

**Village Board Meeting
Monday, July 9, 2012**

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

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

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

ABSENT: None

Set Dates for August Meetings:

The Mayor said the workshop is on Wednesday, August 1, 2012 at 7:00 p.m. The Board meeting is set to be the following Monday, August 6 at 7:30 p.m. The Mayor said a couple of things - he said to Gail Curtin that he knows that Clifford Theater - Trustee Abato asked if we would be able to have the meeting here because the stage might still be set up. Mrs. Curtin said it will be over by then. Trustee Abato said they will have the set off the stage by Monday night. The Mayor said it will be over by then. Trustee Abato said it is that weekend - Mrs. Curtin said it will be off. The Mayor said he was wondering if it would be possible to do the workshop meeting at 6:00 p.m. He said he has something that evening. Trustee Abato said she might be a little late that night.

FIRE DEPARTMENT:

A) Accept New Member Christopher J. Wynne:

Chief Mike Stark said he had a couple of items on the agenda tonight. He said that item #A he would like to strike that. He just got notified that Mr. Wynne - he just graduated college and he is going to hold off joining right now because he got a job with Gallo Wine and he will be traveling a bit. So if we can remove that, he would appreciate it.

B) Permission for 19 Patrol to Attend Parade July 26 and July 27 in Mt. Morris, NY:

Mr. Stark said this is for permission for the 19 Patrol to attend a parade in Mt. Morris, New York. He said that for those of you who don't know the connection between Suffern and Mt. Morris is where the 19-1500 is right now so a few members want to go up there. They are having the Western NY Firemen's Convention Parade. It will be no cost to the Village. A motion approving the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

C) Permission for Chiefs to Attend Convention July 19, 20 and 21 in Baltimore, MD - Not to Exceed \$1400:

Chief Stark said this item is for permission for the fire chiefs to attend the convention July 19, 20 and 21 in Baltimore, MD not to exceed \$1400 which is in their budget. A motion approving the request was made by Trustee Meegan-Corrigan, seconded by Trustee Abato. Upon vote, the motion was carried.

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

NOES: Trustee Charles Falciglia

ABSENT: None

D) Permission to Hold Car Show Fund Raiser at the Hose Company - September 22, 2012:

Chief Stark said this item is for permission for the Hose Company to hold a car show fund raiser September 22, 2012. A motion approving the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

E) Permission to Hold Wing Night Fund Raiser at the Hose Company - September 15, 2012:

Chief Stark said this is also for permission for the Hose Company to hold a wing night fund raiser September 15, 2012. A motion approving the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

The Mayor said that we have a number of public hearings on the agenda this evening and a number of people are here. The Mayor said that one thing he had, and it is not on the agenda although individually he discussed it with the Board members just to kind of tell them, to give them the heads up, that he would be

bringing this up. He said that without trying to point fingers or call out people by name one thing that a lot of you that are here, who do not regularly come to Board meetings, and some faces we see every month including the people that work here and the people up here so they are more aware of what he is talking about and a number of these people have approached him, regardless of political party, about addressing this issue. The Mayor said that over the past couple of months - obviously public participation, public hearings, the input of our residents is key to a well functioning government in a democracy and obviously no where more so than here in the Village of Suffern. We are a small community and it is important that what we do up here reflects the input and the participation of people in the community and as such we have during, for example tonight we have four, public hearings, members of the public can come up and offer their comments, criticisms, suggestions on each of these items. In addition we have an open forum in public participation where people can come up and essentially address anything that they want to say related to the Village of course during that period of time. The problem is over the past several months we have had situations where a small number of individuals have come up and obviously have a lot to say. We have tried to offer them the opportunity that they not only address what they want here but when the list gets very long and often contains things that can be addressed prior to the meeting or meetings with the Mayor or department heads that we could save time and not have it here individuals have been reluctant to do so and as benignly as he can say it it seems that sometimes people are saying things because they have agendas beyond what is right for the Village and just to keep the meetings going and trying to kind of create some sort of reaction from certain people. As a result, in the last two meetings, two speakers in each of the last meetings accounted for over 1 hour of time here. And he just does not think that, while again we want to have an open democracy, we can't let one or two individuals hijack the process. Because it creates an environment where it is not fun for any of us. It makes the meetings long and realistically it is not achieving anything. So what he would like to do, and again many of you are not here for that so it is kind of hard to understand and again he never wants to be in a position where we are limiting people's ability to come here and say what they want. When someone literally takes up 38 minutes of a Board meeting and then someone that they are with echoing a similar sentiment takes up another 38 minutes it is not productive. And it is not why we are here. And he thinks it makes all of them look bad and it really hurts our government. So the only way legally that we can do it is to put a time limit on how long someone can talk on a specific issue. Because again with a

