ was the only live entertainment at NV on Saturday night. Unfortunately, there was a celebrity at my restaurant whose presence attracted more people than originally planned. We, however, did not exceed our occupancy level. It has come to my attention that a kiosk has been broken on Lafayette Avenue. While NV Lounge does not admit guilt that one of their patrons broke it, I have repaired the kiosk back to its original condition in good faith. NV Lounge is a classy restaurant which caters to families and high-end clientele. Since opening my establishment, I have done my best to be community-minded and I have complied with all municipal requirements. I have never had any

problems at my venue which involved any police enforcement. I ask that you not take any action that will harm my establishment including the revocation of any licenses or permits. I truly apologize for the incident and hope that it will not tarnish the relationship that I have been working so hard to build.

The Mayor said it is signed by the owner. He said he gave the letter to the Board and they discussed it at a workshop and it didn't go any further than that. Mr. Giannettino said his intentions may be good. Dona Maria's intentions have been good over the two or three or four incidents that they had. You know the road to hell is paved with good intentions. You are talking about the safety of the people of this Village, the safety of the police officers that had to come from three departments the night of this incident, and you think that letter absolves him of all responsibility for what happened. He said he just doesn't agree and he doesn't think the people of this Village are going to agree.

Mr. Giannettino said let's get to the September 3 incident where this poor girl was accosted and robbed with a knife to her throat. This is the second incident of this type during the summer. The message has to get out that it is not going to be tolerated in this Village. This type of behavior cannot be tolerated. We have good businesses downtown that are struggling to make a living in this recession and this type of publicity is just going to kill everyone of the good businesses and he doesn't care how much they apologize, if it happens more than once, the liquor authority or the Village of Suffern should take steps to close them down. The Mayor said let him ask him a question before he leaves the podium. You say it shouldn't be tolerated. The Mayor said we believe that too and he truly believes that Clarke and his force aggressively go after these type of criminals. The only way that we could possibly make sure that this doesn't happen and alert people that we are not going to tolerate it is to maybe send a letter to everybody in the Village. Is that what you are saying? Mr. Giannettino said no. Take strong action against the offenders. That will get into the paper too. And then the surrounding area where some of these people are coming in thinking it is easy pickings in Suffern because they are reading of three or four incidents during the summer will say let's go somewhere else and do this kind of stuff. The Mayor said when we do catch them, believe him, they do go to jail and we do prosecute them to the letter of the law. But sometimes the system lets them out again.

Jeff Genser of 32 First Avenue said he was sorry if he was out of order. But he was just wondering, Mr. Giannettino, if he was suggesting that we beat these people with clubs and have the chief start an Abu Gray here or something? What are we talking about. The Mayor said you will have to address the Board if you come up. Mr. Genser asked what happened about the three-minute rule, sir? The Mayor said you have to address us. You can stay there for three minutes but you can't talk to Mr. Giannettino on the microphone. You can talk to us.

Jack Rosenberg of 13 Somerset Drive said that he had no intention of speaking here tonight but Jeff Genser mentioned something to him that is disturbing. He mentioned something that he was not aware of because for the past week or so he has been away on a vacation and he didn't know anything about it but when he hears the word swastikas on the gazebo, it bothers him no end because swastikas have more meaning to certain people than to any other group of people because under the swastikas, six million died. He said he didn't mean to call attention to it to that extent but it does bother him and as president of the sole remaining unit of B'nai B'rith, he would ask Mr. Rice and the Chief and anybody else and every Board member to write to the Anti-defamation League what to him is an obvious anti-semitic thing. Swastikas mean anti-semitism, as far as he is concerned, and you should do everything in your power to have Anti-defamation league which is there for that purpose. The Mayor said that person has been arrested.

