

Village Board Meeting
Monday, September 8, 2014,- 6:30 p.m.

A regular Village Board meeting was held on the above date at 6:30 p.m. with the following members present:

PRESENT: Mayor Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee Frank Hagen
Trustee Matthew Byrne, Trustee John Meehan

ALSO PRESENT: Virginia Menschner, Village Clerk
Terry Rice, Village Attorney
Rob Magrino, Assistant Village Attorney

ABSENT: None

SWEARING IN OF POLICE OFFICERS:

Caesar Munes sang the National Anthem and Chief Clarke Osborn said he is now a member of the NYPD and he thanked him for coming tonight and assisting us.

Chief Osborn welcomed all the family and friends of the officers getting promoted and sworn in tonight. He said this is probably the biggest swearing in that they have had in their department and he can tell them that over the last 24 years that he has been here it definitely is. And he congratulates all of them. Chief Osborn said this is one of the biggest nights of these officers careers right now. He is glad that everyone is here to celebrate with us. He said all of these officers have worked hard and diligently to get where they are and it gives him great pride of the Suffern Police Department to promote them and swear them in. Just to give a synopsis of what is going to happen is that we are going to call each officer up that is getting promoted and then we will bring the officers up that are getting sworn in. We will then invite their immediate family - their wives, children, to join them up on the stage for the pinning.

Chief Osborn said he would like to first call up Sgt. Ed Dolan. He said that Sgt. Dolan will be sworn in to the rank of Lieutenant. Ed has been with the Suffern Police Department since 1997 and has been a Sergeant since 2008. Ed holds a bachelor's degree from Mercy College and at one point served as our department's PBA president. Chief congratulated him and welcomed him to the new rank. The Mayor swore him in.

Chief Osborn said that Sgt. John Mallon will be sworn into the rank of Detective Sergeant. John has been with the Suffern Police Department since 1981 and was promoted to Sergeant in 1988. He has

been a long-time supervisor of our overnight shift and has been a PBA president for the past several years. Chief Osborn congratulated him on his new duties. The Mayor swore him in.

Chief Osborn called Officer Andrew Loughlin who will be sworn in to the rank of Sergeant. Andy has been with the Suffern Police Department since 2008 and prior to that served with the Monroe Police Department for eight years. He will be serving as our department's accreditation manager in his new position and we thank him for his assistance with that in the past and we congratulate him. The Mayor swore him in.

Chief Osborn called Officer Jim Giannettino who will be sworn in to the rank of Sergeant. Jim has been with the Suffern Police Department since 2004 and has served as a DARE Officer for the past several years - most recently serving the students of the Montebello Elementary School. Jim is a lifelong Village resident and we congratulate him on his promotion to Sergeant. Congratulations. The Mayor swore him in.

Chief Osborn called Officer Jose Martinez who will be sworn in to the rank of Sergeant. Jose has been with the Suffern Police Department since 2007 and prior to coming to Suffern he served for two years with the Beacon Police Department where Jose was awarded the Medal of Honor, Medal of Valor and the Combat Cross after taking down an assailant during a shoot-out who had shot a police officer in the line of duty. The Chief congratulated him for all his efforts in this department and his hard work and he wants to congratulate him to a supervisory position. Well deserved. The Chief said he would like to call Jose's wife, Danielle, up to the stage. The Mayor swore in Sergeant Martinez.

Chief Osborn called up Officer Rick Marsh who has been with the Suffern Police Department since 2004 and prior to Suffern served with the Tuxedo Police Department. He said that Rick has a Bachelor's degree from St. Thomas Aquinas College and currently serves as our department's fire arms instructor and a member of the Rockland County SWAT Team. Chief said he would like to call Rick's wife Lisa up, who is a member of the NYPD and she can bring the children up. The Mayor swore in Sergeant Marsh.

Chief Osborn called up Officer William Simurra, Officer Michael Careswell, Officer Ryan Ortiz and Officer Andrew Yorke.

Chief Osborn said that Officer Simurra graduated from the Rockland County Police Academy this past June and prior to the start of his police career, served as a paramedic with the Rockland Paramedic Service as well as a member of the United States Air Force where he is currently a reservist. Billy is a long-time Village resident. The Chief congratulated him.

Chief Osborn said that Officer Michael Careswell joined our department after serving for two years for the Amtrak police and prior to that served as a member of the United States Army where he served a tour of duty in Iraq. The Chief congratulated him and said that Mike is also a Village resident.

Chief Osborn said that Officer Ryan Ortiz graduated from the Police Academy this past June and prior to that served as a member of the United States Marine Corps where he is currently a reservist. Ryan is also a long-time volunteer and a long-time Village resident and serves with the Suffern Fire Department where he is a member of the Hose Company. The Chief congratulated him.

Chief Osborn said that Officer Andrew Yorke started his law enforcement career here as a dispatcher in the great Village of Suffern. He then joined the NYPD two years ago and he was most recently serving in the 46th precinct. We are very fortunate to have Andrew come back with us. He possesses a Bachelor's Degree from the University of West Virginia. The Chief congratulated him.

The Chief said the first item on his agenda for the Board to vote on is the appointment of part-time police officer Jeff DeLuca. A motion confirming the appointment was made by Trustee Byrne, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Chief Osborn said the second item was Sgt. Edward Dolan to the rank of Lieutenant effective November 24, 2014. A motion confirming the promotion was made by Trustee Byrne, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Chief Osborn said Sgt. John Mallon to the rank of Detective-Sergeant effective September 8, 2014. A motion confirming the promotion was made by Trustee Byrne, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Chief Osborn said Officer Andrew Loughlin to the rank of Sergeant effective September 9, 2014. A motion confirming the promotion was made by Trustee Meegan-Corrigan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Chief Osborn said Officer James Giannettino to the rank of Sergeant effective September 10, 2014. A motion confirming the promotion was made by Trustee Meegan-Corrigan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Chief Osborn said Officer Jose Martinez to the rank of Sergeant effective September 10, 2014. A motion confirming the promotion was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Chief Osborn said Officer Richard Marsh to the rank of Sergeant effective November 25, 2014. A motion confirming the promotion was made by Trustee Meehan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

The Chief said the last thing. He would like to thank everybody for their patience. The children were great. And he would like to explain to the people that are coming in a little late. All of these positions are replacements of officers who just retired. Several officers who retired were supervisory ranks. All of the officers are replacing officers that left. Just so everybody is aware of how we do this. And he wants to thank this Board for their cooperation and all of their assistance and support of his department and congratulations to one of the biggest nights of these officers careers right now.

PUBLIC HEARING - CONTINUATION OF ORANGE AVENUE ZONE CHANGE:

The Mayor thanked everyone for coming out this evening. She said she would just like to make a brief statement and then we will begin the hearing. She said that early this afternoon she had a phone conference with Dr. Adams, the superintendent of the Ramapo Central School District as well as Theresa DiFalco who is the president of the school board. They informed the Mayor that there has been no agreement reached between Orange Avenue Associates and the school board at this time but it is their intention to continue to negotiate a PILOT. So they did say that the numbers were far apart, that they are coming closer together, and their wish is to continue to negotiate with Orange Avenue. The Goldstein's have given her the indication as well that they are, and correct her if she is wrong, Josh, also willing to keep the negotiations open with the school board. So at this time there is no agreement with the school board. It has been her belief and still remains her belief that there should not be a vote on the zone change until such time that an agreement is reached with the school district and that she cannot support the project without the support of the school district and an agreement with them that they believe is beneficial to the school district. So that being said, she knows that everyone came out for the hearing on Wednesday and were quite disappointed that we did not have the opportunity to let everyone speak. She said she just wants to clarify with them that the only reason she did that was because the school district indicated to her that there was a new proposal on the table and that they did not have a chance to fully review it. So she felt that we should at least have the benefit of them reviewing that proposal and there may have been an agreement made with the school district. Unfortunately, that did not happen. So tonight we will go forward with the public hearing. Again, there was no agreement reached as of this evening. The Mayor said at this time she would like to introduce Josh Goldstein and Jeff Goldstein who are here on behalf of Orange Avenue Associates as well as Ira Emmanuel, their attorney. The Mayor said she is going to ask Josh if he would like

to speak before we open the hearing.

Ira Emmanuel thanked the Mayor. He said just one more point with respect to the PILOT agreement and then we will move on to the zone change. He said they made a counter-offer to the school board meeting with their representatives for almost two hours on Wednesday morning. They took that information but we have not heard back from them at all since that time. So it is not a matter - he said he doesn't want to leave a misimpression that we have been negotiating without being able to come to any agreement. They have made a proposal and they haven't heard anything back. So it is on the school district and has been on the school district since Wednesday.

Mr. Emmanuel said with respect to tonight's public hearing. Tonight's public hearing is actually the continuation of the public hearing with respect to the zone change. It is not a public hearing with respect to the PILOT agreement, the financing or any other aspect of this application. They are not here to talk about the road system, the parking lot - all of that sort of nitty gritty. That is for the Planning Board. The PILOT obviously is with the school district. They are here to talk about the zone change and the impact of the zone change on the Village of Suffern and the impact with respect to the particular properties that are involved. Just so everybody is aware, and he is sure they are anyway - this is a property that is on Orange Avenue at the corner of Chestnut Street. It has been a number of different things. But way back in the 1920's, among other things, a good portion of it was a battery factory and that battery factory back in 1920 acted like a battery factory in 1920. And they didn't really care about the things they threw away. As a result the ground at that property is now contaminated with lead and mercury. That is one of the things that needs to be cleaned up in order to prepare this site for use. Another thing that needs to be cleaned up, of course, is the old Green Room. And he knows that we had a ceremony for our police officers just before this public hearing and unfortunately many of them will spend many hours at that location trying to deal with the folks that live over there.

But irrespective of that. We need good rental housing in Suffern and Rockland County and that is the purpose of this project. So with that, he would like to introduce David Smith. David is their planning consultant. He works with our Village staff and would work with our planning board to put together the proposed zone change which is the subject of tonight's meeting. The Mayor thanked Mr. Emmanuel.

Trustee Meehan asked Mr. Emmanuel that last Wednesday night he brought up the subject of the town board which had passed a resolution which basically had tied the hands of the school board - or at least that is the way it is reading in the paper - and he

understands that Orange Avenue Associates has somehow disengaged from that ruling of the town board. Trustee Meehan asked if he could explain what happened there. Mr. Emmanuel said that the commitment that we have made to the school district was that we wanted to enter into an agreement with the school district. Trustee Meehan said okay. Mr. Emmanuel said assuming that they enter into that agreement with the school district, and he assumes that they will, then they will disavow the agreement with respect with the town. Trustee Meehan said okay. That was very important to him and he appreciates that.

David Smith said he is a principal with Planning and Development Advisors. They are planning consultants with Orange Avenue Associates and they have been working with them over the past several years with the site planning and the preparation of the zoning for this particular application. This project actually has a fairly long history in the Village. To summarize - the Village back in 2007, 2008 underwent a planning process that evaluated the number of properties along Orange Avenue. They prepared a downtown Suffern/Orange Avenue designation study and in the beginning of 2009 adopted an Urban Renewal Plan which called for redevelopment of the approximately 1.5 acres that are being considered as part of this zoning application. The proposal calls for the creation of a new zoning which would be consistent with the Urban Renewal Plan and that designation. The legislative intent of the proposed zoning which would be called a Transit Development District, a TDD, calls for redevelopment of deteriorating and under-utilized properties with residential and limited commercial uses designed to serve local area residents to create new housing opportunities within the Village to provide support to downtown retail and service establishments in the adjacent downtown to help and support the use of the environmental surrounding of the New Jersey Transit Suffern station to enhance aesthetics and overall image of the project area to generate positive trend in neighborhood real estate values and to improve public safety and to help generate economic activity. The proposed zoning was submitted last year, he believes in August. It has been to our Planning Board for review and comment. It has been to the Rockland County Planning Department for review and comment. And the zoning has been modified to reflect comments raised by both of those boards and members of the public. The initial proposal called for 111 units. The density has been reduced to 92 units. That is 91 units plus the superintendents unit. The building height has been reduced. It was six stories and it is now down to five stories. And the development coverage in the zoning was at one point 100%. It is now at 80%. So as the project has been modified, it has been modified to be reduced in scope and scale.

Mr. Smith said parking on site - there are 121 spaces provided on site. It is a ratio of approximately 1.31 for every unit. Given that this location is approximately 500 feet from a mass transit station, he thinks that is a reasonable ratio for that type of

development. However, comments made by the Planning Board suggested that perhaps a ratio of 1.5 be used and he thinks the language now requests that there is an opportunity to provide off-site parking in Village owned properties or other properties that may be available to satisfy the 1.5. He said he thinks it is approximately 19 spaces that needs to be provided. Mr. Smith said that as he mentioned the total acreage for the proposal is approximately 1.5 acres located at the corner of Chestnut and Orange Avenue. Again, to reiterate the density at 92 units with a private size is consistent with the planning concepts of the Urban Renewal plan. There is an opportunity now that the plan has been reduced in scale to provide for additional landscaping and amenities along Orange Avenue. In addition, he believes that the applicant is also proposing improvements to the underpass that would allow for enhanced pedestrian access, particularly during times of inclement weather. So that is a summary of the proposed zoning and he would be happy to answer any questions that they may have.

The Mayor asked if the Board had any questions and asked if anyone from the Board would like to speak before we open it up to the public. The Mayor said we are going to open the public hearing to the public and she asks that, there are quite a few people here, and she is going to ask that you come up once to speak. She would also like to ask that you reserve your comments to something that has not been covered. She said she would like everyone to get a chance to speak here. Her intention tonight was to limit it to five minutes but she really believes that this is a very important issue in the Village of Suffern so she is going to ask that you are courteous of all that are here tonight and that you keep your comments to a minimum. But of course let us know how you feel about the zone change. She would also like to remind them that this is a public hearing on the zone change tonight. It is not to discuss the PILOT of the school district so she asks that you keep your comments to the zone change for the project. Please when you come to the microphone state your name and your address.