public hearing, and what he is proposing is three minutes because even if an individual wants to comment on everything they would be able to under a night like tonight with four public hearings and public participation speak, as one individual, for 15 minutes. And so again even if these two people come up and comment on everything it is still going to be thirty minutes each meeting and he thinks that is more than enough time - an individual having 15 minutes to come up and kind of say what they want to say especially when the Mayor and the Board members and all the department heads are completely available outside of this forum anytime during the month to set up meetings. They will meet with them and get them answers and we will address it. And we have offered that numerous times and we have not been taken up on it. So what he would like to do is propose, and again we can change this if it is passed in the future if the situation betters itself on its own but he would propose that for public hearings and public participation that an individual, and people come up numerous times and it is his fault for going on and condoning it but you can't come up two or three times in one public hearing because it goes on forever, to three minutes in each situation - for each public hearing and for public participation. So again a night like this if someone wanted they could come up on five separate occasions and have three minutes each time. So that is his proposal. If anyone on the Board would like to comment on it.

Trustee Abato said she thinks it is a good idea. It gives everyone a chance and we get different views on all of those issues so she would definitely vote for it.

Trustee Falciglia said he has no problem with it just ultimately we are going to have a hearing probably on Quarry Ridge and maybe a hearing like that he would like to see it waived. The Mayor said he has no problem. Trustee Falciglia said the more important the hearing. The Mayor said he doesn't want to deal with specifics but everyone knows what we are talking about so he is just looking to solve one problem and he would have no problem in individual circumstances if we feel that people need more opportunity to speak to do so. Trustee Abato said she also moves that urging to please come in and speak with our department heads if there is something that is not answered for them here or if they feel as though that you didn't have enough time just as you are speaking. You can speak to them anytime. They are always all available to you, to speak to you, and to give you the same kind of attention that we could probably deal with a little better one on one.

Trustee Meehan said that his comment is that especially when we are talking about public hearings like the four that we have this evening it has always been his understanding, and he has been in elective office for about thirty years and he has attended hundreds of public hearings, and it has always been his understanding that the person could talk as long as they want at a standard public hearing. Now in reference to the other thing he thinks sometimes some of our speakers want to put the Board or the Mayor on record on a specific reply and they certainly have a right to do that. He also thinks that Suffern is a very, very small Village and he hates to see us limit especially three minutes. He said maybe ten or fifteen. He said we get paid and he thinks we get paid handsomely, very nicely, to listen to what they have to say and he doesn't want to put any brakes on that and he would like the Village attorney to address the state law in reference to public hearings. He asked if he was right in saying that we really can't do anything with that. Attorney Rice said he is not aware of any statutory amendment. People have all kinds of different contexts complaining that they have first amendment rights to speak. On the other hand the Board has the authority without infringing on anybody's first amendment rights to make reasonable regulations regarding conduct at meetings.

Mayor LaCorte said again he is not - this is a tough position to be in because he agrees with everything that Mr. Meehan is saying but he would also hope that being in our specific situation that maybe we can acknowledge that there are situations where certain people get up with a laundry list of stuff and they want to go on for thirty-five minutes when there has to be another agenda there other than what is best for the Village because when you say can we talk about this in another situation to go over it - Trustee Meehan said what is best for the Village is a matter of opinion. It is a matter of opinion. Trustee Abato said to Trustee Meehan that she could stay here all night. She has no problem with that and you are right, we do get paid well, and she has no problem with staying here. But she thinks that you also have to talk about the person on the other side who has to get up for work at 4:30 in the morning to catch a train and wants to be heard and has no time to be heard and has no time to be heard because they can't stay here until 10 or 11 o'clock at night to wait for their turn to be heard. She thinks that is where we are trying to go with this. To try to make accommodations so that everyone is heard and that we are not hearing that one person for thirty five minutes and then the other person has to leave because they have a livelihood that they have to attend to and they can't be here so we can't hear that person. Trustee Meehan said that maybe what we can do is limit it to five and then if another person wanted

to do a second five or something like that that would give everybody who hadn't had a chance a chance. Trustee Abato said right. That is what she is saying. Trustee Meehan said he just doesn't want - the Mayor said he would be willing and again this is a trial thing. We can do it very simple by vote. It is for a specific purpose. He said he would be willing to do it for five minutes but he doesn't want the second thing because then it becomes a rebuttal back and forth. He said we are here - he said he can see what it is when we can sit here for up to five hours when we are talking about Quarry Ridge or something that we have a real discussion with the community. But there is also - certain people come every month and they just want to disrupt the meeting and make it where you leave that you go God that was three hours of misery and everybody rolls their eyes and it is not good for our government, it is not good for us, and it is not productive. If something would come out of it he would sit here for twenty four hours if we were solving something. But he thinks we are all intelligent to know the difference between a legitimate complaint and a desire to disrupt, criticize and get under people's skin. And that is all he is trying to avoid. Trustee Meehan said can we do five minutes? The Mayor said we can do five minutes. Everyone gets one opportunity to speak on each item and see how it goes. And then again, if you want to speak to the individual people that he is talking about - look we don't want to hurt everybody but let's try to be fair here - he has no problem. He just doesn't want to make it where you walk out of these meetings - he loves serving this Village and everybody and then if people see it on TV and they come up to you - he said he thinks we are a better Village than that and he just wants to find the right balance.