Al D'Ambrosio of 4 Cross Street said that basically they are all doing their work and they are trying hard. He said they don't eat the mics although he wishes they would so that they could hear them better, but he forgives them for that one. But he wanted to comment on what the gentleman mentioned about some of these instances that might be happening in our town. And he would think that maybe the police will do the best they can and deal with it, whether it is one group or three groups of police departments. He doesn't know. He said he has faith in them. He said that he will say that if it is again and again an occurrence of some sort like this where they are coming out of establishments and being rowdy, yes, it must be fixed or the town of Suffern will suffer but also if the populace has to cure it, then we are going into an animal stage and yes it can be done. But you hope to God that it shouldn't come to that because then you know that Suffern is going to die as a town. So that just covers this tragedy that we are talking about criminality of sorts coming out of certain establishments which he won't even go into it. Dealing with how the money was funded all this and that, both of you made good points, worthy of further discussion. And now his only gripe with the police department, and maybe it isn't the police department, and he would be happy if the cars that are parking on both sides of Cross Street on a regular basis if they wouldn't. He said he imagines if there is construction going on, it is understandable but if it is not a case of that he worries that the fire department can't get through easily as he saw a week or so ago where they did have a little difficulty. He worries about that. So he would be happier if the cars were watched and maybe the owners of these vehicles in front of their houses and the friends who visit them were told, hey, if you are going to have a block party and you let us know, okay, we understand that. But if you are just parking there again and again all hours, both sides, so nothing can get through, it should be addressed. Aside from that, he is very proud of our police department and all of you. He thinks we have the best people here.

The Mayor said just to clear something up that he said there, the Mayor said he believes that the people who accosted the lady with

the knife, we don't know what establishment they came out of. He said he believes they came out of an alley over there. So he thinks it is safe to say that we don't know if they came out of any establishment or not. Mr. D'Ambrosio said he was really addressing the two incidents where you mentioned Georgie Porgie and the other. The Mayor said okay. Mr. D'Ambrosio said he didn't know about the other either because he didn't read anything about it. Maybe we should have read something about it. And he doesn't want to go further into it. But that is what he was talking about.

Dave Columbia of 70 Lexington Avenue said that Officer Clarke is doing a phenomenal job, by the way. The whole police department. He said he knows he has laws and he abides by them. He said he had two items. He said that he knows that the last time he was here, he brought up the building over here that burnt down - Conserve or whatever that is. The blue awning looks great. The Mayor said excuse him? Mr. Columbia said it looks phenomenal. He said the blue awning. They put up a brand new tarp and it looks phenomenal. And his question is that he builds for a living and he has been in other towns and he mentioned that before. What is a condemned building in Suffern. What consists of a condemned building in Suffern as far as occupancy. Attorney Rice said we have a dangerous buildings law that deals with any number of situations. Mr. Columbia asked how about that building. Attorney Rice said he assumes that would apply to that. Mr. Columbia said his concern is that the people that work for him, it is still being occupied, and the worst thing you can do is tie a tarp on an I beam and catch a piece of wind. That I beam is coming down. Attorney Rice said it shouldn't be utilized for anything. Mr. Columbia said it is. And there is a code enforcer in the building department. Attorney Rice said that to his understanding, the building department told them that they couldn't use the property for anything and his further understanding is that they had filed for a demolition permit so that they are going to be taking that down. That is his understanding. The Mayor said they do have a permit. And the delay up until now is the investigation from the insurance company. Mr. Columbia asked why is it being occupied. Attorney Rice said it shouldn't be. Mr. Columbia said but it is. Attorney Rice said we will take that up with the code enforcement officer. It shouldn't be. Mr. Columbia said okay, thanks. He said the next thing is that the crosswalks in town that was approved. Is that stamped or concrete? Is that concrete? The Mayor said no, that will be blacktop placed in and then it is sort of a matting that is heat treated into the blacktop. Mr. Columbia said it is stamped. The Mayor said yes, it is sort of like. Mr. Columbia asked if you realize that in that process, you can't use a metal plow on it in the wintertime. You need to use a rubber plow. The Mayor said he didn't know. He doesn't know that. Mr. Columbia said okay, he is just feeding information, because if you get it done and it costs that much money, you cannot use a metal plow because it will take up the stamp and damage the product.

The Mayor said that from what he understands it is not stamped. It is actually heat pressure treated into the blacktop so that it is

smooth. Mr. Columbia said okay, he is just curious. From what he heard and read about it that it needs to be plowed with a rubber blade. The Mayor said he knows the stamped concrete, you are right, does come up. Mr. Columbia said that if it goes down too and it is stamped and a metal blade hits it, it will damage it. That is why they have rubber blades for those conditions. So he thought he would just bring it to their attention. And like he said, he hates to see anybody get over there and the town will be blamed because if there is code enforcement and the building department and something happens and nothing was ever done about it and you have been notified numerous times about it, he doesn't know what will happen with the town. Attorney Rice said he doesn't think there is a liability issue but the Village obviously wants to do what is right. Mr. Columbia said that there is code enforcements and there is a building department and as far as the building department, he thinks that it is 50% of the building damaged and it is considered condemned. He said we drive by it every day. The fire department is right there. You are a member of the fire department. Everybody sees it in the town but nothing has been done since he thinks last January or February. He doesn't know when the fire was. The Mayor said it was February. Mr. Columbia said they have been occupying it. They do have employees. Someone will get hurt especially with a heavy wind with those blue tarps. Attorney Rice said you are right. Nobody should be using the building. Mr. Columbia said they are. Attorney Rice said he hears him. Mr. Columbia said just sharing a little information. They are. He then thanked the Board.