Charles Falciglia of 14 Sagamore Avenue said this is such a controversial and emotional and huge project for the Village. He is suggesting that we consider having a ballot referendum. The Mayor said she was sorry. She didn't hear him. Mr. Falciglia said a ballot referendum. The Mayor said a ballot referendum. Mr. Falciglia said let the people of the Village decide whether they want this or not. He said he thinks it is something we should consider. Trustee Meegan-Corrigan said you are speaking for the zone change. Mr. Falciglia said it could be the zone change. The PILOT is immaterial. It is for the project itself. Let's keep it to the zone change. Or we can expand it. We can make it the project itself. He said he knows there is a cost probably involved but obviously costs are seen through rose-colored glasses. We can all of us trot out maybe a hundred costs over the last decade spent by the Village that weren't very wise. He said he can probably sum

that up in three words - the Parking Authority. The Mayor said she just consulted with Rob, and although you could do a referendum on it, it is not binding. Mr. Falciglia said a ballot referendum? Why wouldn't a ballot referendum be non-binding.

Mr. Magrino said that this Board is the one that determines the zone change so a vote, if it were approved, would mean that this Board had to approve the zone change and if it was disapproved it doesn't mean that this Board would have to disapprove the zone change. Mr. Falciglia asked why it was different than the ward system petition. Why would it be different than the ward system petition. Mr. Magrino said he is not familiar with the ward system petition. Mr. Falciglia said you haven't heard of a ward system? Mr. Magrino said he is not familiar with the petition that you are referring to. Mr. Magrino said he was sorry. Mr. Falciglia said it is a petition to bring a ballot referendum. It is not really the ward. Mr. Magrino said he understands. That is a different issue. He thought Mr. Falciglia meant in the zoning context. In the zoning context there is not a provision for a ballot referendum to determine a zone change. Mr. Falciglia said but what if we have a ballot referendum to determine if we want the project or not. Is there anything to prevent him or anyone in this audience from bringing a petition for a referendum. He said he is not trying to give anyone a hard time here. He is trying to find or talk about a solution. Because there is obviously universal opposition to this and that is why there is a ward system vote that is coming on September 30. He said he would also like to see the Board pass a resolution supporting the ward system. The Mayor asked him to stay on target here. She said she knows that he is seizing the moment but. Mr. Falciglia said he hasn't set foot in here for a year so you should be thankful. Mr. Magrino said a zone change is not a matter that is subject to a referendum. There are issues that are subject to a referendum. Mr. Falciglia said okay. He heard what you are saying. He said is the project - do we go forward and have the referendum on the project itself. He said he can see that everyone is trying to wiggle out of this. But this is universally - he understands that there are a lot of people that are for that also. And he thinks that is the fair way to settle this. This isn't a stupid vote that we had on a yellow line on Yorkshire Drive. This isn't that. This is something that has gotten people's emotions up and running. It is the right way to do it. It is the right way to government. Mr. Magrino said to answer his question. It is not a referendum such as what you are talking about with respect to Ramapo. That is something that is provided for in statute that a petition can be made. There is nothing - there is no equivalent with respect to a zone change. Mr. Falciglia said you can vote for that. Mr. Magrino said if he can just finish. He said the right thing he wanted to say is that what Mr. Falciglia may be speaking of is more of a poll, so to speak, or some type of vote. But it is not a referendum which would be binding on the Board one way or another. Mr. Falciglia said so have a non-binding

resolution/referendum and he is sure that Mr. Goldstein and Mr. Goldstein would abide by it. Because he is sure they want the public behind this building and supporting it. The Mayor thanked him. Mr. Falciglia said he had one other question. He asked why did we buy 120 Orange Avenue. Why did we buy that - 120 Orange Avenue. Why did the Village purchase it? The Mayor said initially she thinks it was purchased because we were going to create more parking in the downtown area. Mr. Falciglia said we didn't purchase it with the idea that it was a speculation that a developer would come in and someday redevelop it and the idea behind it was the 322 might become 422? The Mayor said no. We did want the Urban Renewal projects on the Orange Avenue properties and it was a way for the Village to hold on to be able to make that part of the Urban Renewal project. They would have a building to promote that renewal of that property. Mr. Falciglia said if we knew there was going to be redevelopment why didn't we check at that time for a brownfield. The Mayor said she was sorry - Mr. Falciglia said why didn't we check at that time for a brownfield. The Mayor said we did no borings at that time. But you have to understand something. A cleanup underneath that property - there are programs out there for cleanups. Mr. Falciglia said he fully understands that. The Mayor said there is money out there. She said she doesn't think that is a huge component of the whole picture here. Mr. Falciglia said he doesn't believe it is for one bit. He said that Jack threw out an \$800,000 figure in the newspaper and he was wondering where he got that from. The Mayor said she doesn't recall reading that. Trustee Meehan said \$800,000? Mr. Falciglia said yes, he thinks he wrote a letter to one of these local newspapers and you said the brownfield clean up was \$800,000. Maybe they misquoted you. Trustee Meehan said he really doesn't remember that letter. He will check when he gets home because he keeps all letters in his computer. But he doesn't remember - when was this letter written? Mr. Falciglia said right after you changed your vote. The Mayor asked Jeff if he could tell us what the total cost of the brownfield was. Mr. Falciglia said he has the right to change his vote. Mr. Goldstein said it would be 800,000 to one million for the entire cleanup. The Mayor said what Mr. Goldstein is saying that for all the properties that would be used for this project the cleanup on every property that they would obtain - the total cleanup would be between \$800,000 and a million dollars. Mr. Falciglia said he has had enough one liners for the night. The Mayor said you did a great job.

Trustee Meehan said that since his vote was brought up he would really like to expand on that a little bit that he switched his vote. The fact of the matter is this - Trustee Meehan said he will listen to whatever anyone else has to say and he hopes they will give him the same courtesy. He said he didn't vote for it when we had our original vote. He said he felt that he wasn't well enough informed to make that type of decision. And he also felt that my gosh, if the Goldstein's can't get a loan for property development who could. So he felt that he needed some expert help on this and

he contacted - and this was before we cast our first vote - and he contacted our attorney, Mr. Magrino, and he said that he really needed some expert opinion on this. He needs someone who knows a lot about the financing of residential housing. Has a lot of experience with PILOTS and this type of thing. And Mr. Magrino recommended an attorney - a law firm - from Long Island. Totally who has no interest in Rockland County and who could look at this in a fair and equitable way. And their attorney came. He studied all the papers that the Orange Avenue Associates had put out and Trustee Meehan spoke to him for about an hour and he said, look at these people. They are the Goldstein's. They have a lot of money and they have a lot of influence. The *New York Times* did a story saying they are one of Governor Cuomo's largest supporter and that they have a lot of clout in this state. Someone from the audience asked who paid for the attorney. Trustee Meehan said excuse him. He was getting to that. The fact of the matter is that the Village of Suffern paid for the attorney. However, we were reimbursed by the applicant. Trustee Meehan said he has been in office since 1998 and he listens carefully to people and he thinks that is why they keep returning him. The Mayor said let's keep this civil. Trustee Meehan said he is trying to keep it civil but when we have people shout out. Trustee Meehan said we were talking about how they were paid. He said we have, for example, the Village's zoning and planning consultant sits here. And he is sitting here tonight. Now when this goes through our Planning Department he is paid out of an escrow account supplied by Orange Avenue. That doesn't mean he is working for Orange Avenue. That means he is being paid from Orange Avenue. This attorney was paid for by the Village of Suffern and we were reimbursed by Orange Avenue. So you can say they paid for it but did they own that opinion. This is a professional attorney and he asked him, as he said, he had a long conversation with him because this, very frankly, he likes serving in the Village and this decision might cost him his seat. It might. People tell him this is - Charles is his next door neighbor and he is telling him this is universally opposed. Well, if it is universally opposed there are very few people here opposing it. He said he knows that just looking out he didn't see a third of the people who were in favor. He said he just knows them. And he knows there are a lot of people opposed too. But his view, after speaking with this expert, and he is not an expert, was that this project could not go forward without a Payment in Lieu of Taxes and it is not a matter of subsidizing or voters subsidizing. This isn't going to happen. We are either going to have the PILOT or we are going to have nothing. The Mayor asked Trustee Meehan to stay on the zone change. She said she is sorry. Trustee Meehan said he knows we are on the zone change.

Grace White of 25 Bon Aire Circle in Suffern said she moved here three years ago. She said she is a retired state worker. She is living on her pension and her social security that she worked very hard for. She said you are asking me to pay more taxes so rich

people can pay less taxes. Somehow that doesn't sound proper. The Mayor said we are not talking about the PILOT tonight. This is a public hearing for the zone change only. We have to keep our comments to the zone change. The PILOT that is happening really is not our PILOT. It is the PILOT of the school district so we are not hearing that tonight. We are here to talk about the zone change. Ms. White said well the zone change means that she is going to pay more taxes. The Mayor said point well taken. Ms. White said there is a connection. The zone change means that the money she worked so very hard for is going to be paying more taxes. She said she thought they were elected to represent us, not them. She said she highly resents the fact that we, the people in the Village of Suffern, were not consulted about how we felt about this. The Mayor said we did. We had many hearings on it. She is sorry that Ms. White was not present. Ms. White said you didn't have very good advertising on the hearings because she would have been there. She would have been there. The Mayor said we did advertise it on the local newspapers as well as it goes out on the computer. We also send out phone calls and text messages so it was highly publicized. Ms. White said that she would like to say that she would like to see something happen that her taxes won't go up so a rich person, like a company or the others, can pay less taxes. She wants them to pay the taxes. Not her.

Dagan LaCorte of Burlington Avenue said this project is really interesting. And it is interesting to the extent of the fact that it has been going on and discussed for a decade, pretty much. And you know we are here tonight to discuss a zone change. Unfortunately he thinks what happened is like many things, and especially here in this county, there is a lot of anger. There is a lot of anger with what's going on. Taxes are high. What's going on in East Ramapo. People are afraid that it is going to spread to Ramapo Central School District. Destroy this county. Look, there is a lot of anger. There is a lot of anger of the people who remain here and the people who are really angry have left and moved to New Jersey. But the question remains that we should have an open and honest discussion about this. But he thinks what has happened is we have a situation in which people kind of invent their own facts. And he thinks, while obviously he wants to focus on the zone change, what happens is is that you have a situation where if you have an existing building and the taxes are \$100,000 and you give them a PILOT that cuts the taxes to \$50,000. The Mayor said Dagan - stay on the zone change. Someone from the audience said something unclear. Mr. LaCorte said it was okay when Mr. Falciglia got up here and talked about a referendum. The Mayor said she asked him also.

Mr. LaCorte said fine. You want to talk about the zone change. We will talk about the zone change. Just when someone gets up here and says their taxes are going to go up because of this project it is not true. But in terms of the zone change. You have a situation in

which you have a downtown that for the last fifty years has seen businesses leave. When they opened Interstate Shopping Center and everybody left and everybody went to the strip malls along Route 59 and Route 17 downtown Suffern died. And that has happened all over this country. An amazing thing has happened in the last ten years and especially in the last five years. There is a major secular change where people are moving back into urban areas. Shopping malls and strip malls are dying. Do you know what is excelling right now? Foot traffic. Town centers. People who want to live in an area, have mass transit close by, shop there, eat there, and enjoy their lives there. So this type of project is great for many reasons. One, Suffern has two major mass transit situations. You have bus and you have train. You also have twenty vacancies in our downtown. So the question is how do you make downtown Suffern great again. And the way is you need to provide a living opportunity where young people, or people who are downsizing, can move into this county. When he and his wife moved here, there weren't any rental options. Fortunately, they were able to buy in Bon Aire at the time because the market enabled you to be able to put down \$10,000 and buy a \$250,000 condominium. You can't do that anymore. You have to put down 25%. So if there is someone who wants to stay in Rockland or move to Rockland and wants a good housing option and they are not ready to buy, there is nothing. So the simple plan here is by building this building - which again, he disagrees with Mr. Falciglia. Yes, everybody in this room is upset by the way it has gone down. They read. They hear Goldstein's. They hear Cuomo. He said the point Mr. Meehan made was the most important point. You cannot get money to build a business in downtown Suffern. Banks will not lend in Rockland County. You have a brand new building that is going next to the Hacienda. That lot has been vacant for fifty years. Aurie Upgang, who is an architect, and Brian Booker are coming together to build that. The amount - they had to give personal guarantees. They had to put up their life insurance. Brian Brooker's wife told him. She said Dagan if we knew a year ago that this is what we were going to have to do to make this happen we wouldn't have done it but we are already committed. So the point is that there is a reason why there hasn't been a new building in the downtown in forty years. No one has reinvested. So by building this building and attracting people to live in the downtown what you are going to see is what has happened all over the country in urban areas. Once the people move - and again we are not talking about making this a city - but a place instead of living in a suburb like where he lives in the Village of Suffern where you have to get into your car and drive everywhere - in an area where you can get out of your apartment, walk to the train station, walk to a restaurant. Once that happens then what you are going to see is that the stores that we have always talked about wanting to have they will come in. And this is - yes - is it speculative, is it guaranteed - and he sees Mr. Genser here laughing - or whatever it is. You know what. There are no guarantees. But it is working everywhere. Just drive throughout New York City. Crown Heights, which had riots twenty

years ago is the hottest neighborhood in Brooklyn. And he is not saying we change Suffern to New York City but we do have a downtown with twenty vacancies. And what is amazing is you have two people who came in because of this plan when he was Mayor. You have Rainbow Ace Hardware store which came into the OTB because he sold him a vision of Suffern where his store would succeed and people would walk into his store. He made the investment hoping this project would happen. And believe him. This project will help him. And the same thing he said with Aurie Upgang joining with Brian Brooker to build that building. So those are two people who invested in this Village. Did they get tax breaks at a special PILOT program. No. But it comes with its own tax breaks by laws that do exist and they do get a partial exemption for a period of time. So the question is here to get this building built a thirty-five year PILOT has to be given. But if you just take those two investments right there - Ace and Brooker and Upgang's building right here on Lafayette Avenue. If they don't believe there is an urban renewal plan that was going to involve projects on Orange Avenue, they never would have come here. And the amount of additional taxes that the Village is going to generate over the next thirty years from those two projects is making up at least a third of whatever break this developer is getting if the project were built at full taxes which it couldn't be built at full taxes. The Mayor asked him if he was almost ready to wrap it up because a lot of people want to speak. Mr. LaCorte said so the point is when you see that happen there is going to be reinvestment, there is going to be a turnover in landlords. People are going to reinvest in the downtown properties that is going to raise assessments and bring in more tax dollars. You can say it is speculative because that is not what you are focused on doing all day. But if you go online and you look at reurbanization and what is going on in this country you will see that this can really work. It is going to make a difference. And for people like him who have young kids whose house is under water and who pays the same taxes as you and his friends who are stuck here - they want to see this happen. A lot of them can't be here tonight but they support this project. So the notion that it is universally opposed is just not the case.