Trustee Meegan-Corrigan said if she may also. She said that last November she was up in Albany and she had gone to a bunch of conferences and up in those conferences they said how to run a Village meeting more efficiently and what serves the community much better is to actually always put time limits on public hearings. That they highly, highly suggest. That you get more done, more people can speak, you can hear more and learn more by doing it and they highly suggest it at one of the conferences that she was at. Trustee Meehan said that where he is coming from, and he knows what she is talking about, but he doesn't think that we ever have - or very rarely have - a situation where we have more than ten people who want to speak during public participation. So what he would say is as we go along that the first people get five minutes and then if someone really feels that they have something terribly important to say then they can get another five. This way somebody doesn't have to wait on line

for someone who is taking a half hour. Everybody who wants to come and have an opportunity to speak will have that opportunity to speak in public participation. That seems fair to him. This way it would become obvious that the people who want to go on forever they would be at the end of the meeting so to speak and anybody watching could leave. The Mayor said he just wants to be fair but fifteen or twenty comments from people who are here. We have people who work hard for the Village that have to be in tomorrow at 7:30 and 8 a.m. and they are sitting here for 2 ½ hours. The Mayor said he is fine with everything other than the second five minutes because he doesn't want it to become where now it is built in and that becomes an automatic rebuttal but again he wants the Board to agree and he wants everyone to be comfortable and he wants to do what is right so he will go along with what is appropriate and we can tweak it going forward. Trustee Abato said she thinks the five minutes is good. Like you said it ends up to be a rebuttal and then it becomes a back and forth kind of thing. She said you asked for three - five gives you two extra minutes and that person has ample enough time to speak about an issue. And the fact that they don't agree with another person really doesn't help this Board to make a decision. What helps us make our decision is hearing your point of view. So we already know that you didn't agree with the next person because you said something completely different so she thinks the extra five minutes doesn't serve its purpose but again she will go along. Trustee Meehan said it is experimental. Try it and let's see what happens. The Mayor said we can do five minutes with the ability after everybody else has talked for somebody to go up and do another five minutes. And then we will revisit that if it becomes a rebuttal period. So again to the public here. Many of you are not here at all the meetings. Sorry to go through this. But maybe you can go back and watch the meetings on cable. Believe me, there is a lot more interesting TV than it.

A motion was made to limit the time to five minutes by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

7:35 P.M. - PUBLIC HEARING - ESTABLISHING ATTENDANCE REQUIREMENTS FOR MEMBERS OF THE "ZONING BOARD OF APPEALS AND PLANNING BOARD"

The Mayor said the first public hearing is establishing attendance requirements for members of the Zoning Board of Appeals and Planning Board. He said he doesn't know who wants to speak on this. He knows it was Charles and Jack. Attorney Rice said that a number of members of the public had brought up the issue and a number of the Board members have discussed it.

Attorney Rice said he had prepared a draft law and this is the product that resulted from it. There was some concern about attendance by members of the Planning Board and Zoning Board. Attorney Rice said that the result of the discussions that they had is the proposal that the members of the Planning Board and the Zoning Board of Appeals, instead of just being paid a salary regardless of their attendance, that it be changed so that the salary be based on the attendance at meetings and members would be paid 1/12 of their annual salary for attendance at the monthly meetings. The Mayor said that the only thing he would say is just that going forward, and he talked to Charles about this, and we just want to make sure we can logistically work this out with payroll so it is not too cumbersome to deal with. Trustee Falciglia said the most important part of this is really that the Board can now remove anyone that doesn't show up for four meetings. Before it was really up to the Mayor and so it sort of takes him off the hook from that to tell someone that they are not performing and they have to leave. Now it comes under the work procedures and that is even more important he believes than the compensation.

Suzanne Daycock of 65 East Maltbie Avenue said two comments. One is general which is she covers school districts in the other side of the county and they did have the state public information officer down, the fellow who takes care of the freedom of information law. And one of the things that he revealed is that when a hearing is involved you should make the information public and she would just suggest that when you do have a hearing and you do have an item that you might want to post it on the website. The Mayor said we do. Ms. Daycock said okay, good. She didn't see it. The Mayor said we have and we publish our materials as quickly as possible. The Village Clerk said it was on today. The Mayor said our agendas are not prepared for the Board members that much in advance because obviously we are always working on it. Ms. Daycock said okay, so maybe she missed it this morning then. The Mayor said yes. Ms. Daycock said it needs to be on a little early just so people can see it. The Mayor said we will get it up as soon as we can.

Ms. Daycock said her other comment is, and you are right, Mayor, this is a small Village and she thinks when people are appointed to serve on boards and they are important boards that there should be a mandatory removal after a certain number of absences. She said you could always appeal to the Board if you have a medical emergency go back. But she thinks that this would also alleviate litigation issues that might be prejudicial.