Michael Curley of 84 Orange Avenue said that he thinks we all share in the same concern. He is sure that everybody up on the Board there cares about the Village residents and the safety and he thinks they all do a good job on that - this Village as well as the Chief of Police. He said he heard the mention about Mr. Giannettino and he respects his opinion but he strongly disagrees. He said the way he sees the NV situation - it was a one time situation. He said he thinks the guy had a busy night. He thinks he has been slow like most people have and he was probably excited about doing some business and unfortunately it did get out of hand and he thinks the Village has addressed it, he thinks the Police Department has addressed it, and he is happy to know that they all did that. He said he thinks it is a safe Village and he feels it is the safest Village in the whole County and he would walk down the streets day or night anytime. And recently he has an interest in 84 Orange Avenue with the Shamrock Hotel and at that time, Jeannie Lockwood, she is running it and the Chief came down and showed her safety concerns as what you should do with a new business and he even discussed proper lighting in front of the place, which you can see has much more lighting, and they thank the Chief for doing that. So he said if there are other concerns with other establishments, he doesn't know all the issues and all the facts but he does believe in due process and he thinks in our system everyone has that fair right, so he doesn't want the disturbances at some restaurants or bars to become the issue of this Village because he feels there are much more issues that we can go after, attack and care about. He thanked them for their time.

The Mayor said he would just like to say that a week after the incident at NV Lounge, he had both code enforcers go out at night and visit every bar in Suffern and they were probably at his establishment and basically observe and see that people - that the establishments are staying within the guidelines of their entertainment permits, the time frames, the type of music they play and so forth. And that report is pending. However, they did find violations which they have addressed and again it is an ongoing thing.

The Mayor asked if anyone else wanted to speak and if not, we will move on.

Trustee Haggerty said that he had one question too on the same situation that was just mentioned. He asked what, if anything, is going to be done with the guy who violated or was way off base and he thinks that rather than just read a letter from a guy who screwed up the whole place to 4 or 4:30 in the morning and just to say that we are not going to do something about it, he thinks we should. And it should have been done a long time ago. The Mayor said he brought this incident to the Village Board's attention. Trustee Haggerty said he was there at the time when he brought the incident to the Village Board's attention. The Mayor said that he sent e-mails and he knows that Trustee Haggerty does not get e-mail so he put something in his box - an e-mail that he had sent to everybody else. At the workshop he brought up this incident and he said it was up to the Village Board whatever you want to do with NV Lounge. He said he was just one Board member. The Mayor said he didn't hear any suggestions - Trustee Haggerty said you just happen to be the Mayor also. The Mayor said he didn't hear any suggestions to do anything to the gentleman. He said he read off his letter and gave them a copy there. If at that time you wanted to do something with this gentleman, then he doesn't know why somebody didn't say something. Trustee Haggerty said he said you could. The Mayor said or bring him to the Village Board meeting. He came in and talked to the Police Chief, he talked to the Mayor, and the Mayor spoke with the Police Chief and, believe him, this thing has not gone unattended and his recommendation to the Board was exactly what he said tonight. As far as he knows, it was his first incident and, you know what, he is not going to cut the guys legs off on his first incident. He has been warned, yes, and he knows if it happens again that we are going to take a really good look at his entertainment permit and if we have to shut him down, he doesn't see a problem with going that route, but again he goes with the recommendations of the Police Chief and again we interviewed this individual and he gave them the findings at the workshop.