Trustee Hagen said that we do have audience participation at the end. A lot of this might be a good idea to save it. Stick around and give your thoughts on everything later. The Mayor said yes, we do have audience participation. Trustee Hagen said let's stick to the zone change. The Mayor said we do have audience participation so if you have comments that are not pertinent to the zone change we do have audience participation still on the agenda.

Jim Giannettino of 2 Memorial Drive said he is not going to ask for his ex-Mayor privilege to speak for as long as he wants. He said he gets to the point. You know that. The Mayor said yes, you do. Mr. Giannettino said we have a couple of ways that maybe we can solve this. He said he thinks, and he knows Josh, and he knows his father

not as well as Josh. If they want to see this thing go through turn back the deplorable deal that St. Lawrence wrote into the law and sit down and negotiate with the school district on a level playing field. That is one solution. The second solution is this Board can vote tonight not to pass the zone change and with a codicil that they will bring it up when the school district gets a fair deal. He said he is not going to go into what the Village accepted because Josh knows he wasn't thrilled with that deal. And he gave some alternatives to the Board which he was given and unfortunately at the time he said he couldn't accept them. No one is getting what he feels is a just - the Mayor said you are on the PILOT. Mr. Giannettino said no, no, no. Wait a minute. He got a half hour. The Mayor said he talked about the zoning. Mr. Giannettino said he spoke about his house being under water. The Mayor said he spoke about the zoning. The Mayor said he was talking about bringing things into the Village under the zoning. Mr. Giannettino said okay he will get back to it. Is the brownfield considered part of the zoning. The Mayor said no. Mr. Giannettino said it certainly is. The Mayor said it is not. Mr. Giannettino said one quick question and he is sitting. \$800,000 which he doesn't dispute it is probably going to cost. What is the state and federal government giving you towards the brownfield. The Mayor asked Josh if he would like to answer that. The response was 25%. Mr. Giannettino said so that means \$200,000 minimum will be paid by the state. He said you are going to realize a \$200,000 credit over the years of the project? Correct. There was a discussion between Mr. Giannettino and Mr. Goldstein that could not be heard. Mr. Giannettino said we are talking about luxury apartments - not section 8 or senior housing. There is a huge difference. Mr. Goldstein said we are not talking about luxury apartments. Mr. Giannettino said it is no longer considered luxury? Mr. Goldstein said they are market rate rental units. Mr. Giannettino said he has heard the term luxury apartments for he doesn't know how long. The Mayor said in all fairness they have said market rate rentals. And the *Journal News* did publish luxury. In terms of what the rentals were the cost of the rentals she thinks they just took it upon themselves to call that luxury. Mr. Giannettino said okay. If that is the case, that is the case.

The Mayor said getting back in the zone. Mr. Giannettino said back in the zone. In order to rezone this property, we are creating a transit district. Correct? The Mayor said yes, transit oriented. Mr. Giannettino said he has read the zoning as of the last time it was on the website. Now, if he is incorrect, please tell him. You are looking for five floors now. Mr. Giannettino said the zoning amendment still had six floors in it. Mr. Goldstein said because of the Chestnut Street side. Mr. Giannettino said okay. That makes sense. He just wanted to clear that up. Because it says six so you might as well pass it for what it is. You know his feelings on this project. It was his idea to begin with ten years ago, although Dagan likes to take credit for it. The Mayor said in the zone. Mr. Giannettino said and he wanted it zoned condominiums.

Jeff Genser of 32 First Street said we are talking about a zone change. The Mayor said we are. Mr. Genser said the zone change to a transit zone was something that originally he actually was in favor of. But if you recall, he questioned the fact that there was a zone change and developer being shoved down our throat all together in one fell swoop as opposed to the normal procedure - changing the zone of something, people who are interested in zone changes would have found out about that and in theory there would have been other potential developers interested in this new zone. But that is not what we have here. We have the zone change and a developer with a PILOT already given and this is what is wrong with the project. We weren't given the fair opportunity to decide first on a zone change and then who we wanted to develop our property in our Village. Secondly, there were two projects mentioned. The hardware store. Guy lays out 4 million plus of his own dollars, working seven days a week. The Village is now raising his real estate taxes 50%. He is going to be subsidizing the PILOT to some degree for a group of developers who have, and he doesn't want to use cliché's but he is going to use it - more money than God - and it just doesn't seem very fair to him. So his other question about the zone change is this. Is the current zoning - would the current zoning on the property in question allow the developer to build this exact building there but not allow him to get the tax breaks that he is trying to get. A PILOT - all these other discounts with the school district, the town. Could he build the building there with the current zoning as it is but not get the ability to ask for a PILOT or any other discounts. It is about the zone change. Could you answer that for us. The Mayor said yes, he could have - if it made sense for him to build it with his own financing, he could have. Mr. Genser said okay. Thank you. So that is the point. The building can be built - Mr. Magrino said no. Mr. Genser said sure it can and he resents the fact that you open the meeting - the Mayor said she thinks she is misunderstanding the question - Mr. Genser said and have the developers attorney tell us what the meeting was about and what we could talk about and what we couldn't talk about. The Mayor said excuse me, excuse me. She said this is a public hearing for a zone change. She thinks she may have misunderstood his question. Could you please repeat your question - the Mayor said could the developer. Mr. Genser said as the zone exists now - as those properties that comprise the area that is called blighted and urban renewal area - as it is presently zoned this second could he come in, apply for a building permit and build a five story building over there. The Mayor said the answer is no. As it is presently zoned. But she also wants to bring something up to his attention. You had said that we should have changed the zone prior to - Mr. Genser said yes. The Mayor said do you realize had we done that we would have been stuck with the Town of Ramapo's decision for an Article V. Mr. Genser said that is speculation. The Mayor said it is not speculation. It is the truth. Mr. Genser said if that is the truth then he will also add a little more truth. The Mayor said that is the truth. He said he came in here and he is not

optimistic what is going to happen. In fact, he knows exactly what is going to happen because what is going to happen here is exactly what happens every single time we have a public hearing. The decision is long made and we are here to be patronized. Thank you.

The Mayor asked if anyone else would like to speak on the zone change. Randy Ortiz of Fairview Place said he also owns a business downtown. Next year will be his twentieth year in the Village of Suffern as a business owner. And he would just like to say on the zone change why he thinks it would be important to grant the zone change for a few reasons. He said we need a catalyst downtown to change things and he hears it all the time - people talking about, and it's been over all the Mayor's - they are all talking about what we can do. There has been redevelopment committees, there has been sidewalk changes, there have been these little street lights put in that was going to save the day. There have been all kinds of things that we can talk about. But what really is going to change things is to put something in that is going to bring people downtown that have money to spend. Right now there are eight places to get your hair cut. There are eight places to buy lottery tickets. There's eighteen, and he disagrees with the twenty because he just counted the other day, there are eighteen vacant storefronts not to mention above his shop there are three empty office spaces and across the street above the M&M Shop he believes there are three up there. And Provident Bank - he didn't count that. That is also empty in case anybody hasn't noticed. So something has to happen downtown. He said he is not going to talk about the taxes. He is going to talk about why we need the zone change. And he thinks that people have to forward think a little bit and look out how this could possibly benefit - he said he thinks this would possibly benefit the residents, the merchants a lot more than everybody is really thinking about. What is the end result. He said he really thinks this should be approved. The downtown needs it. The merchants need it. And he thinks it will be good for not only the Village but for the whole - our Village is the Village for the Ramapo Central School District. It is Montebello's village. It is Airmont's village. It's Hillburn's village. And it is Sloatsburg's village. What happens here affects the whole school district. He said he had to get that in there. And he thinks it should be changed.

Bob Morris of 24 Terrace Avenue said he has lived here 46 years or so and as far as the zoning change - every time something unusual has been looked to be built down here the politicians have the same story. We are going to revitalize the downtown. We are going to have people come in and do this, that and the other thing. And we saw it when they put up Park Place. He said he doesn't know if you people even lived here when they put up that. But that was going to revitalize downtown. The apartment complex that is really quite a mess right now over on Chestnut Street. That was going to revitalize downtown. He said he guesses the question he would ask

the Board - have any of you taken the time and study whether or not any of these things have come to fruition. We can keep saying anything we want - oh, this will improve downtown. But in fact if there is 18 or 20 stores vacant as Randy says and we have put up Park Place, huge multiple dwelling building that was supposed to make life easy for the seniors and older people and people with no children - and again it is only a block away from mass transit. That was the very same rationale that was used to put up that building. Chestnut Street again was a place for working families. Again, a two block walk from mass transit. And yet we have 18 to 20 stores vacant in the Village. So obviously this rationale isn't working. Maybe we have to look at what the underlying causes are that the downtown is being vacated. Maybe it's because the average working people can't afford to live here anymore. That probably is our biggest problem. As far as this project goes, somebody mentioned about changing the zoning. You said you had problems getting developers and he has no doubt - you are absolutely right. If somebody looks at what he has to go through to change the zoning, unless there is a strong monetary benefit to him, he is not going to go through this. If we really wanted to do this and wanted an open competition to get the best bang for our dollar we would have changed the zoning to something that everybody could have agreed upon - whether it be four stores, sixty families, whatever. And put that out to a bid and he is sure you would have had a number of developers. If we didn't have a number of developers and we only had one, then so be it. That would be the process. But over here we are doing something kind of ass backwards. He said he would seriously consider holding your thoughts on the zone change and let's see if we can work out something better. All these reasons are not valid.

Trustee Meegan-Corrigan said that part of what you were discussing was about us, the Village, going out and requesting developers to come in with our requirements. And we did do that twice. Mr. Magrino said residential can't go there right now under the current zoning. Mr. Morris was speaking from the audience and was not clear. Mr. Magrino said his understanding was it went out with the understanding that the zoning would be changed to accommodate what a developer could put there. The Mayor said it was included in the RFP. The Mayor said the RFP went out with the understanding that the zone would be changed. It went out under the perfect circumstances. Trustee Meegan-Corrigan said not once, twice. The Mayor said not once, twice. Mr. Magrino said until this Board votes there is no zone change. If you change the zone the developer may come in with something you don't like. The Village still has control because the developer doesn't have the zone change at this point. Which is typically how it works. Typically it was that way. That a project comes in and then the zone is molded or changed to fit the particular project so you know what you get. Where if you do the zone change first you don't necessarily know what you are going to get. The Mayor said developers know that. When they come

in here zone changes happen every day. She said she knows that the contractors she spoke to - they do this everyday. They know that zone changes are done all the time to bid a project.

Trustee Meehan said the *Journal News* reported that there were 20 vacant stores and they were quoting Supervisor St. Lawrence. Trustee Meehan said he has been working with the downtown committee and he physically went all over Lafayette and Chestnut and there are less than 10 vacancies. So let's not talk about 20 or 18. It is less than 10. It is way too many but it is less than 10.

Jean Hennelly of Wayne Avenue said she would like to know exactly what points of the Rockland County Planning Board's recommendations were actually met. She said they came back and made some changes to their plan and she would like to know point by point which recommendations were met by the Rockland County Planning Board. The Mayor said with regards to - Mrs. Hennelly said to the zone change. The Mayor said to the zone change.

Dave Smith said that the Rockland County Planning Department had submitted a letter dated October 10, 2013. He said they provided responses to each of their comments as part of their submission to the Village. The first comment from the Planning Department they talked about the overall density, the residential density. In their opinion they thought that 111 units was too big and so the response there is that the development has actually been reduced in scope and scale to 92 units. So we responded to that particular issue.

The second comment they raised was that a review will be completed by NYS DOT and all permits obtained. He said they agreed with that. And yes, in the event they need to coordinate with DOT they would do that. The third comment they had is the parking standard with respect to 1.5 spaces per unit with accommodation of on-site and off-site. The zoning petition must specify the off-site parking arrangement at site plan approval and that is something that they agree with and that is a reasonable approach and that while they are providing a ration of 1.31 for every unit that that leaves an additional 17 spaces off-site and that there are opportunities within the Village to fulfill that as part of site plan approval process. The fourth comment they raised was the proposed multi-family residential building must comply with all requirements of NYS Uniform Fire Prevention and Building Code. He said while they respond to that that is not a zoning or planning issue but of course they are going to comply with any and all code requirements under New York State with respect to building code. The last comment that the County had raised was that a review must be completed by the County of Rockland Office and Fire and Emergency Services, the Village Fire Inspector, the Suffern Fire District to make sure that there is sufficient maneuverability onsite for emergency vehicles. They have no issue with that type of review being conducted as part of site plan review and that is the most

appropriate forum for that type of review. Those were the comments raised by the County and those are their responses. The Mayor thanked him.