The Mayor said again that with this everyone that comes up the comments should be kept to the Planning Board hearing. Since no one else spoke, a motion to close the public hearing was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

VILLAGE OF SUFFERN

LOCAL LAW NO. 10 OF 2012

A LOCAL LAW AMENDING CHAPTER 41 OF
THE CODE OF THE VILLAGE OF SUFFERN,
ESTABLISHING ATTENDANCE REQUIREMENTS
FOR MEMBERS OF THE ZONING BOARD OF
APPEALS AND PLANNING BOARD

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

Section 1. Chapter 41 of the Code of the Village of Suffern is hereby amended by adding thereto a new article, "Article II," entitled "Attendance at Meetings," to provide as follows:

ARTICLE II

41-6 Compensation

Members and alternate members of the Zoning Board of Appeals and Planning Board shall be paid based on attendance at meetings at the rate of one-twelfth of the sum set forth in the budget for the annual compensation of each member.

46-7 Removal for Non-Attendance

Failure to attend four or more regularly scheduled and special meetings in any 12-month period shall constitute grounds for removal of such board member pursuant to § 36 of the Public Officers Law. The Board of Trustees may, upon a showing of good cause, excuse such non-attendance.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 10 was made by Trustee Abato, seconded by Trustee Falciglia.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato
Trustee John Meehan

NOES: Trustee Jo Meegan-Corrigan

ABSENT: None

7:45 P.M. - PUBLIC HEARING - TO APPROVE THE MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) ANNUAL REPORT:

The Mayors said this is to approve the municipal separate storm sewer system annual MS4 report. The Mayor asked Mr. Sawicki to come up and briefly describe this. Mr. Sawicki said the MS4 as you just described it, the municipal separate storm sewer system, is a requirement by the NYS DEC. Each municipality takes on the responsibility to control stormwater and there is the annual report which is filed with the DEC each year. The Mayor said this has been posted on the website, correct? Mr. Sawicki said yes. The Mayor said that is www.suffernvillage.com.

Since nobody spoke, a motion to close the public hearing was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

A motion to approve the MS4 annual report was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

7:50 P.M. - PUBLIC HEARING - ESTABLISHING HANDICAPPED PARKING SPACES IN FRONT OF POST OFFICE AND IN THE "B" PARKING LOT:

The Mayor said next we have a public hearing establishing handicapped parking spaces in front of the post office and in the "B" parking lot. Attorney Rice said the title pretty much explains it. He said that one is a handicapped parking space in front of the post office. The other is another handicapped spot in the "B" lot, the Chestnut Street lot, and you will notice the law says two spots because when he wrote the local law and located the appropriate place in the code for this regulation he saw that the other handicapped space wasn't listed in the code book so we have a creation of the establishment of two parking spaces along the Chestnut Street side of the "B" lot.

The Mayor said this was long overdue and it really helps people and we have it in the "B" lot also. The Mayor said we spoke to the chief on this and again he thinks this is a good thing to try to make life easier for people who have disabilities.

Adam DeStefano of 19 Prairie Avenue said that he just wanted to say that he is in favor of this but are they already up right now? Because he thought he saw them currently up. The Mayor said yes. Mr. DeStefano asked how come they were put up before the public hearing was held. Was it a safety issue? The Mayor said yes, it was a safety issue and the problem is when they are up - we wanted to get them up there just to deter people and have people just not park there unless people are handicapped but they are not enforceable to the extent that we need to have the public hearing. Normally, obviously, most public hearings - it is something that all the Board members were clearly in favor of it. They didn't think it would be a problem. That anyone wouldn't be against it. And we just wanted to get them out there as soon as possible. There were specific people who had called who were experiencing some difficulty but the one thing was that if someone did park there who wasn't, we would not be able to enforce it until the public hearing. Mr. DeStefano said okay. He just wanted to make sure because he thought he saw them out there. The Mayor said we normally are not in the process of doing this but he said let's just get them up there recognizing that a ticket written would not be enforceable.

Fred Gentile of Prairie Avenue said that on your point of handicap parking he was wondering if you would give more thought to the needs of a handicapped person as to the location of these spaces. Crossing that street is no fun for handicapped people. He said he would encourage them to consider parking spaces perhaps on the same side as the post office. The Mayor said we did. One of them - that is the main spot. Mr. Gentile said one. He asked how many are you proposing in parking lot "B?" The Mayor said there is one now. This would make it into two. So three in total. Mr. Gentile said okay. The Mayor said he thinks there are only two spots in front of the post office. Mr. Gentile said he realizes that but he wants to make sure they understand what he is saying. A little effort made to figure out - instead of putting two thirds of the handicapped parking spaces across the street and then maneuvering - if you are handicapped that is the last thing you would want to do - cross that street. Number one. Number two - handicapped spots are supposed to make it convenient for you to get to where you are going. So he is asking them to reconsider and figure out if those two spaces can be adjacent to

the post office as opposed to being parked across the street. He said he doesn't want to see someone on crutches trying to cross that street. Or someone in a wheelchair - forget it. Okay? So he thinks your thoughts should be more in consideration of what the purpose of handicapped parking is for. He said he would appreciate it. The Mayor said thank you.