Trustee LaCorte said that the one thing we did talk about though was that we have also had Café Dolce who has been here a number of times with noise complaints and with going over their live music permit and one suggestion that he made that he thinks we should look into is one distinguishing between the types of violations that people have. Obviously, everything should be taken seriously but on one hand you could have a noise complaint or if someone goes

five minutes over their live music permit where the other incident that we had at Dona Maria where someone had hundreds of stitches and nearly bled to death. So obviously, he thinks, on some level we want to have an active night life in the Village because we have a lot of bars and restaurants and we want them to be successful but we also want to make sure that the Village is safe for the residents, safe for the patrons, safe for our police officers. So he thinks we should, and he doesn't know, have maybe some sort of meeting to come up and discuss this. He said that one thing they talked about with live music, which was interesting, we are here and we had Café Dolce here and said you have to be off at 11 o'clock. Well, when they go off or anybody for live music goes off at 11 o'clock, at 11:01, they can turn on the house music and that is not governed by a music permit. They are entitled to have music. There it is only governed by how loud it is and that there's not any noise complaints. So again he thinks that maybe this is something that we need to discuss to have some sort of uniform system. He said he tends to agree that everybody deserves a second shot but again it also depends what their first violation is. He said that God forbid there is a major fight and someone was seriously injured or God forbid killed, he said he doesn't think we would necessarily extend them a second chance whereas if somebody's first infraction is maybe a noise complaint or going off on their permit. So maybe a meeting with the Chamber of Commerce in which we bring them in and we kind of make them aware of the problems and the kind of difficult position we are in because we want to promote business but we also want to make sure that it is done in a safe manner. So maybe that is something that he is open to - calling in the Chamber of Commerce and having a meeting to discuss live music and night life and what we are doing and obviously also giving the Chief the ability - look, we want to control costs but he thinks especially at night on the weekends if we have to have more patrols out there, we have to have more patrols, because we would rather avoid an incident then clean up the mess.

The Mayor said he thinks that is a good idea and he has already talked to the president of the Chamber and asked him what his thoughts were on that and he thought it wouldn't be a bad idea either. He did say that we are nearing the end of the season and it might be something to consider early on next year so that we don't have these same problems. So he thinks that is something we really want to look at.

DEPARTMENT OF PUBLIC WORKS:

A) Firehouse Fence:

Mr. Charles Sawicki said that he would like to request authorization to install new fence at the Hose Company firehouse. Funding as a result of a Letter of Understanding from the County of Rockland Sewer District Number One. The cost is \$8300. A motion approving the request was made by Trustee Meehan. Attorney Rice said that in the motion, you want it to say who you are awarding the bid to - the contract to. The Mayor asked Mr. Sawicki who he

was awarding the bid to. Mr. Sawicki said Anchor Fence Company. Trustee Meehan said he accepts that as part of the motion. It was seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato

B) Fence at "B" Lot and Guard Rail:

Mr. Sawicki said this next item is requesting funding for a five foot high black steel fence at the "B" lot in the amount of \$3400. The contractor is Shining Star Landscaping and Construction. A motion approving the request was made by Trustee Meehan. Attorney Rice said just so he understands, he is sorry since he wasn't at the workshop meeting on Wednesday, when you say request funding, you have the funding and you are just authorizing the funding. Mr. Sawicki said that there has been some discussion with the Parking Authority and he asked the Mayor if he had an update on that. The Mayor said yes, he spoke to Scott Shedler, and he is going to consider paying for that as well as the material for the wall. The Mayor said it is iffy whether he is going to pay for it or not. Do we approve it and then he reimburses us for it. Attorney Rice said if you have the money in the budget. You can never award something unless you have the money appropriated for it so if you have the money and there is a possibility that it is going to get reimbursed but that is just secondary and not necessary to do the job, then that is fine. If it is dependent on the funding coming from the Parking Authority, then you have an issue. The Mayor said we have the money in the budget for that, right? Mr. Sawicki said not on that item, no. Treasurer Tom Zordan said no. The Mayor said then that would have to be an amendment. This is something that has to get done. Attorney Rice said that if you can transfer it from somewhere else and it has to get done then Tom can tell you if you have money somewhere in the budget and you can transfer it that is fine. Treasurer Zordan said that he would recommend that you get the final say from the Parking Authority. The Mayor said he will talk to him tomorrow. Attorney Rice said if you want to award it subject to the funding coming from the Parking Authority then at least you have the authorization out of the way. Trustee Meehan said he will accept that for the motion, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato

C) Guard Rail at Pool & Lake Antrim:

Mr. Sawicki said this next item would be requesting funding to install a timber guard rail at the pool area and Lake Antrim in the amount of \$5200 and that would be Built Well Fence Company. Mr. Sawicki said that one option would be recreation funding. A motion authorizing the request was made by Trustee Meehan, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato

D) Change Order for Ramapo Avenue Curbs and Sidewalks:

Mr. Sawicki said this item is requesting a change order to project 2009-001 - the Ramapo Avenue Curbs and Sidewalks - in the not to exceed amount of \$2500 for the replacement of short sections of concrete curbing located on Forest Knoll Drive and Center Street at a unit cost of \$20.50 a linear foot and that would be with the current contractor - Diamond Construction. Trustee LaCorte asked when that was going to be done generally. Mr. Sawicki said that they are currently finishing up on Ramapo and if this was approved, he would talk to them tomorrow and try to schedule it. The Mayor said they got one block on Ramapo done. They are on the second one. Mr. Sawicki said right, so they have the second block to finish up and they probably have a week or week and a half - it is a short week this week so it would probably be the next week. A motion authorizing the change order was made by Trustee LaCorte, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

E) Interior Lighting Replacement in Street Department Garage:

Mr. Sawicki said that he was requesting the balance of project 2006-003 - Infrared Heaters within Street Department garage - in the amount of \$23,350 to fund the interior lighting replacement within the Street Department garage. The Mayor said what is it - \$23,350? Mr. Sawicki said yes. Attorney Rice said it definitely has to be bid. Mr. Sawicki said yes, he doesn't have any numbers on anything yet. He just wants to be able to transfer the funds at this point and then go out for bid. A motion authorizing the transfer was made by Trustee Meehan, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato

F) Roofs at WWTP:

Mr. Sawicki said that he was requesting funding for roof perimeter repair at six buildings at the Wastewater Treatment plant in the amount of \$10,000. The contractor would be Tremco Inc. This would be just to make immediate repairs of the perimeter of those buildings. To repair or replace all those roofs we are probably talking \$175,000 to \$200,000. This buys us some time. The field of the roof is generally in decent shape and we can probably get a few more years. Attorney Rice asked if he had any other proposals. Mr. Sawicki said yes, he has two proposals. The Mayor said he thinks that is something we need to do. Mr. Sawicki said actually the dollar amount comes just under that. The actual amount was under \$10,000. He believes it was \$9450 or something like that. A motion authorizing the repairs was made by Trustee Meehan, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato

G) Center Line Striping:

Mr. Sawicki said that we are currently awaiting the results of a traffic study to determine the appropriate striping for the center line striping of the newly paved roadways. The Mayor said we are still waiting. He said we thought it would be a one week thing or maybe a two week thing on the traffic study. Terry called the gentleman today. Attorney Rice said he left him a message. He wasn't in this afternoon. The Mayor said we want to find out because all the rest of the lines in the Village will kind of rest on this study. Attorney Rice said he knows they were already out there but he doesn't know what the report is.

H) Police Department Doors:

Mr. Sawicki said this next item would be to request funding in the amount of \$2900 for the replacement of two basement doors within the Village Hall Police Department. They are the doors that are towards the back of the parking lot and they are badly, badly corroded and almost impossible to open and there are cavities on the bottom where rodents and stuff could get through there and

there is a safety issue because you can't open those doors very well. A motion authorizing the funding was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

I) Additional Road Work - Cost, Fees:

Mr. Sawicki said the next item would be additional paving. It would be the 2009-2010 Roadway Improvements. There currently is available approximately one million dollars and we have identified a number of streets that would require paving. Others that would require curbs and drainage and sidewalks. The first phase of this work would involve Sussex, Lenox, Danbury, Revere, Stewart and Berkeley Circle. Those streets are identified as something that we can start this year and still get done before the cold weather. The only requirements there would be for bituminous paving. Other areas would require curbs and drainage issues. Attorney Rice asked what action he was asking for here. Mr. Sawicki said that what he would like to do is prepare a bid to go out for that Phase I work which includes Sussex Court, Lenox Court, Danbury Court, Revere Court, Stewart Circle and Berkeley Circle. He said that we have other roads that he can identify as well if they want to go through that. Attorney Rice said no, he was just trying to see procedurally what he was asking for tonight. Mr. Sawicki said that a budget estimate for that work is \$240,000. And we have approximately \$1,000,000 that would be available. Attorney Rice said to go to bid though what do you need to do. Do you need somebody to prepare them. Mr. Sawicki said no, we will do that internally. Put together a bid package. Attorney Rice said there is no outside consultant cost. You are just going to do the specs internally. The Mayor asked if we had a motion. Attorney Rice said do you have a return date or are you just authorizing him to go ahead and prepare the specs. Mr. Sawicki said that is what he would like to do right now. He said he would like to prepare the specs and actually go out for bid. Attorney Rice said so you need a return date. Mr. Sawicki said come back when the bids are submitted. Attorney Rice said that if they are going to let it out to bid then they need a return date. Mr. Sawicki said that he doesn't have a date at this point. He would have to look at that a little more closely. Attorney Rice asked him how long it would take him to prepare the specs. Mr. Sawicki said that this is a short week into next week - maybe towards the end of next week he should be able to get something together. Attorney Rice asked him how much lead time he thinks the contractor should have. Mr. Sawicki said two to three weeks for the bidding process. Is that the question? Attorney Rice said it is more than sufficient leadway. He said he is just saying how much practical lead they would need. Mr. Sawicki said it is not a big project so they don't