Mrs. Hennelly said it just sounds like all of these are going to be done after the fact of the zone change vote. She said she wishes these minor details would be determined prior to the vote such as the fire and the DOT. They are mentioning that now so shouldn't that be done now? The Mayor said the process is that if the project goes ahead that they have to comply with all of these recommendations from the Planning Board in order to go forward with the project. So the developer has to keep that in mind when he is going forward with the project that he can't do a project without complying with this. Mrs. Hennelly asked if the Mayor could tell her if and when the last traffic study was taken place on Orange Avenue. Mr. Magrino said John has that. The Mayor asked if he had the date on that. Dave Smith said as part of the process, and he doesn't have the exact date, but last August as part of the initial submission there was a traffic study submitted by Mazur Engineering that reviewed the proposed zone change and that study was reviewed and commented on by the Village's planner and the traffic engineer and responses were provided back to the Village he believes in either October or November again as part of an ongoing evaluation - as part of the State Environmental Quality Review Act - the SEQRA process that the Village needs to go through as part of the evaluation of the zone change. And all of those reports, he believes, are on file here in the Village.

John Lange said without getting into all of the environmental issues the traffic report was accepted as complete by DOT and they acknowledged that the traffic proposed in this would be less than a commercial development would by the standard multipliers and the traffic report recommended some mitigation in terms of the signalization of the signals to assimilate some of the existing problems not necessarily the problems from this. The traffic has been fully evaluated and it will be re-evaluated as we go through the site plan.

Mrs. Hennelly said just one more question in regards to the Village's Planning Board. What recommendations did they ask for and have they been met. The Mayor said yes. Mrs. Hennelly asked if that was in writing. The Mayor said yes. Mrs. Hennelly asked where can we obtain that. The Mayor asked if she wanted a copy. Mrs. Hennelly said yes. Mrs. Hennelly said she thought usually with public hearings that at the beginning of the meeting you would read off the actual verbatim of the zone change and she doesn't recall that happening this evening. She was hoping that you could read it to the public, please.

Mr. Magrino read: "Please take notice that the Board of Trustees of the Village of Suffern proposes to adopt a local law amending

sections 266-6 and 266-22, the schedule of general use regulations of the Code of the Village of Suffern by adding thereto a new zoning district to be known as the Transit Development District (TDD) high rise multiple family residences at a maximum density of 75 dwelling units per acre. And by amending the zoning law and zoning map of the Village of Suffern to rezone properties along the east side of Orange Avenue and the north side of Chestnut Street which properties are known as and identified on the tax map of the Village of Suffern and Town of Ramapo as section 54.35-2-6, 7, 8, 10 and 29 and which properties are located at 120, 122, 128 and 130 Orange Avenue and 33 Chestnut Street in the Village of Suffern. Please take further notice that the public hearing will be held at the Village of Suffern municipal building, 61 Washington Avenue, Suffern, New York on September 3, at 6:30 p.m. (Mr. Magrino obviously this has been continued from then) and please take notice that copies of the full text of the proposed local law are available at the office of the Village Clerk, 61 Washington Avenue, Suffern, New York."

Mr. Magrino said he will note that it does say 75 in here but the proposed law is a maximum density of 65.

The Mayor asked if anyone else would like to speak.

Debra Munes said she actually lives in the Village of Montebello and she has been here since 1993 and she is also here representing her mother. She said she has her power of attorney. Her name is Sandra Bentley and she lives at 122 Parkside Drive. Ms. Munes said she came here back in 1993 and she invested in this community and when she invested in it she invested in it because of Suffern. She said she did a lot of work. She basically sat down with the maps. She drew it out. She looked at the number of parks. She looked at the transit which was very important to her because she worked in the city and she commuted in and out of the city for at least the first eight years that she was up here. So for her Suffern is indeed sort of the nexus of this area. A lot of people share the 10901 zip code and there is a very strong identity. She said she has two major concerns. She doesn't want to say that she is against this because she thinks that is never helpful. She thinks the issue is that progress needs to be made. We all know that progress needs to be made in Suffern. She is just really concerned about how this particular zone change is actually being looked at and how this planning is taking place. She said she is not familiar - she hasn't heard and she usually keeps her ear pretty close to the ground on when the last master plan was developed for the Village of Suffern and she has a major concern that this zone change is being considered outside of that context. That is something that should be done every five and ten years and updated on a regular basis and should account for this if this is the right decision. She said she spent a lot of time fighting against large scale multifamily developments outside in the rural areas and she has always said

that the place for them is closer to Route 59 so she is not opposed to it per se. Her concern is that the Village of Suffern - is this right scaled and there is a lot of different projects going on and she doesn't see how they tie together and she is somebody who lives here and she has gotten her mother to invest in this community in the Village of Suffern and she sees a tremendous amount of problems with the Village. She said she tries to use the Village. She always tells everybody go to the Lafayette Theater. She said she organized the film festival here in April because the goal is we all need to focus more and make this more of a Village center but her concern is she doesn't see how this particular project is going to make it a Village center because of its orientation as new apartments. And she sees that the fact that the major reason for the zone change is to allow for these apartments and she does see all these other apartments and she has to say quite frankly that a lot of them have been very ugly and ill-planned. And her major concern is that - how does that make her - somebody who has been living here all her life who really desperately wants to spend her time and her money in this Village. What does that do for her? How is this bringing new life in. She said she thinks that there are a lot of different projects going on and she is concerned that it is going to take a lot of the problems that she is facing, interacting and spending money in the Village of Suffern, and make it worse. And she is just concerned about this being decided in a vacuum - she shouldn't say a vacuum - but unto itself without a larger plan. She has heard some very interesting plans that have come up from other areas about ways to revitalize the community and she thinks you have to start what is the vision for Suffern. And she knows that in terms of her vision for Suffern - when she came to this area she always said, okay, we have our natural environment. We have Harriman. We have all of these great facilities. We have the transit. It gets people in and out of the city. We have places to go but people don't go there. Why don't people go to Harriman more. Why don't people go up to Sloatsburg. We have a lot of traffic pattern issues and she doesn't know how this is supposed to address that. She is concerned that if you don't take a look at the roads and the traffic and really look at it how is this going to make it better. It can make it worse. When she grew up in Manhattan - she grew up on the Upper East Side - she grew up in the barrio and they had six story buildings and that was the tallest. But her community, her neighborhood became the real chi-chi high rent market place and got a tremendous amount of redevelopment, renovation without anybody putting up new massive scale buildings and it started because of what was going on with the storefronts first and cleaning up the neighborhood and fixing the parks and dealing with other broader issues made it a much more desirable place to live. And her concern is just bringing in more people without addressing the things that are making this undesirable what kind of people are you going to be attracting. And the zone changes are given specifically because you are trying to encourage someone to make an investment. It is not their right. It is something if you come in and buy property you

have the right to develop within that - whatever it is that you bought, the zone that you bought. But you don't have the right to simply come in and do these things. So it has got to be something that makes sense. And usually for a village, especially of this size, it makes sense to her that it should be done in the context of an other slightly broader plan and she doesn't know if that needs to be an official master plan because that is very cumbersome and that does take a lot of work but it seems to her that perhaps you might be more familiar - because you are looking at all these individual projects - and you may have a vision as to how they are all going to tie together but she hasn't seen any announcements of connection with the community that talks with how will all the big - what is the vision. How is this all going to tie together. How are you going to bring all these various projects together. How are you going to address what she considers some really massive parking issues, really massive flow issues in the town. She said she knows that even coming here tonight she had to go park across the street at the church and she is looking at it as why do we need more apartments. She said her mother bought her apartment for \$165,000 and there was a time when you could put down a little money. She just plopped down her money and didn't have to put down anything and she cannot sell that apartment. It is a two bedroom apartment that has been renovated - lovely - and she cannot sell it for \$100,000. She is renting it right now for \$1600 and she can only do that for another year. And the issue is why won't people come to this area. Why won't people make that investment. And she doesn't think it is because it is missing another apartment building. And she thinks that that is really fundamental. So the issue is she doesn't see why you would give the zone change for this apartment building. She said she can see giving a zone change. She loves the idea - she happened to see the new building that was designed by Afgang or however you pronounce it. She said she was really impressed. She said wow that is the kind of stuff you need going along Suffern. We need to revitalize the downtown area and do those kinds of projects because it just makes it interesting. You need more working people. She said she had a good friend, the Simon's, who came in and redeveloped an existing home and made it into an office building and they got a zone change and you know what - it fits in. It fits in with the community. They bring more people in here. There is no impact on the school system. She said she thinks we could be doing that a hundred fold over and make and drive business here in the Village of Suffern. When you look at really interesting places - village communities that really sustain tourism, you want quaint. You want - the Mayor said she is going to have to ask her to wrap it up. We have other people who want to speak and she wants to make sure that she gives everybody a chance so if you could just give your final comments. Ms. Munes said the key things that she is saying - it is not that she is saying don't do this. She is saying don't do this now and don't do this without better engaging with the community and sharing or perhaps even possibly you might have to go back to - you have this great planner

here. He is telling you that he likes this particular project. But she also knows that he is probably very skilled and he could be doing a little bit more. She would like to see how this is going to give back more than just to a bunch of new people. And the other issue. Maybe you put some constraints on the people coming in. She would rather see 111 really small apartments - with no children - with no impact on Ramapo Central so that everybody is here with no kids and they have money to spend on restaurants and to do things. Maybe we need bike parks or something that is going to connect us and get people out and get more things that are going to bring people into the city for the day to come and spend time. How can we take this zone change - and if you are going to basically barter a zone change for a commitment to invest how do we make it something that not only works for them but works for Suffern. Because if it works for Suffern it will work for the developers. Let's not kid ourselves. Anything that revitalizes Suffern is going to work for these guys because they have money to spend and they can go buy the next building before she can afford to buy the next building. So she is saying don't vote on this tonight. Do this and get the community back together maybe for a workshop rather than a public hearing and actually sit down and share with those who are minded and respectful a way to do this. The Mayor thanked her and said she appreciated it. She said she wanted to let her know that the last designation study was done in 2009 because that was part of your first question. Ms. Munes asked if she could repeat that. The Mayor said the designation study was done in 2009. Ms. Munes said a designation study - a designation study for this particular zone change? The Mayor said yes. Ms. Munes said the question she had was not on this - the Mayor said the master plan? She asked when the last one was done. Somebody answered 2004. Ms. Munes said she really believes that this type of zoning - it is a very big thing and the theory is it is being done for a reason and it is better done in that context and if you don't want to do it officially you should at least be doing it - you should be going - you should be at least going through the thought process and spending the time. Trustee Meegan-Corrigan said she did have one suggestion which she thinks would be great. She said that Mr. Meehan heads a downtown committee which addresses quite a few of the things that you are not privy to know because she guesses she doesn't know about the committee. The Mayor said they are talking about charter zone and all kinds of things. Trustee Meegan-Corrigan said if you give Virginia your information perhaps you can attend some of those downtown committee meetings. Ms. Munes said she actually would and she knows that it has probably been a good six to eight years that she has tried but she knows that in the past when she has tried and come and offered she was somewhat shunned for not being a part of the Village of Suffern and she thinks that is a mistake and she thinks the Village should actually reach out and engage everyone in the 10901 area. Trustee Meegan-Corrigan said okay - if you want to call Virginia and give her your information she is sure Trustee Meehan won't give you a problem - the Mayor said would love to have

her.

Michael Curley of 84 Orange Avenue said he has followed this project since the beginning, around 2007, 2008 when they were talking about doing an eminent domain. He said he fought hard against them - someone taking this property under eminent domain at the time and it never went through. He said we had a builder - a builder then came in named Kole who looked at the project for a long period of time. After looking at it a long time - it wasn't worth it. He backed out of the project. And there were other people who looked at this project also and backed out of this project. He said he doesn't know the Goldstein's from outside here. He said he has spoken about different things and they may not like him but he thanks them for coming and offering us a chance to look at a project. He thanks them for saying hey, I want to invest in Suffern. I want to make it a better place. Lately something really scared him that happened in Suffern. He said that what happened in Suffern was that the check cashing place closed. When a check cashing place comes in - and everyone says oh, a check cashing place - it sent a real big sign to him and it hit him in the head real hard. It showed him that we have an extra amount of immigrants in this Village over all the other villages around here or some that are predominantly - maybe Spring Valley. So those people are just frequenting those businesses. The other businesses there - and that guy owned about 20 check cashing places and that is the only one he had to close. Mr. Curley asked someone in the audience not to interrupt him. He said his fear in Suffern is that he thinks it is important that they come to an agreement with the school system. If they don't, then he would stand up here and fight them vehemently against it. But if they can come to an agreement with the school system, he is for this project 100% because he feels at this point we need it. He said he has been in Suffern for years and years. He comes to meetings for years and years. And as he said before he ran for Mayor in 1993 and he got second place. He said he got an e-mail today from two people running for Trustee. And they said that we are all going to pay higher taxes. Mr. Curley said he has looked at paperwork and he hasn't seen that anywhere. He said we may not be happy at the higher rate we are getting. We may not be happy that it is at the moon but we are not going to be paying higher taxes because it is there. The fire department came in and said there is going to be no extra fire service costs directed to it and so did the police department years ago. So if it goes or doesn't go he thinks it is important to show respect and everyone tell the truth or at least find out the facts before you open up and give misinformation. Mr. Curley lived where the nice lady said she lived where her mother lived. He said he lived at 127 Parkside and 131 years ago. It is a beautiful neighborhood and if he is not mistaken the Goldstein's built it years back. So let's look at what they did or didn't do. Mr. Curley said one more thing. People talk about a traffic study there or not. He said you have to recognize that there are five or six businesses. You have a house, you have

a security firm, you also have the restaurant on the bottom with the 27 SRO's. Those rooms, certain of those rooms, have the right who had children to go to school in that building. He said he has already looked into it. He knows some of the sizes of the rooms. And based on our law, the state law, you can have more than one person in the SRO room. Number two, you can viably have more traffic coming to those streets as is then if you build 91 apartments. There was a day when that park would do 500 cars a day and it can again. And if we don't change the zone it has a legal right to do that. Plus you have the security company which has a legal right to do cars, plus you have the store there. Plus if this goes through the zone change, only because it should go through because it is good for Suffern, you also then - they buy the building, they clean up everything underneath. Those people are going to have a hell of a time ever selling those things. And you are going to stick with a bar with a number of cars coming through. And in the future more cars.