Since no one else spoke, a motion to close the public hearing was made by Trustee Abato, seconded by Trustee Falciglia.

VILLAGE OF SUFFERN, NEW YORK
LOCAL LAW NO. 11 OF 2012

A LOCAL LAW AMENDING SECTION 254-67 OF THE
CODE OF THE VILLAGE OF SUFFERN ESTABLISHING
HANDICAPPED PARKING SPACES IN FRONT OF THE
U.S. POST OFFICE AND IN THE "B" PARKING LOT

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

Section 1. Section 254-67, "Schedule XVII: Handicapped Parking Spaces," of the Code of the Village of Suffern is hereby amended by adding after:

[Name of Street]	[Side]	[Location]
Chestnut Street	East	10 feet south of Lafayette Avenue

the following:

[Name of Street]	[Side]	[Location]
Chestnut Street	West	In front of U.S. Post Office 170 feet North of Lafayette Avenue

Section 2. Section 254-67, "Schedule XVII: Handicapped Parking Spaces," of the Code of the Village of Suffern is hereby amended by adding after:

[Name of Street]	[Side]	[Location]
Parkside Drive	North	Opposite Salem Court

the following:

[Name of Street]	[Side]	[Location]
Village of Suffern "B" Parking Lot (Chestnut Street Lot)	West	West side of "B" Lot, adjoining Chestnut Street - first two parking spaces adjoining entrance drive

Section 3. This Local Law shall take effect immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 11 was made by Trustee Meehan, who said he is going to vote for this law but he also is going to give consideration as to what Mr. Gentile said for future action to add another one there. The Mayor said we had looked at it. It was just a question that if there were five spots right in front we would have no problem. But there is only two and we wanted to give people who aren't handicapped the ability to park and run in. The Mayor said again we will see how it goes and if there is more of a need. Trustee Abato said what about if we do one right in front of the post office and then that first one by NorthFork bank on the other side of the driveway. The Mayor said yes, he thinks that is something we can talk about. He doesn't think that is a problem. He asked the chief if we could look into that. Maybe put the second one - there is the parking lot and then another one. If we can look for one more closer to Lafayette that is okay. We can talk about that. He thanked Trustee Meehan. Trustee Meehan said he will make the motion, seconded by Trustee Abato.

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

NOES: None

ABSENT: None

7:55 P.M. - PUBLIC HEARING - ESTABLISHING RESTRICTED PARKING IN FRONT OF ONE LAFAYETTE AVENUE FOR THE PURPOSE OF VALET PARKING:

The Mayor said we have one more public hearing. Establishing restricted parking in front of one Lafayette Avenue for the purpose of valet parking. Attorney Rice said this provides that there is restricted parking, no general parking, at one Lafayette

Avenue, which is in front of DaNina's Restaurant. That is one space immediately west of the driveway from 5:00 p.m. to 1:00 a.m. And this is how the Village has dealt with valet parking because there is quite obviously not enough onsite parking for the restaurants during the evening hours. The Village has a regulating scheme for valet parking and part of that includes the reservation of appropriate parking spaces for the drop off for valet parking during those hours. The Mayor said this is something we had talked about and we tried to come up with a solution that is best for everyone and we discussed it extensively at a previous meeting.

Since no one spoke, a motion to close the public hearing was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

VILLAGE OF SUFFERN, NEW YORK
 LOCAL LAW NO. 12 OF 2012

A LOCAL LAW AMENDING SECTION 254-64 OF THE
 CODE OF THE VILLAGE OF SUFFERN REGARDING PARKING
 RESTRICTIONS ON LAFAYETTE AVENUE

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

Section 1. Section 254-64 "Schedule XIV: Parking Prohibited Certain Hours" of the Code of the Village of Suffern is hereby amended by adding after:

[Name of Street]	[Side]	[Time Limits: Hours/Days]	[Location]
Lafayette Avenue	South	5:00 pm to 1:00 am	21 to 23 Lafayette Avenue (2 spaces)

the following:

[Name of Street]	[Side]	[Time Limits: Hours/Days]	[Location]
Lafayette Avenue	South	5:00 pm to 1:00 am	1 Lafayette Avenue 1 space) (immediately west of driveway

Section 2. This Local Law shall become effective immediately upon filing with the Secretary of State.

A motion to adopt Local Law No. 12 was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

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

NOES: Trustee Patricia Abato

ABSENT: None

GRANT WRITER:

Mr. Fred Rella said as you know we were awarded \$85,000 from the Rockland County Office of Community Development for the façade rejuvenation program for the downtown this year. And in order to - every year once we are - if we are awarded money we have to enter into an agreement with Rockland County saying that we accept the award and it has to be signed by the Mayor. So he worked with Terry in putting together a resolution saying that we can accept the \$85,000 and that the Mayor can sign the agreement between us and Rockland County so we can get the money.