need a lot of time. He said he thinks they can even cut it down to two weeks since we are getting into the fall. He said he would like to be able to get it bid and select a contractor and get started. Trustee LaCorte said October 2? Attorney Rice said you have a Board meeting on the 5th so if it is returnable October 2, would that be sufficient. Mr. Sawicki said okay. We will shoot for that. Trustee LaCorte said next Tuesday will be the 15th so if you get it out by the middle of next week which would be the 17th. That is two weeks. Is that enough? Mr. Sawicki said yes. Trustee LaCorte said maybe give it another day. That would be the 3rd. Mr. Sawicki said that will work out well because if we go into the following month it might be cutting it a little close. A motion to prepare the specs and go out to bid with a return date of October 2 at 11:00 a.m. was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

J) WWTP Door Actuator and Fire Alarms:

Mr. Sawicki said there are two other items on the agenda - the Wastewater Treatment plant door actuators and the fire alarms. They are both going to be funded by the equipment budget.

K) WWTP Evaluation - Obrien and Gere:

Mr. Sawicki said and the last item is, in terms of evaluating the Wastewater Treatment plant, is Obrien and Gere which is a design engineering firm specializing in water and wastewater treatment facilities. He said he is requesting authorization to proceed with additional discussions with Obrien and Gere to finalize a proposal in order to identify any current plant deficiencies to make recommendations to reduce operations and maintenance costs. Attorney Rice said if you are just going to have discussions with them, you don't need a motion from the Board. Mr. Sawicki said right. Attorney Rice said then you would come back with a proposal to the Board.

VILLAGE CLERK:

A) Approval of Minutes of Special Board Meeting of June 18, 2009:

Village Clerk Virginia Menschner said the first thing she has is the approval of the minutes of the special Board meeting of June 18, 2009. A motion approving the minutes was made by Trustee LaCorte, seconded by Mayor Keegan. Upon vote, the motion was carried.

B) Brook Estates - Lead Agency - Planning Board:

Ms. Menschner said that we have Brook Estates. The Planning Board wants to be the Lead Agency. A motion authorizing the Planning Board to be the Lead Agency was made by Trustee Meehan, seconded by Trustee LaCorte. Upon vote, the motion was carried.

C) Resolution No. 8, 2009 - 2010/11 Municipal Snow and Ice Agreement:

Trustee Meehan read the following Resolution:

RESOLUTION NO. 8, 2009

RESOLVED, to authorize Mayor John B. Keegan to sign the 2010/2011 Municipal Snow and Ice Agreement extensions with New York State Department of Transportation.

Trustee Meehan moved the Resolution and it was seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato

D) Resolution No. 9, 2009 - Authorization to Sign FY2009 Subrecipient Agreement from the County of Rockland's 2009 Consolidated Action Plan:

Ms. Menschner said we have another Resolution.

Trustee Meehan read the following:

RESOLUTION NO. 10, 2009

RESOLVED, that Mayor John B. Keegan be given authorization to sign FY2009 Subrecipient Agreement approved by the United States Department of Housing and Urban Development from the County of Rockland 2009 Consolidated Action Plan.

The foregoing Resolution was moved by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that before he gets started on his report, he just wanted to reiterate that we have to get the financing for the fire truck in place before we award the bid. So when that comes back, you have to decide to allow him to borrow money.

Mr. Zordan said he was requesting permission to attend a GFOA Cash Management workshop in Eastchester on Friday, October 8. The Mayor asked if that stood for Golf For Our Accountant? Treasurer Zordan said you are catching on. A motion authorizing the request was made by Trustee Meehan, seconded by Mayor Keegan.