Erica Dyer of Riverside Drive said her main question is that she has a child who graduated. Do you know where her child is living now? In New York City. Because he doesn't want to commute from here into there. There is no night life here. The thing of it is that a lot of the kids would rather live in the city than to come out here. If you are going to have the apartment building built here you are going to have to have children in them. And she doesn't disagree. Everyone should have children. But she also disagrees as far as the traffic trying to get out of traffic on a Friday night is heck. Because she can't get to her house on Riverside because she can't get down 59, she can't come up Orange Avenue and it is really hard. And if we are bringing in these cars and we are going to have 1.5 parking spaces for these people, how are they going to come back and forth. Are they really going to park cars there. She doubts it because most of the kids like in the city don't have a vehicle. But she thinks the other thing that we have to worry about is that we have to look at what is really living and commuting and doing the business here in Suffern. Suffern is a great place. They moved in here almost 20 years ago. They love it. It is close to the city. It is close to the mountains. But she said she thinks we need to look at who is living here, who is spending the money here and the businesses that are here. And there are actually 12 hair salons. Do you need 12 hair salons in Suffern? Trustee Meehan said there are 10. He counted them. Mrs. Dyer said no, no. There are more. She will count them with him. Trustee Meehan said tomorrow morning at 9 o'clock. The Mayor said we can say that we have the best hair in the county. Mrs. Dyer said she doesn't think that is really important. She said she thinks we need to look at who is in Suffern and she thinks that is where the main issue is. She said she thinks we need to look at who is going to be paying the taxes and who is going to be working on everything. If our taxes aren't going up, God bless you. But she thinks we really need to look at a lot more.

Joe Varano of 10 W. Maple Avenue said he has lived in Suffern since 1957. He said since that time he was dealing with Jim Rice - he said he could write a book so thick about the Village of Suffern what happened and everything else. He said he used to meet with Jim Rice for twenty years once a month. He listened to him and never gave him an answer. So he gave up. So what he wants to say. He doesn't care now. He is 83 years old now. He was 22 when he moved to Suffern. You think he cares? He said it is the wrong thing. If you want to convince him that the taxes are going to go down. The taxes have been going up, and up and up. They never go down. And he has talked to every single Mayor. He said he never missed a meeting. He used to go to every single meeting. He knew what was going on. He could write a book this thick. Do what you want. He doesn't know how many more years he has to go. The Mayor said lots of them. You are not going anywhere anytime soon.

Howard Greenhut of 161 Doxbury Lane said he is personally in favor of the project. He said he has five rental units over here on Park Place. And many people said it is going to be more competition for him. But he said the more competition the better it is. That will entice people to move here. This project will bring people in with foot traffic. Everybody is talking about cars and traffic and so forth. He said he believes this project will bring in more foot traffic and not car traffic and that is what we need in the town of Suffern.

Debbie Tapp who lives over on Oakdale. She just wants to ask one question - a zoning question. Are we talking about zoning for just this building or are we talking about zoning for a larger area - like over on Hallet Place, Wayne Avenue. The Mayor said the zoning tonight is specific to this project on Orange Avenue. Ms. Tapp said just this project. Thank you.

Sylvio Conte of 3 Cross Street said the question he had is that he is for the project. If the school board goes for it he is for the project. But if the project doesn't happen, what happens to the project. He said he lives in the Village and he has to drive past that blighted, horrible area every day. What happens. The Mayor said obviously we don't have that answer for him. But she is sure it is a concern for all of us.

Ellen Killelea of Lexington Avenue said they have been here several times and she just listened to the acting Village attorney, and she is sorry that she doesn't know his name, tell us that when we make these zoning changes we generally know what is going to happen to the property. She said she was here the night the zone change happened on, and she forgets whether it is 66 or 67 Wayne Avenue, where they were supposed to have some kind of townhouses, condominiums or whatever so that never happened. She said they still have that eyesore on Wayne Avenue. She said she doesn't know if we have had any increase in the taxes that the property owners

pay there or not. So then we passed the zoning change on Washington Avenue where the burned out building has been for lots of years. So we passed the zoning change knowing that there was some project in the wind for this. Well, we still have the burned out building there. So then tonight you say when we pass a zoning change we generally know what the project is going to look like. She assumes that these previous two people that were supposed to do something with the property also had a plan but then for some reason the plan fell through. So if something happens, if the school district doesn't agree or she doesn't know what could happen and we now have changed the zone how does that help us because she hasn't seen any help to her family, her neighborhood with those other previous zone changes and she lives within walking distance to the Village of Suffern. She is the foot traffic. She walks through the Village all the time. She stops in whenever she wanted. Her neighborhood has at least fifty families and then with Berkeley Square there is lots of potential foot traffic in the Village of Suffern. So if we change this zone what is going to happen if they don't build it. How is that going to impact us down the road.

Mr. Magrino said he doesn't know about how it impacts but what he can tell her is the logistics of it. There are a couple of things. One, as you said, generally you know what is coming. With this, actually in the law, he added or we added in a provision that if there are no building permits within a certain amount of time that the law would be automatically repealed. That would keep the developer under the gun so to speak if they were able to go forward to proceed. If they were not and didn't get the building permits it would go back to the current zoning. The other issue, especially for a project of this nature, if something were to happen again a public hearing could be held if it were appropriate to change the zone back to what it is now or to something else. He can't answer for what will happen in the future but the law as written does have kind of a safety net so to speak in that if it doesn't go forward promptly the law would be repealed. Now the Board could revisit that. Mrs. Killelea said this particular project. Mr. Magrino said in essence. The Mayor said we put a safety net in the particular project. Mr. Magrino said the change will have it as such as it affects this project. Mrs. Killelea asked what is the time limit on that. Mr. Magrino said he believes it is a year from the date of passage. Mrs. Killelea said if a previous zoning change happened could that also be reversed? The Mayor asked if she was talking about other areas. Mrs. Killelea said yes. The Mayor said no. If it didn't have the provision in the agreement then the answer is no. If it had the provision in the agreement then the answer is yes. Mrs. Killelea said then it cannot be changed. The Mayor said correct. Mrs. Killelea said if there is no provision. The Mayor said correct.

Gary Yantsos of 35 Terrace Avenue said the first question is for the Village attorney. You are talking about retroactively

repealing, reversing the zone change if something didn't work out the way it was agreed to in the first place. He said to him it sounds a little backwards. What have we learned from these housing projects that have gone up previously. He said he guesses it was Wayne Avenue, Chestnut Street. Have there been studies done to determine whether, and we talk about this is what Suffern needs. How do we know that? Have we done any studies to determine whether these housing projects that have been developed previously as a result of zone changes have increased foot traffic. To the previous woman's point. She has seen it first hand. He said he has seen it first hand. How can we safely assume that this is yet another project that will not increase foot traffic or redevelop or revitalize the town. Why can't you commit to us that there will be a study done to determine what the density is on those others. What the rentalship or if they are purchasing - has the business increased as a result of these projects. Why can't we use that as a measurement and he thinks it is incumbent upon all of us and for the Village Board to show us and sort of prove to us that these types of projects do in fact increase business. And right now he doesn't think that he is convinced. So he guesses his question is will there be a study and if that study has happened what were the results.

The Mayor said unfortunately because this is a question that you are throwing out at the Board to this particular moment and we have not had a chance to discuss it it will be something she can promise him that we will discuss. She will bring it up with the Board. But they are going to need some time - that is why we are having this public hearing. Everything that we have tonight we will take into consideration and obviously try to work to have - the Mayor said one study that we have done all ready - she asked John if he wanted to speak to that.

Mr. Smith said that one of the issues that we evaluated as part of the documentation that we submitted was the valuation of the kind of discretionary spending that may result as a result of the zone change and implementation and construction of the development. 91 or 92 new households at the projected rent means you would have an income of approximately between 70,000 or 80,000 dollars per household. And what that equates to over the course of the year is approximately 2.5 million dollars in discretionary spending that is spent either in Suffern or in the local economy. The Mayor said she doesn't think that is what he is asking for. He is asking us for the other projects that were on Chestnut Street and how much foot traffic did that create. Trustee Meegan-Corrigan asked if that was his question. Mr. Smith said he understands - the Mayor asked Mr. Yantsos if that was his question. He said he thinks we would all like to see a study that would indicate that there have been positive results with previous developed projects like this. The Mayor said has been but not going forward. That is what she thought. So this is not an answer to his question. What he wants to

know is in the projects in the past how much has that increased foot traffic and discretionary spending in our Village. Mr. Smith said he can't speak to those other projects. He can speak to the planning rationale behind transit development having it in proximity to a downtown within walking distance. And he thinks we are within 400 or 500 feet of Lafayette Avenue and that is within a very convenient walking distance. Typically they use a quarter mile radius as kind of the TOD standard. And there are a number of planning studies and you can rely on your own planner to reference those with respect to the types of foot traffic and economic spin off that the Village could expect as part of a TOD type of development.

Jim Giannettino said he would like to have a legal clarification. He said he was always told that once you zone a property the zone stays with the property. Mr. Magrino said he thinks what he is thinking of is a variance. A variance does. Mr. Giannettino said is it a variance or a zone. Mr. Magrino said arguably it goes for zones just like we are here for a zone change it can be changed. He said he thinks what he is equating is if you are at the ZBA and there is a variance for let's say two family often times people say well just give it to us and when we sell it will go back to one family. Mr. Giannettino said he thought it was both situations. Mr. Magrino said that is not the case. Mr. Giannettino thanked him.

The Mayor said she was going to ask the Orange Avenue Developers if they would like to make any comments before we proceed with the action on the hearing. The Mayor then asked if there were any comments from the Board. Trustee Meehan said the only thing he would say is that we had a hearing tonight and we heard from a lot of people but this is a continuation of the hearings. We have already heard from a lot of people before we heard from a lot of people this evening. And we do hear from people and we do listen to them.

The Mayor said okay. The Board can proceed in two ways. She would like to recommend that we keep the hearing open so that people would be able to comment going forward if in fact the school board does reach an agreement with Orange Avenue Developers. She said she thinks that is the fair way to handle this so that we have complete information on the entire project or the Board may decide to put it to a vote this evening given the information that they have. Mr. Magrino said you can close the public hearing and put it over for a vote. The Mayor said right or we can have a continuation of the public hearing and we can hold that over - we have to give a date specific so it doesn't have to be renoticed - but she would say that we probably shouldn't need to have any more comments until we have more information. Mr. Magrino asked Mr. Emmanuel if he wanted to be heard on that as the applicant. Mr. Ira Emmanuel said as the Mayor started out the evening and she advised that the PILOT agreement is the PILOT agreement and it is not even Suffern's PILOT

agreement it is the school district's PILOT agreement he doesn't understand why there would be a need to keep the public hearing open just on that basis. The PILOT agreement - the Board has made it very clear that you have no intention until or unless there is an agreement with the school district. He said they are working diligently to try to get an agreement with the school district and again, as he said, they are waiting on the school district to respond to their latest offer because they have yet to do so. But one thing has nothing to do with the other. As the Mayor made very clear this evening. Therefore if the only reason you are thinking about keeping the public hearing open is to wait on the school district that is not a reason to keep it open. The Mayor said she begs to differ with him. She does believe that the taxpayers who pay taxes in this Village and also pay school taxes have the right to have all of the information that they can before a decision is made on this. And she has made that quite clear. She is not in a position to support this project without the agreement of the school district and she thinks there are a lot of people who feel the same exact way and they should have that right after the information is in from the school district and there is a final decision the taxpayers have a right to know. Mr. Emmanuel said he has no disagreement with that whatsoever but what you have said over and over again to many, many speakers. We are not here to talk about the PILOT agreement. The Mayor said we were here to have a zone change. Mr. Emmanuel said we are here to talk about the zone change. The Mayor said right. The Mayor said this is a public hearing for the zone change. Mr. Emmanuel said absolutely. The Mayor said it doesn't mean we can't discuss how it impacts our Village tax base. Mr. Emmanuel said you have obviously made up your mind so he is not going to go any further on this. The Mayor said she is sorry that he feels that way.

The Mayor asked the Board how they wished to proceed. Trustee Meehan said he would make a motion to keep the hearing open. It is just a matter - if the hearing is open then some people who weren't able to make it tonight can come to that hearing. There are obviously people who didn't make it tonight who would like it and the more input we have the better and so he would like to keep it open. Trustee Meegan-Corrigan said she would second that providing that we don't have repeat speakers unless it is on a completely different subject. She said she thinks that we heard a lot of great things tonight and she thinks that it is important that we keep our minds perfectly open and we listen to what everyone has to say. This could potentially be a phenomenal project for the Village of Suffern. It's important that we all think about it and do the right thing, of course, which is why we all sit here for many hours. And once the school board and the Goldstein's get themselves in the right place together she thinks we will be in a good place too. So she thinks it is important that if we do keep it open for more public she thinks that we need to make sure that we don't have repeat comments.