VILLAGE OF SUFFERN

RESOLUTION NO. 8, 2012

BE IT RESOLVED by the Board of Trustees of the Village of Suffern that Dagan LaCorte, as Mayor of the Village of Suffern, is hereby authorized and directed to sign the FY 2012 Subrecipient Agreement (between the Village of Suffern and the County of Rockland) for accepting and administering the FY 2012 Community Development Block Grant Program for Business District Improvements (Building Facades) in the amount of \$85,000.

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

Mr. Rella said just one other small item. He said that he worked with Gail Curtin of our recreation department. He said we had received some monies for an award for some crowd control equipment. And with that \$5000 award we purchased stanchions and ropes to sort of guide people - you see them in the movie theatre or what not as a barricade. We purchased some bull horns and a

few other miscellaneous items and the final payment request went in for the \$1200 and the Department of State notified him today that all the paperwork was approved and the check would be cut to the Village within two weeks.

CULURE AND RECREATION:

Mrs. Gail Curtin thanked Fred. She said you will be able to see most of the fruits of that grant at Suffern Day. So thank you. Mrs. Curtin said that since the last meeting, the recreation department has either sponsored or co-sponsored LEAD. That was the outdoor session which you approved. The students, their parents, their grandparents - students from last year who graduated got together that evening on June 8 on a beautiful night at the gazebo and we thank you very much for the end of another successful LEAD program. She said on Saturday, June 15, they co-sponsored the fishing derby with the Mahwah Elks Lodge. And that too was successful. We provided the pool and the staffing for Chief Osborn and the police department's DARE pool party on Monday, June 18. On Wednesday, June 20, we had a concert by "No Exit" and on Thursday, June 28, another concert by "Magic Touch." As you will see on the paper you were just given, upcoming tomorrow night we have a Kiddie pool party; on Thursday we have another concert by "Reflections." That is the big band - about 20 pieces. On Sunday, July 15, we have Family Day at the pool. Wednesday, July 19, the "Kootz Band" concert. Wednesday, July 25 they are very excited to welcome Wayne Cobham and Cobham's Coalition. Wayne is someone who she had the opportunity to meet them through the Chamber of Commerce as the representative at the proposed music and arts festival and she thinks that the fact that we were able to reach out to him is again an indicator of our close working relationship with the Chamber of Commerce. That is how we made that connection. So, we are real excited about Wayne joining our program this year.

Mrs. Curtin said on Monday, July 30, they will end the concert series with the very popular children's concert by Kurt Gallagher. And then on Friday and Saturday, August 3 and 4, as you mentioned before, the Clifford Theater Workshop production will probably, she is thinking, present the greatest show they have ever done and that will be "Hairspray." Mrs. Curtin said to Trustee Meehan that they received a lovely note from his brother. They did invite him to "Hairspray" and Chris, Jillian and she received a lovely night. He said he is going to try but even if he doesn't make it they are hoping that he will allow them to put his letter in the program this year. So that is kind of exciting. Trustee Meehan said he has a Broadway show opening on September

11 - Mrs. Curtin said that is what he explained to them - "Chaplain." And the revival of "Annie" in December and "Rocky" is going to open in Germany in December. Mrs. Curtin said that she, Chris and Jillian were very excited that he responded to their invitation and they are willing to take that.

Mrs. Curtin said that under miscellaneous, speaking of Clifford Theater, they would like permission to hire a young man name Dillon Wycott to be their musical director this year. As you know, three years ago they introduced that position. They had a wonderful piano player who joined the kids that year. And for the next two years we had a different person. She was unable to join us this year so we reached out to others. Mrs. Curtin said she had the opportunity to meet and interview, along with Chris and Jillian, this young man. She also reached out and heard back from three of his references and she highly recommends that we give the position to him. Trustee Falciglia asked what is the cost? Mrs. Curtin said it is a seasonal rate. He gets it at the end of the program and he will receive \$1,150. Trustee Falciglia asked if this is similar to what we have done in the last few years. Mrs. Curtin said yes. It is part of the budget. A motion to hire Dillon Wycott was made by Trustee Abato, seconded by Trustee Falciglia.

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

NOES: None

ABSENT: None

Mrs. Curtin said that she wanted to take the opportunity to mention to them that as late as 5 o'clock today we made arrangements for another Village trip to New York City. Mrs. Curtin said we have tried to do that twice a year and sometimes it doesn't quite work. But beginning tomorrow they will be putting the paperwork together for a trip on October 4 - it will be a Thursday evening - to see the 2012 Tony Award winning "Once." So she senses that the tickets may go very quickly. If you are interested, as soon as they get that word out, you might pick up the phone. And the last thing is that the Lions Club has contacted them. As you know they have been doing, in conjunction with Good Samaritan Hospital and the Village of Suffern, a blood drive twice a year. They would like to continue that and are looking at Tuesday, October 16.