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

NOES: None

ABSENT: Trustee Patricia Abato

Treasurer Zordan said he was requesting the following Resolution for the budget transfers. He said he believes Virginia gave them a copy this evening.

RESOLUTION NO. 10, 2009

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 authorizing the Resolution was made by Trustee Meehan, seconded by Trustee LaCorte.

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

NOES: None

ABSENT: Trustee Patricia Abato

Mr. Zordan said that he was requesting approval to pay a certiorari

claim on behalf of the owners of Park Place Condominiums. The amounts for the four years is \$60,677.61. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Haggerty.

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

NOES: None

ABSENT: Trustee Patricia Abato

Mr. Zordan said that lastly we paid down \$175,000 of bond debt during August. Our outstanding balance now is \$5,100,000. Our bonds outstanding total \$1,375,926 as of August 31. The total debt outstanding is \$6,475,926.

MAYOR:

A) Activate the Community Citizen Advisory Committee:

The Mayor said he would like to activate the Community Citizen Advisory Committee. They are: Robert Apple, Vincent Crapella, Dorothy McClintock, Fred Rella, Charles Sawicki, Charles Rogers. Since these are the Mayor's appointments, they do not have to be voted on.

B) CSEA:

The Mayor said that at this time he would like to bring the CSEA Memorandum of Agreement up for vote. He said he thinks the Board has had it for quite some time and he knows at the workshop he asked if there were any questions on it and he didn't get any. A motion to accept the agreement was made by Mayor Keegan, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

The Mayor said that we had a request from Mrs. McCue who requested at the workshop that a name change be done to Pavilion Road to Coonihan Road. He said he is not going to go into it in too much depth. He said basically there was a set of twins who lived up there at one time and they were both killed in the war - World War II. Dan McInerney, who is one of our historians, actually researched it since the workshop and until today and found out that actually from what his research showed, the twins actually never resided in the Village of Suffern. They came to Suffern. They had relatives up on Pavilion Road and that is where they spent some

summers but we have no information of them residing here and so we are going to further research this and look at it and see what we can do with it, but right now we are just in the research field of that.

The Mayor said that he was going to recognize this evening the Little League Seniors who are the New York State Champs and they were going to have a parade but what they decided to do was they are going to do something at Suffern Day where they are going to come up on the stage and they are going to get certificates and there will be elected officials there and officials from Little League and that is where they will be celebrated. And that was a request by the Little League President. The Mayor said that is all he has.

OLD BUSINESS:

Trustee Meehan said that in regard to Battery Saturday, which is something he is proposing. This program would establish Saturday, November 7, as the first Battery Saturday. He has chosen that date because it is the first Saturday following the change from Eastern Daylight Time to Eastern Standard Time. This would then dovetail with the Suffern Fire Department urging homeowners to replace batteries in smoke detectors. If approved, he will ask the Suffern Fire Department to be a sponsor of the program. He would also hope that we could get some youth groups involved and ultimately have two Battery Saturdays each year on the Saturday's following the switch from Eastern Daylight Time to Eastern Standard Time and then the Saturday following Eastern Standard Time to Eastern Daylight Time. At this time, he is requesting the Village to provide a truck on that Saturday. The truck will be driven to the Rockland County Solid Waste Authority on the following Monday. The truck would be parked at Village Hall and volunteers, including himself, would help disposing of the batteries of all sizes including car and truck batteries. He said he has discussed this proposal with John Kloss who is the operation director at the Rockland County Solid Waste Authority and he is pretty much in favor of it. And he asked him about special handling of the batteries. And he said to just bring them over. So that is what we will do. So he moves to make Saturday, November 7, the first Battery Saturday, seconded by Mayor Keegan. Trustee Haggerty said we already have that in place. He said the recycling committee does an update and information on what can be done, where you can drop off this information, where you can put the batteries. So it is in place now. He said he doesn't know where we are going to get the truck from. And is that going to tie up a truck. But the recycling committee still has two years at least that he knows of that was submitted to the Board for suggesting. It is a good program and it should be done and he thinks Jack is right and it should be taken care of. But it is already in place. Upon vote, the motion was carried.

A discussion was had about going into Executive Session but a motion to adjourn the meeting at 9:43 p.m. was made by Trustee LaCorte, seconded by Trustee Meehan. Upon vote, the motion was

carried.