The Mayor said she has a motion and a second. The Mayor said we have to do a date specific otherwise we have to renotice it. Trustee Meegan-Corrigan said she is leaving for vacation on September 17. Mr. Magrino said what if we say October 1. The Mayor said October 1 is our next workshop. Mr. Emmanuel said they would really appreciate something sooner than that. He said he understands that the school board has a meeting on Tuesday. So if we could have a special meeting of this Board after the 16th because that would be their next opportunity to vote on it. The Mayor said unfortunately Trustee Meegan-Corrigan will be on vacation and we will not be able to convene without her as Trustee Byrne has to abstain from voting. Mr. Emmanuel said okay. Trustee Meegan-Corrigan said she is flying home the morning of the 23 and she would be back in the Village that evening. The Mayor said she would be out. Trustee Meegan-Corrigan said how about the 24th. The Mayor said she would be out of town. It would have to be the 29th or 30th and at that point it might as well be the 1st. Mr. Emmanuel said if the Board can schedule something before Deputy Mayor Meegan-Corrigan goes away and then if it doesn't work out it doesn't work out. But at least they will have the opportunity. The Mayor said she leaves on the 17th so that is not enough time for us to let people know that we have a decision and what it is. Mr. Emmanuel said if we can get the school district to have a meeting between now and the 16th. The Mayor said they don't meet until the 16th. Mr. Magrino asked Mr. Emmanuel if he anticipates that they would actually vote on something before the 16th? Mr. Emmanuel said they might very well. This is an important issue for them as well. The Mayor said she did not get that indication from the superintendent today. She has to be honest with him. Mr. Emmanuel said that is dandy. Maybe we have all been wasting our time here for a long, long time because of the school district. The Mayor said she didn't get the indication that they were ready to take a vote on it. She said she thinks that their feeling was the numbers - this was the exact verbatim as how she got it from them - we are getting closer together but we are not there yet. Mr. Emmanuel said he doesn't know what to tell her.

Mr. Emmanuel asked about the 16th. The Mayor said that is the date that the school board is going to have their meeting. Mr. Emmanuel said yes, and their meetings are usually earlier than your meetings. The Mayor said sorry? Mr. Emmanuel said their meetings are usually earlier in the day than your meetings. The Mayor said she thought their meetings were in the evening. Mr. Emmanuel said no, they have held meetings at 5:30. If we set a meeting for the 16th at 8 o'clock that should give them an opportunity. The Mayor said we can set it for the 16th but we need to know with the understanding that if obviously the school district does not come up with an agreement on the 16th that there is no reason to have a public hearing because we had it tonight. There is no new information. So for the sake of giving the benefit of the doubt that there will be an agreement we will set it for the 16th and if

there is no agreement we are all under the understanding that we will pick a new date for the hearing and the developer needs to know that it is not going to be until October 1. If there is no agreement by the 16th we have no more dates because Trustee Byrne has to abstain. Mr. Magrino said do you want to set it for the 16th at 7:30? Trustee Meegan-Corrigan asked Mr. Emmanuel what time is the school board meeting. Mr. Emmanuel said we have been attending school board meetings at 5:30. The Mayor said September 16th. Somebody asked if we would do a robocall if it is canceled. The Mayor said we will do that. We will nixle it, we will robocall it, we will put it on the website. Please check the website. We will put it out on every avenue that we have to let you know that it has been canceled. Feel free to call Village Hall but potentially if she talks to Dr. Adams and he tells her that it is not on the agenda and they are not going to be discussing it then she will know sooner rather than later. Otherwise, she is really not going to know until the eleventh hour. So it is going to be a little tough. But she is sure that the developer will let us know as soon as he knows if there is going to be any conversation with regards to trying to come to an agreement. The Mayor said it is on the 16th at 7:00 p.m.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, who said he just thinks that
since this is just a procedural adjournment of the
matter that he doesn't have to abstain from this.
Trustee John Meehan

NOES: None

ABSENT: None

At this point Attorney Terry Rice joined the Board.

7:40 P.M. - PUBLIC HEARING - ALL NIGHT PARKING:

Attorney Rice said the Village code provides that cars are supposed to be off the road when snow is predicted and it had had a time limitation. So that has been removed so the amendment provides that parking is prohibited whenever snow is accumulated and if snowfall has been forecast. So it really is just a deletion of the limitation of the hours.

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

VILLAGE OF SUFFERN

LOCAL LAW NO. 8, OF 2014

A LOCAL LAW AMENDING CHAPTER 254
OF THE CODE OF THE VILLAGE OF SUFFERN
REGARDING ALL-NIGHT PARKING

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

Section 1. Chapter 254-15(A) of the Code of the Village of Suffern is amended to provide as follows:

Parking is prohibited on all public roads in the Village of Suffern, except public roads in the Central Business District as defined in § 254-25.1, whenever snow is accumulating on the roadway and if snowfall has been forecast. Upon the commencement of snowfall, parking on all such public roads is prohibited until snowfall has ceased and the street is cleared of snow to the curb or edge of pavement. Parking shall be prohibited on all public roads in the Central Business District whenever temporary "no parking" signs are posted for snow control or removal. Notwithstanding any other provision of this chapter, a violation of this section shall be punishable by a fine of \$100 per offense.

Section 2. This Local Law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 8, 2014 was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meehan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

AYES: None

7:45 P.M. - PUBLIC HEARING - LIMITLESS TAXI FOR A "TAXICAB LICENSE"

The Mayor said this next public hearing is Limitless Taxi for a taxicab license. She said it is not actually a taxicab license but it is more of a dispatcher for the taxi services that already exist in the Village of Suffern.

Attorney Rice said as the Mayor said the applicant is not actually proposing to operate a taxi company itself but to call taxis that are licensed, they have to be licensed in the Village to do so. In addition to the application we have a letter dated August 20 which was actually written to him and he has some of the particulars that basically substantiates what was just said. The Chief was also provided a report with respect to some violations that the applicant has had.

The Mayor asked if the applicant was here. She asked her if she would like to speak.

The woman said she just wanted to do a base because she noticed there are a lot of cabs that are coming up from Spring Valley. She said we have three cabs here in this community and they all have their own individual numbers. All she proposes to do is to basically have it all centralized and give them the fares. And she thinks this would limit - because when people call for a taxi service there is no base in Suffern and unless you have the numbers for those particular taxi cabs, if you don't know the numbers they are not coming up in Google. If you don't know the number you are not going to call them. So she thinks a base is just something that makes sense. The Mayor thanked her.

Trustee Meehan said he had a question. He said if you are going to be dispatching let's say ABC taxi what is in it for you. The woman said it would be a weekly fee. Trustee Meehan said it would be a weekly fee from the companies. Trustee Meehan said you talked to them about this. She said she has and they have basically said if you get approval then we will go with it. Trustee Meehan said okay. Trustee Meegan-Corrigan said but they understand that they have to be approved by the Village of Suffern to be a taxi carrier in the Village. The woman said yes.

Trustee Byrne said there wouldn't be a requirement he assumes - or would there be - if we adopted this request that taxi owners would have to subscribe to her service. The Mayor said no. Trustee Byrne said it would just be something we would permit to take place. Is that right? The Mayor said that would be correct. And we only have two taxicab services that are allowed to come to the Village at this point of time. The Village Clerk said three. The Mayor said she was told two. The Village Clerk said no, there are three. The Mayor said Virginia says there are three and she believes her. The woman said because she has seen a lot of cabs from Spring Valley. The Mayor said that is something that the police department is taking up and working on. But she thinks what more concerns her is that we need to do a background check on all of this and you have had some charges against you with regard to driving. The woman said she wouldn't be driving. She would just be dispatching. She has no desire to drive a cab. She said she has a business here in Suffern. She has a beauty shop here. The Mayor said she understands that but

there are certain things that - there are ordinances here in the Village that need to be followed. And that concerns her. She would have had preferred, for herself, that we have a clean record with no breaking the law on several occasions here. That concerns her. She has to be honest with her. The woman said with licenses - do you mean with parking tickets and suspension - the Mayor said with driving with a suspended registration, driving with a suspended license, driving with a suspended license, again driving with a suspended registration and a suspended driver's license again. She said that concerns her. She has to be honest with her. That is not just good judgment as far as she is concerned. So she doesn't know if the Board has any other comments.

Trustee Byrne said the only other question he had, setting that aside for the moment - what criteria would you propose to use to select the taxi company's that you would - in other words somebody would call you and there are potentially three companies to choose from that are licensed. What kind of system would you propose to have in place that is a fair distribution of those calls. He assumes she would go in order and choose one - to making sure that it is not misused. In other words that you are sending to your friend versus someone else. The woman said that everything would be logged. Everything would have to be logged. And everybody would have to have an opportunity to pick up a fare. And log books would be open to whoever would want to look at them. And of course they would have to be in compliance with the permits and the licenses.

The Mayor said she had another question for her. Has she spoken to the taxi cab companies that come into the Village. Are they in favor of this. Are they amenable to it. Have you touched base with them at all? The woman said do you mean with the ones that are coming from Spring Valley? The Mayor said no, no, no. The ones that are allowed to come into the Village of Suffern. Have you contacted them? The woman said she has contacted two of them. The Mayor said and have they told you in fact that they are in favor of you doing this dispatching service? The woman said they are under the assumption that it would be more business. The Mayor said so you are telling me that they verbally told you that they are in favor - the woman said it would be more business. If it would be more business they would be in favor of it. The Mayor said no, no, no. She is asking her when she explained to them what you are trying to accomplish did they say to you oh, that's great. We are very happy about that? The woman said not in so many words, no. They just said if you get the approval it would be more business. That's all they said. They didn't say - the Mayor said so they did not say whether they were in favor of this or not in favor of this. Trustee Meehan said but they evidently said that they would be willing to pay the fee. The woman said right. Trustee Meehan said if it didn't work out they would stop paying the fee then. The woman said exactly. The Mayor said let me get this. The taxicab company would be paying you directly per fare? The woman said no. The Mayor said the person

would have to pay you a fee - she is not exactly sure how this is working. How are you paid. How is your fee being paid to you for dispatching these cab fares. How is it benefitting you. The woman said what happens is the calls come in and then everyone gets a fare. They pay because they are being given a fare. And it would be maybe 20 in the beginning, 30, 40 and it would go up. As it goes up - if it went up. The Mayor said but who is paying that fee. The woman said it would be the taxi driver. The Mayor said the taxi driver is going to pay you a fee. The woman said for giving them calls. The Mayor said okay. The woman said for giving them potential customers. The Mayor asked if that fee was being passed on to the person who is actually getting the cab. In other words are they getting a higher fare to cover that expense of you dispatching. The woman said each individual taxi is an independent taxi and there is a certain set fare. They should not go up on that fare. The Mayor said they should not but she is asking her if in fact a call comes into her dispatch center you call the cab company and ask them - the woman said to pick up the fare at the Lafayette theater. The Mayor said and you are telling me that the taxicab company - the woman said would pay probably about \$50 a week. The Mayor said in total? So you are going to end up making \$100 a week to do this dispatching. The woman said right. Trustee Byrne asked if there is a fee structure that you have established? The woman said she is sorry? Trustee Byrne said a fee structure. Have you set down a fee structure. The woman said she hasn't but she is giving an example - it could be 50, it could be 60. Sometimes they charge for a legitimate base they charge 110 per week. But it is a base. The Mayor said but you need to understand that we are not looking to bring in ten taxicab companies into the Village of Suffern. We are just not that big. That is why we only have three of them. The woman said right. But you do have many from Spring Valley that are already coming in. The Mayor said right, but you can't dispatch them into our Village. The woman said no, that is not what she is saying. She is saying that people are calling Spring Valley bases in order - the Mayor said right, and if they are caught in the Village they will be dealt with. The woman said we have our own - we have three. And all she would be doing is giving them fares. Because it would be on Google and they would be able to Google Suffern base. The Mayor said okay, but you don't have any numbers as to any agreement with any of these taxicompanies as of right now. The woman said no, she has no written agreement, no. The Mayor said nothing. You have nothing from them at all to say that they are willing to participate in this or not participate. The woman said she thought that maybe one or two would come tonight but nobody came.

Trustee Byrne asked Attorney Rice what would we be issuing to her in terms of a license. Attorney Rice said he thinks that what we are going to do is we are going to take the testimony tonight and then compare what is being proposed with the provisions of the Village code and see where the - Trustee Byrne said where it falls.

Attorney Rice said yes. Trustee Byrne said he thought it might be helpful if she did put together - he said he sees that she submitted a couple of letters already - the woman said right. Trustee Byrne said but if there might be another clarification that you can give to the Board in writing as to what you are proposing as far as your fee structure is concerned. The woman said the fee? Trustee Byrne said yes. He said he is not that familiar frankly with how they are regulated now - does the Village set the maximum rate taxicabs can charge in the Village? Attorney Rice said yes. The Mayor said yes. Trustee Byrne said so potentially we would have the ability to do that maybe with this application as well - set some type of standard as to what she can charge for the service. Attorney Rice said as he said he thinks we have to see how this actually fits in the actual code provision. The concern is of course as the Mayor was questioning we do have a maximum rate here so if this impacts that there may be problems. Trustee Byrne said right. He said personally he thinks it might be helpful if she did set in writing like she did already on the other explanations that she gave as to what her proposed fee structure would be and how that would all work. The woman said okay. Trustee Byrne said he thinks that would be helpful to us.