VILLAGE ATTORNEY:

Attorney Terry Rice said he had two things. He said he provided to the Board members the appraisal that we were going for the Rockland Terrace property and he received it today and he will contact the attorney for the property owner and see if we can negotiate to purchase the property based on that appraisal. Secondly, he wanted to advise the Board that as you know the solid refuse pickup for the container district was awarded to the second low bidder because the first low bidder did not comply with the bid specifications. We have been served with an Article 78 by the low bidder challenging that determination and obviously we will defend that. (People could not hear Attorney Rice so he said the following: the last thing he said was that the Village had awarded the refuse contract for the container districts to the second low bidder because it was determined by Mr. Sawicki that the low bidder, in fact, did not comply with the mandatory bid specifications and a number of substantial bid specs and we were recently served with an Article 78 petition by the low bidder challenging that award. And as he mentioned, of course, we will defend that determination.)

Trustee Falciglia asked what happens with an Article 78. Attorney Rice said that basically they are challenging the fact that it was determined that the low bidder who we are required to award to the lowest responsible bidder and they are challenging the determination that they weren't the lowest responsible bidder. In fact, they didn't really get to the issue of whether or not they were responsible. But in fact they didn't comply with the bid specifications in a couple of substantial respects. So the court will review the bid documents and the arguments of the parties and make a determination as far as whether or not the Board's determination which is entitled to significant preference by the court - presumption of regularity and so forth - and will make a determination based on that. Trustee Falciglia said we can't be penalized for that. Attorney Rice said there is no basis for an award of damage.

POLICE DEPARTMENT:

Chief Osborn said very quickly. The one item that he was looking to vote on which was letter C - he is going to hold off on the retirement letter. He will update them by e-mail tomorrow on the status of that. Just to give a quick update, their department in the last month participated in a commercial vehicle check with the Department of Transportation downtown. They issued numerous summonses - 80 to 90 summonses in one day to vehicles and unsafe

trucks. They took about 20 trucks out of service that day operating on Village roads. They also issued 181 summonses, made 20 arrests, participated in the NYS Click It or Ticket campaign which is run by the Governor's traffic safety committee which basically deals with people with seatbelts. Chief Osborn said our detective bureau is currently in the process of clearing warrants. That is their detail for the next week - clearing up old warrants. And they are doing very well at it. All of the officers have been going through handgun, shotgun, patrol rifle and taser training for the last month. He said he thinks that everybody is up to date at this point. That is done by Officer Rick Marsh, our training officer. Chief Osborn said we just upgraded a few of our tasers through a donation that they received. Our tasers, the ones that they make now, are now double shock tasers which are good. Tasers are great to have. They are great tools for the officers to keep them safe. But the one problem is that if you do miss with your shot, you either have to get very close to the person, which they call a drive stone, and push it on them. These have a backup cartridge inside of it. He said that we actually used it already in an incident and it worked out very well. So he wants to thank them for all their backing with that. And this last month, particularly, we have worked with several condo, co-op and neighborhood issues on a variety of issues with double parking, traffic safety and crime prevention in what they call an environmental design which is that we go up there and we basically explain how to design certain locations to prevent crime and that has worked out great as well. So we had a pretty busy month. Summer time is definitely their busiest time.

Chief Osborn said he also had some items for surplus. There are three items he has but there are only two on the list. The third one he just added today. The first one is a 2003 white Ford Crown Victoria, also a 2005. He said we just put in digital cameras in the patrol vehicles which means that every car stopped in every incident that we pull up on has video and audio which they always were with the tape. But now it is digital and it gets automatically downloaded so he and administrators can go in and check an incident from our laptops or our computers which is great. They are great to have just for evidence and also for integrity as well for the department. He wants to thank them because the Board was very helpful that they got those. And the last thing is really a DPW thing but he will put it on ours. It is a Ford pickup bed for a 2003 pickup which they will just include as well. They put it on govdeals.com. So they will put that on theirs as well. A motion to declare the items surplus and put them on govdeals.com was made by Trustee Abato, seconded by

Trustee Meegan-Corrigan. Upon vote, the motion was carried.

AUDIENCE PARTICIPATION:

Roy Tschudy of 16 Lonergan Drive thanked them for the opportunity to come up and say what he wants to say. He said you may not know. Today we lost seven more military personnel in Afghanistan which brings the total to a couple thousand lives, unfortunately. One thing that he agrees with. Mr. Giannettino had mentioned a while ago that before we say the pledge and we have the flag standing here and we know what the red stands for - the red stands for the blood that has been shed by our troops. So he would request, with all due respect, that after we do the pledge or prior to the pledge, which ever is easier for them, if we wouldn't mind just taking a few seconds of respect with regard to all the men and the women who we have lost in, not only this war but all our prior wars, and it should just be a matter of regard, remembrance because without our troops we have nothing. The Mayor said he would totally agree with him. He said he was just going to generally do it at the end of the meeting. But if people think it is better in the beginning, okay. No problem.