Trustee Meehan said also what would be helpful to us is if you know somebody else who is doing this - someone in Nyack or anyplace else. You didn't invent this he assumes. The woman said right, right, right. She said she has never done anything like this. Trustee Meehan said so if you know somebody - the woman said she has never done anything like this. She thought it would be helpful. Trustee Byrne said it could very well be. But we need a little more information. The Mayor said and some letters of support from the taxicab companies would be very, very helpful. She said okay.

Jim Giannettino said he is looking at this on a financial thing. We have two or possibly three licensed taxi drivers in the Village. Why would they be willing to pay anybody \$50 a month when they are the only three that are supposedly allowed to accept calls. He said he doesn't see how she can increase their business and he is sure if their business didn't increase they would be coming before this Board saying why are we paying a fee when we are the only three that are allowed to get calls. And as far as the cabs that come in from Spring Valley - after the workshop he spoke to Clarke and he doesn't see any reason why the Village can't - when you collect the fee you give the three cab drivers and their cabs a decal in the back of their car so that the police see cars running in and out of the Village they can pull them over. The Mayor said that is exactly - Attorney Rice said we are working on that. The Mayor said that is exactly what we are working on. Something we are working on right now. Mr. Giannettino said it is so easy to police. The Mayor said yes, and that is what we are working on right now. Mr. Giannettino said thanks. Trustee Byrne said he thinks that many years ago there was another enforcement - an attempt at more strict enforcement of

especially the hailing of cabs which you will see every once in a blue moon. You don't have hail cabs here obviously in Suffern - they have to be called. But he remembers going back probably ten years ago where there was a rash of enforcement and a lot of people were brought in on code violations because of operating cabs without a license. The Mayor said that is exactly what we are working on right now. The Chief of Police and she are formulating some kind of safety net, if you will call it, to - like Jim said - some kind of placard of some sort so that it is visual. Because some of these taxicab companies until they are far around and passing you you can't even see the writing on them.

The Mayor asked if anyone else would like to speak. A motion to continue the public hearing was made by Trustee Meegan-Corrigan, seconded by Trustee Byrne to October 6 at 7:40 p.m. Upon vote, the motion was carried.

FIRE DEPARTMENT:

There was nothing to report.

CULTURE AND RECREATION:

Mrs. Cathy Mills said she handed them their agenda in the essence of time because she knows we have been here a while this evening. She said a few things that are coming up. This Thursday, September 11, we have a 911 ceremony. There will be a candlelight vigil at the Donna Hallett Park on Lonergan Drive at 7:00 p.m. They have a Hi Tor fundraiser that they are going to be hosting at the Community Center on Friday, September 12 from 6 to 10 p.m. at the Community Center. She said she has an addition that she would like to add to the upcoming events. She said on Saturday, this Saturday, September 13, there will be a ribbon cutting of three Village stores that are new to the Village. The Mayor said four. Mrs. Mills said four. We are going to have four ribbon cutting. Mrs. Mills said so Friday, starting at 10 a.m., we are going to have some ribbon cutting ceremonies and everyone is invited to attend. The Mayor said Saturday. Mrs. Mills said what did she say? The Mayor said you said Friday. Mrs. Mills said she is sorry. The Mayor said it is getting late. Trustee Hagen said what time Saturday? Mrs. Mills said it starts at 10 a.m. on Saturday. Mrs. Mills said the next thing we have is Sunday, September 14, will be the Suffern Street Fair between 10 and 5 on Lafayette Avenue. On Saturday, September 27, we have a huge, huge event - Suffern Day. It will be from 11 to 3 p.m. at the Suffern ballfields and that evening at 7 p.m. we will have music by "No Exit" and fireworks when it gets dark that evening so that is Saturday, September 27. She said we have the Broadway show, Aladdin, that will be Sunday, November 9. It will be a 3 p.m. show. Tickets are now on sale so if anybody is interested please call Recreation. Tickets are \$95. Mrs. Mills said a question came up the other night at the workshop. She said we are

leaving Village Hall at noon that day for the 3 o'clock show. She said the New York Rising meeting. There will be one on Thursday, September 18, at the community center. And then New York Rising meetings will also be on the second and the fourth Thursday of each month from 5:30 to 7:30 p.m. at the community center. There will be a coin drive on October 4 from the American Legion out here in front of Village Hall by the monument. A few save the dates - we have the Village window painting contest for grades 6, 7 and 8 on Saturday, October 18. This is when the middle school age children come down to the Village and decorate the stores for Halloween. She said we have then the Halloween Parade on Sunday, October 26. She said we have the parade and tree lighting on Thursday, December 4. And then Pearl Harbor we will have Sunday, December 7.

GRANT WRITER:

The Mayor said Fred was unable to be with us tonight. He did give his report at the workshop. Just to give you a quick update we were awarded another \$100,000 by the Rockland County Office of Community Development for our façade program. To date we have been awarded \$457,000 in grant money for the façade program so we are doing quite well. Jo Corrigan, along with Fred and Carrine have done a phenomenal job in getting the building owners on board with the façade program. We have had really great success with it so she thanks them all for all their hard work.

Fred is working on the Arbor Day Foundation and the NYS DEC to bring you our Tree City USA designation. We must renew that every year and the Village is required to spend \$2.00 per Village resident on a tree, tree activity or having a tree advisory board, having an Arbor Day celebration and having a Village proclamation. We did all of this last year. It was a great success. We had the Girl Scouts involved in the Arbor Day celebration and they really had a great time. They got a lot out of it. So a very positive program for the Village.

The Mayor said recently Assemblywoman Ellen Jaffee secured \$2,000 early in this year for the Clifford Theater program and she was also just recently able to secure another \$3,000 through a member item for the Clifford Theater program for a total of \$5,000 for the Clifford Theater program. So we thank Ellen very much. Always working hard for Suffern and especially for our children.

The Village of Suffern was awarded a grant in the amount of \$65,000 for the replacement and modification of one of the water department wells. Specifically the money will be used to replace a pump that is at the end of its useful life. Raising the pump to prevent any more flooding damage and doing electrical pump modifications. So we thank Senator Carlucci for being very instrumental in getting us that grant. So we are very thankful for that.

Also the Dormitory Authority of the State of New York is administering a grant of \$100,000 toward a street sweeper for our street sweeper grant program. It took several months to apply the funds but we have now been able to capture those funds.

The Hazard Mitigation grant application status - there is no movement yet on that. We are still waiting for the Governor's Storm Recovery office evaluation on that. We have not received any answer on that to date.

And that is our grant update.

VILLAGE ATTORNEY:

Attorney Rice said we are not going to move forward with the item that is listed on the agenda tonight since you are adjourning the public hearing. This is Mr. Magrino's item and he thinks you will hold that in abeyance.

Attorney Rice said the other thing we spoke about at the workshop meeting apropos are the taxis. He said he thinks that the police department, at some point, is going to notify the taxis that come in from out of the Village that are not licensed that they need to be licensed and in conjunction with that the fee schedule for licensing hasn't been looked at in a number of years so we talked about holding a public hearing at the October meeting to raise the taxi fees an additional \$75 for new applicants and for the annual taxi license and raising the per driver fee \$25. So he thinks you need to set a hearing date for October 6 for whatever time you think is appropriate. The Mayor said 7:50 p.m. A motion to set a public hearing was made by Trustee Meegan-Corrigan, seconded by Trustee Hagen. Upon vote, the motion was carried.

The Mayor said we are going to skip down to audience participation. It is getting late in the evening and she sees some sleepy eyes. So if there is anyone who would like to speak to please come up to the microphone and state your name and address.

Isabel Haggerty of 4 Parkside Drive said she is here to talk about two things. One is Foxwood Pond which she has lived across from for the last 52 years. It is shrinking. It is getting smaller. It is getting shallower. And now there is grass growing - tall weeded grass is growing up where there used to be water and now it is gone and this high grass is growing up and it doesn't look very nice. And she was just wondering if there was anything at all that can be done about it. She said she knows that the DEC at one time said that they didn't like to see dredging because of the fish and the turtles. Well, very shortly there is not going to be any more fish or there is not going to be any turtles. And it's going to be Foxwood waterhole or it's going to be the Foxwood wetlands. So she would really like to see something done about it. It's a beautiful

little pond and it is a beautiful area. The Mayor said it is utilized with the fishing derby. Mrs. Haggerty said that all of that stuff is going to be gone very shortly because it is getting shallower and shallower and smaller and smaller. It is shrinking. The Mayor thanked her. Mrs. Haggerty said she doesn't know what can be done about.

Mrs. Haggerty said the next thing, and she sees it is on the agenda - John Meehan is going to talk about Conserv. Mrs. Haggerty said that looks like H E L L and it has been going on for many years and those builders have been getting away with murder. And it looks terrible. The Mayor asked Trustee Meehan if he wanted to address that.

Trustee Meehan said that basically what he is going to be asking the Board to do is to suggest to the Building Department that they issue a violation. And he made personal complaints to the Building Department in June - he made a complaint about that he thinks in June of 2013. And nothing has been done. To the Building Department. So he is bringing this up publicly because what happens is you have somebody - and the Mayor has been involved and has tried to jawbone them but after a while you hear manana, manana and that he got a foundation permit, and he has a demolition permit. The Mayor said she checked with the Building Department and she actually got an update. They do not have a demolition permit as of yet. There was a tank that was on the property that they had to have investigated and looked into and a long story short. This has been going on for seven years about this tank. Finally she was told by Sue Forcello that they finally have the clearance on this tank and that they can move forward. So Sue is waiting for the paperwork. She has been in touch with the county. The county said they have sent the paperwork over. As soon as Sue receives the paperwork they are issuing the demolition permit. But the Mayor does believe that a letter should be accompanying it. Trustee Meehan said he is still asking them to issue a violation notice. The Mayor said she is just giving him the latest update on that property. Also the Wayne Avenue property - thank you very much for your keen eye. We had the residents over there who saw some work going on there and in their infinite wisdom called the Village to make sure that everything was being done. The Mayor thanked Jean. And indeed at first it looked like there was no permit of what they were doing - whether they were removing the asbestos from the property. And initially we believed there was no permit and we later found out through an investigation that they did have the permits through the county so everything was done in accordance with the county and the permits were done. It has started some work over at Wayne Avenue. And as far as she knows the only thing that is being done at this point in time is the removal of the asbestos. And that is the latest update.

Jim Giannettino of 2 Memorial Drive said that if he might suggest

in that letter if they do not commence demolition in thirty days that they will be fined \$2500 a day for every day they don't start. Like they should have been for the last seven years. And that also should go for 166 Wayne Avenue. They pushed these zone changes through like lightning and here we are seven years later begging them to start. The Mayor thanked him.

Jean Hennelly of 135 Wayne Avenue said that she understands that one of the grants that we were trying to get money for is for the emergency access to the west ward. And is there a time limit on this grant because we have been talking about getting emergency access over there for a long, long time. And free money is great - the Mayor said she is glad that she brought that up because she feels the same way. The Mayor said we have a meeting actually tomorrow morning at 10 a.m. with Assemblywoman Ellen Jaffee, herself, the fire chief and several others to discuss and submit the plans that we have and the cost factor involved in the emergency access. Ellen has just been given some money finally and she is looking to do good things here in the Village so tomorrow morning at 10 a.m. we will be having a meeting with regards to that. Mrs. Hennelly said that should be a priority - the Mayor said she agrees - and it is so funny that she should say that because for her we have submitted for so many grants and we have gotten money. We have gotten the façade money, we have gotten some money for our different sewer and water plants and everybody had overlooked what she thinks is the most important issue - the most important grant that we have actually applied for. Not one person has sat on it except for Ellen and she will be here tomorrow morning.

DEPARTMENT OF PUBLIC WORKS:

A) Application for Payment:

Mr. Charles Sawicki said he is requesting payment authorization for application for payment number 3 in the amount of \$35,929 and for application for payment number 4 in the amount of \$183,326.25 to Northeast Remsco Construction for the WWTP Digester Upgrade Project General Construction portion. The total amount paid to the contractor, including payments, is \$472,591.75. The contract amount is \$1,089,000. A motion authorizing payments was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Mr. Sawicki said he is requesting payment authorization for application for payment number 3 in the amount of \$25,121.28 to Bella Vista Construction Corp. for the Roadway Improvement Phase No. 6 project. A motion authorizing payment was made by Trustee Meegan-Corrigan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Mr. Sawicki said he is requesting payment authorization for application of payment number 3 in the amount of \$10,200 to Fanshawe, Inc. for the electrical portion of the Dewatering Upgrade project. A motion approving payment was made by Trustee Byrne, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Mr. Sawicki said he is requesting payment authorization for application of payment number 1 in the amount of \$34,225.93 to HVS, LLC for the electrical portion of the WWTP Digester Upgrade project. A motion approving the payment was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

B) Proposal Acceptance:

Mr. Sawicki said he was requesting authorization to accept the professional service proposal for Third Party Monitoring of the WWTP Primary Digester Cover Lead Based Paint Stabilization. This proposal is from Quest Inc., Wappingers Falls, NY in the amount of \$7,160. Mr. Sawicki said this cost will be charged to the Wastewater Treatment Plant capital fund account. A motion authorizing the payment was made by Trustee Byrne, seconded by

Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Mr. Sawicki said a request for proposal was sent to three engineering firms for the Phase I Sanitary Sewer Abatement Design and was discussed during the workshop. In order to maintain continuity with the DEC he is recommending approval of O'Brien and Gere's professional service proposal in the amount of \$80,428. This design project will include the Sanitary Sewer Replacement on James Street (approximately 916 linear feet) and the installation of Cast-in-place Pipeliner on Lafayette Avenue, Hillcrest Road, Sunset Drive, Forest Road, Oakdale Manor and Utopian Avenue (approximately 4,130 linear feet). This cost will be charged to the Wastewater Treatment Plant capital fund account. Trustee Meehan said on your suggestion. Didn't we also have a lower bid - Mr. Sawicki said the lower bid was from Brooker Engineering. Trustee Meehan said he knows. He said we have a local company who is a very capable engineering firm and he would like to see them get that. Trustee Hagen said he agrees. He said there was a lower bid and this bid is \$15,000 more - Mr. Sawicki said originally it was a lower amount but it did not include some items - one, for example, is field inspections. So there is additional. Trustee Meegan-Corrigan said the difference was \$1200 was it not? The Mayor said no, no, no. It was \$77,500 - Mr. Sawicki said the difference in dollars is \$2728. The Mayor said that Charles came to her office and the thought process for him was the fact that O'Brien and Gere have been working with him on these projects all along so because there was such little difference in the two proposals that he felt as though for continuity purposes and the fact that they were familiar with the projects and have been working on them and Brooker had not been part of this ongoing project that he would suggest that we use O'Brien and Gere for continuity purposes. So that was his thought process behind it but it is at the Board's pleasure. And the difference was \$2,728. Trustee Hagen said he would rather see Brooker. Trustee Byrne said his feeling is \$2,728 after a while is real money so he is happy with Brian Brooker. Mr. Sawicki said he had no problem either way. The Mayor said she was just explaining what his reasoning was behind it. Trustee Meehan said he understands the reasoning too but he would make a motion to award the bid to Brooker Engineering, seconded by Trustee Byrne.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

C) Personnel:

Mr. Sawicki said he is requesting the Mayor to appoint Mr. Elkin Escobar of Hillburn, New York to the vacant laborer position at the Street Department. Mr. Escobar will start on September 22, 2014 with a rate of pay of \$15.96 per hour. A motion confirming the appointment was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

D) 2014-2015 Municipal Snow and Ice Agreement Extension:

Mr. Sawicki said he is requesting a Board resolution as required by the State of New York DOT for the 2014-2015 Municipal Snow & Ice Agreement extension.

RESOLUTION NO. 11, 2014

RESOLVED, authorize Mayor Patricia Abato to sign the 2014-2015 Municipal Snow and Ice Agreement.

A motion approving the resolution was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

VILLAGE CLERK:

A) Approval of Minutes of Special Board Meeting of March 31, 2014:

A motion approving the minutes was made by Trustee Byrne, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

B) Approval of Minutes of Special Board Meeting of April 16, 2014:

A motion approving the minutes was made by Trustee Byrne, seconded by Trustee Meehan. Upon vote, the motion was carried.

C) Approval of Minutes of Special Board Meeting of May 15, 2014:

A motion approving the minutes was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

D) Approval of Minutes of Special Board Meeting of May 22, 2014:

A motion approving the minutes was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried, with Trustee Hagen abstaining.

E) Approval of Minutes of Special Board Meeting of June 9, 2014:

A motion approving the minutes was made by Trustee Byrne, seconded by Trustee Meehan. Upon vote, the motion was carried, with Trustee Hagen abstaining.

F) Approval of Minutes of Regular Board Meeting of June 3, 2014:

A motion approving the minutes of the regular Board meeting of June 3, 2014 was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

G) Request for Block Party:

Village Clerk Virginia Menschner said we have a request for a block party on Saturday, September 13 with the hours between 1 and 4 p.m. and they do have a raindate on September 14 and it is going to be on Parkside Drive between Doxbury Lane and Salem Court. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

H) Amend \$500,600 Bond Resolution for Various Purposes:

Ms. Menschner said we have some important business that the Deputy Treasurer Mr. Genito has. She said the first one is for a bond resolution amending the \$500,000 for various purposes. She said we do need a motion to adopt the resolution. A motion to adopt the resolution was made by Trustee Meegan-Corrigan, seconded by Trustee Byrne. Trustee Byrne said this is amending the \$500,600 bond.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

The Village Clerk said now we need a motion to advertise, which was made by Trustee Meegan-Corrigan, seconded by Trustee Byrne. Upon vote, the motion was carried.

I) Amend \$1,100,000 Bond Resolution for Sewer System:

The Village Clerk said this next bond resolution is for the amount of \$1,100,000 for the sewer system. A motion amending the resolution was made by Trustee Meegan-Corrigan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

The Village Clerk said we need a motion to advertise, which was made by Trustee Byrne, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

J) Amend \$100,000 Bond Resolution for Improvements to Village-Owned Properties:

The Village Clerk said this is to amend the \$100,000 bond resolution for improvements to the Village-owned properties. A motion approving the amendment was made by Trustee Meegan-Corrigan, seconded by Trustee Byrne.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

The Village Clerk said we need a motion to advertise, which was made by Trustee Meegan-Corrigan, seconded by Trustee Byrne. Upon vote, the motion was carried.

K) Amend \$132,000 Serial Bonds for Various Purposes:

The Village Clerk said this is to amend \$132,000 serial bonds for various purposes. A motion approving the amendment was made by

Trustee Byrne, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

FINANCE DEPARTMENT:

The Mayor said Barbara is here for Mike Genito tonight. Mike was at the workshop and was unable to make it this evening. Barbara has come in his place.

A) Request Resolution Amending 2013-2014 Budget:

Deputy Treasurer Cottiers said they are making two requests. The first is to amend fiscal year 2013-2014 budget by transferring \$25,606.66 from the general fund medical insurance to the general fund transfer to capital projects fund for the Donna Hallett Park project. A motion approving the request was made by Trustee Meehan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

B) Request Resolution Amending 2014-2015 Budget:

Ms. Cottiers said the second is to amend the 2014-2015 adopted budget by transferring \$15,000 from the account A.9950.9 transfer to capital projects to account A.1990.4 contingent account and transferring \$15,000 from account F.9950.9 transfer to capital projects fund to account F.1990.4 contingent account. Trustee Byrne asked if that was about the insurance premium. The Mayor said no, the insurance money actually was found. It was not a discrepancy at all. It was just in the water and sewer fund, where it shouldn't have been. But the money was found and it is being taken care of. The Village Clerk said before we go any further the first one that she just requested has to be a resolution. The Mayor said we did that. The Village Clerk said you didn't say the resolution. The Mayor said we did the resolution. It was a resolution and now we are doing the second resolution. A motion approving the request was made by Trustee Byrne, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

The Mayor told Ms. Cottiers good job.

TRUSTEES:

The Mayor said to Trustee Meehan that you did your Conserv. Are you okay with that? Trustee Meehan said he wanted to vote on a resolution - the motion is that the Village Board suggest to the Building Department that Conserv Corporation, in our judgment, is in violation of our law and a violation should be issued. And he so moves. Attorney Rice said what he thinks you want to do is to ask them to take a look at it and make a determination. Trustee Meehan said okay. The Mayor said we don't need a motion for that. We just need to do that. Trustee Meehan said he would like to put it in the form of a motion, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried. Trustee Byrne said just to clarify it is a motion requesting them to investigate the property to determine if there are any violations that need to be dealt with. The Mayor said correct. Trustee Meehan said 15 Washington Avenue. And the Mayor said and Wayne. Both properties.

MAYOR:

A) Appoint Recreation Information Clerk:

The Mayor said she would like to appoint Recreation Information Clerk Nancy Christopher to the position. She currently has been holding that position. There was no test and no list offered up until quite recently. Nancy took the test and passed it so instead of her being temporary she now will be permanent appointed to the Recreation Information Clerk. A motion confirming the appointment was made by Trustee Byrne, seconded by Trustee Hagen. Upon vote, the motion was carried.

B) Contact Person for RBC Wealth Management:

The Mayor said we need to appoint a contact person for the RBC Wealth Management. She would like to appoint Deputy Treasurer Michael Genito as that contact person. A motion approving the appointment was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Trustee Byrne asked if that person was normally the Treasurer. The Mayor said typically yes. Upon vote, the motion was carried.

C) Proclamation - Anti-Bullying Awareness:

The Mayor said October is Anti-Bullying Awareness month and she would like to do a proclamation.

WHEREAS, we must safeguard schools and communities for our children and through our recognition of serious issues that face them each day, offer our children an environment that holds promise and security; and

WHEREAS, many organizations, school districts, educators and parents have publicly expressed concern about bullying of their children; and

WHEREAS, each day as an estimated 160,000 children refuse to go to school because they dread their physical and verbal aggression of their peers and the loneliness that comes from being excluded and made targets and rumors of cyber-bullying many more students attend school in a chronic state of anxiety; and

WHEREAS, it is important that we acknowledge the heightened awareness about the serious issues and the negative effects of bullying including the long-term damage it can cause to our youth as well as the risks of teenage suicide; and

WHEREAS, providing a safe physical and emotional environment is a significant goal, a personal responsibility of each individual; and

WHEREAS, it is time to stand up for character and down to bullying.

NOW, THEREFORE, BE IT PROCLAIMED that I, Patricia Abato, Mayor of the Village of Suffern, do hereby designate the month of October 2014 as Anti-Bullying Awareness Month in the Village of Suffern as a symbol of our commitment to the year round struggle against bullying.

The Mayor said she also has a few students that would like to come in at the October meeting and share some of their experiences with residents. The Mayor said she thinks that it is very important that we all take a stand against bullying and she is proud to offer this proclamation in support of that.

C) Tech-Spectrum - Advantech:

The Mayor said we have had several inadequacies in our IT support and our website support, which she has been looking into. Most all of our department heads had expressed dissatisfaction with the present IT people. In looking at the contract we are paying \$1000 a month for a website that has not been changed in four years and

going on its fifth year. And in looking into it she has been going through all the contracts of the Village and she spoke to all the department heads who work directly with our IT people and they all said can you please bring back Tech Spectrum who was here working in the Village for a few years. The department heads seem to be very happy. They are willing to keep our contract as it was when they left here four years ago. There will be no raise in their fee and they will also be taking care of our website. So we are not only saving money but we have a company back that built the police department and all the department head's here in the Village, including the court, were very happy to have them come back. So taking into consideration all of their positive comments about Tech Spectrum she would like to end our contract with Advantech and she guesses she would have to do that first. We need to give them a thirty day notice as per the contract. So she needs a motion for that. A motion to end our contract with Advantech was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said she would need a motion to cancel the web designer, Designs by Dave O. A motion authorizing the cancellation was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

The Mayor said now she needs a motion to bring back Tech Spectrum. A motion to bring back Tech Spectrum was made by Trustee Meegan-Corrigan, seconded by Trustee Byrne. The Mayor said this would also authorize her to sign a contract with them.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

Trustee Byrne said there won't be any down time on our website and there will be no interruptions. The Mayor said nothing, absolutely nothing. And they will also bring us updated - we have a lot of computers here that still have XP on them, which Microsoft is not supporting and we have a lot of issues here in the Village that just in a short time that they were here visiting to look at what was going on identified several technical issues that need an immediate response to. Although they are not going to be starting with us until October, as we have to give the other company thirty days notice, they have agreed if the Board did agree to hire them back to come in immediately to rectify the problems that we have. So they will be in to meet all of you.

E) Establish Office Services Aide Position:

The Mayor said we heard back from the Department of Personnel and they have approved the position of the Office Services Aide for Laura from the front office that we had talked about. So we need to establish that position. We cannot appoint her this evening because we had to advertise the position - we posted the position. So we have to wait until that time expires. To date we have had no one apply for the position. But we do have to wait until we can appoint her. So the Mayor needs a motion to establish the Office Services Aide position. A motion was made by Trustee Meehan, seconded by Trustee Hagen.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

F) Grand Openings:

The Mayor said as Cathy touched upon we are going to have - the Mayor is very excited - we have four new businesses in the downtown area. We will be having a ribbon cutting ceremony on September 13 at 10 o'clock in the morning and she hopes as many of our residents will attend. It is nice to have new businesses coming in. We talked about storefronts being empty and here we are with Mia's Kitchen, which has been a great addition to our downtown. We have another hair salon. We also have Suffern Pharmacy that opened in the downtown area and we also have the florist that opened up. So we will be having ribbon cutting ceremonies for all them as we have not done that since they have come into the downtown area and she thinks it is important for us to work among new businesses. So that will take place.

The Mayor said there is one more item that we omitted, purely by mistake. As you all know, Tom Zordan has left us and we have taken on Mike Genito. Mike will be working with us part-time and it's the Board contention that we feel as though that the treasurer's position is not truly a full-time position. They could make it a part-time position with our deputy treasurer and we could save a lot of money. However, Barbara Cottiers, who is going to be our full-time deputy treasurer is taking on far more responsibility than she has ever taken on before. She has stepped up to the plate and spends many more hours doing work that she was never required to do before and has become a great asset to the Village in taking on these roles so quickly as she had to do. Therefore, the Mayor spoke to the Board about adjusting Barbara's salary and she would like to suggest that we give Barbara a \$5000 raise as she will be taking on the role of our full-time, in house, watching over the

store. She really has a lot more work on her plate and has done a phenomenal job, the Mayor might add. A motion raising the salary was made by Trustee Hagen, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Patricia Abato
Trustee Frank Hagen, Trustee Jo Meegan-Corrigan
Trustee Matthew Byrne, Trustee John Meehan

NOES: None

ABSENT: None

The Mayor thanked Barbara for all the hard work she has given us. Trustee Byrne said that Barbara is a great asset to this Village and he only knows because many times his office has had to call here last minute for some water readings and she always is accommodating and always very helpful. So with pleasure. The Mayor said that will be effective immediately.

A motion to adjourn the meeting at 10:12 p.m. was made by Trustee Meegan-Corrigan, seconded by Trustee Hagen. Upon vote, the motion was carried.