Fred Gentile of Prairie Avenue said he had two quick things. One, many, many years ago, the Village took on a program to enhance and keep the Village of Suffern green. And the program amounted to planting trees - cherry trees - along Washington Avenue from one end to the other. He said he thinks what it did also was it was in conjunction with the historical value of Washington Avenue and the historical value of our Village. That is why we picked cherry trees. Over the course of the years, unfortunately, many of them have died. Many of them look like they are going to die soon. And there are some homes that don't have a tree in front of them at all but if there was one it is gone for whatever reason. So he would encourage the Board or whoever is involved in this to review the condition of these trees along Washington Avenue, replace the ones that have died, perhaps trim some of the other ones that need some trimming at the base, because they do get kind of wild, and he would appreciate that. He thinks that it would do a great favor to the Village to keep it like that.

Mr. Gentile said secondly. He said that they come here to express their own opinions but they would like to hear also what you are saying. So he is sort of picking a little bit on the microphone situation. Trustee Abato said she just turned them up. Do they sound better? Do they sound louder? Someone said yes. Trustee Abato said she just turned them up so hopefully that will help. Mr. Gentile said he is talking about you up there. The Mayor said

yes. Mr. Gentile said that he would say that there is no trouble hearing the Mayor so either he has a better mic or he knows how to use it differently. So please, we want to know what you are saying. That is why they are here. Not only to speak for themselves. So please do what you can to get into that mic and throw it out there so they can grab it. He thanked them.

The Mayor thanked Mr. Gentile. He thanked him for his comments. The Mayor said that just so he knows he had a call today with a merchant who expressed concern that those trees downtown were overgrown a bit. The Mayor said that we, last year, spent a significant amount of money - he believes it was 7 or 8 thousand dollars to trim those trees. The reason being - our DPW trims trees in the Village but those trees, specifically because they are right in the downtown and how important they are aesthetically and for the downtown, while they are experts in what they do they are not expert tree cutters. And what we have learned through the years, especially when it comes to O&R and power lines is that how you trim the tree will determine how that tree does in the future. So we will look into it again. It is a decent expense but after a year there needs to be some tree trimming again and he is hopeful that because they did such a professional job last time in terms of really addressing the trees that now it is more of an issue of cutting them back. So he will talk to our arborist about that - John Wickes - who we have under contract and see what we can do and also he knows that there were a couple of trees that were cut down. Generally we do have a program where any resident who wants a tree on their property can call the Village. We are making it typically open to anybody who had a tree cut down in the right-of-way because if we repave roads, the trees grow into the street. The root system is not a healthy thing. Usually we have a resident who is not here today who is always talking about the trees. So we will plant a tree for free on your property because our arborist did an analysis and determined that it doesn't make sense to plant trees again in the right-of-way because of the root system and we will end up with the same situation. And we will maintain them for a year and after a year we will turn them over to you. And what he is saying is that we will extend that to anyone because surprisingly we haven't really been taken up on that program and we have money set aside for that. So even if you didn't have a tree cut down and we think it is appropriate that we should plant a shade tree adjacent to one our streets, then he thinks that you can come and pick up a form, we will take a look at it and if it makes sense and it is appropriate we will do it under those circumstances.

Caren Glicksman of Maple Avenue said her question is who is responsible if the neighbors tree is over the fence - it is so out of hand - it's making an arch over her driveway so that every morning when she wakes up her car has poo all over it. The Mayor said his understanding, if he is correct, and it depends on the insurance but typically if a tree goes over your property you can cut back the portion that is on your property. Attorney Rice said yes but he doesn't think we want to be in a position to give legal advice. The Village does not have any ordinance that covers trees growing from one property onto another property. He said you can check with the building inspector because there may be a provision in the NYS Uniform Fire Prevention and Building Code that deals with that issue.

Camille Burgis of 12 Boulevard said she would like to make a comment that she believes that not all residents of the Village are treated fairly or equally. Case in point - when the code enforcer goes out or mails a notice of a pending violation to 11 Lonergan, 92 Lonergan for property maintenance, again with their vegetation, these residents have to act on it and when 14 Boulevard gets a property maintenance/zoning violation pending they are told you don't have to act on it if you don't want to. It is your choice. We can ask you to maintain your property but you don't have to maintain. It is kind of hypocritical when other residents have to abide by things and when we go to speak to you separately, individually, not at this forum, nobody returns the calls so they can't get answers privately so people come here and take up the five minutes to address the Board. The Mayor said that is a legitimate concern. He said what he can tell her is that any issue of property maintenance that is brought to the attention of the code enforcement department is addressed. Everybody is handled in the same fashion. What they typically try to do is if it is not a matter of an emergency or public safety but it is something that is aesthetic what they try to do is give residents time to do it. So for example the grass and property maintenance is the big issue that we tend to have less when we have less rain but when we had the very rainy May and June they were all over that. But we do give people the opportunity to rectify it and if they do that there is no violation. If they don't then they have been going back and they will give violations. If you called me to address a specific violation his practice tends to be that he doesn't get involved because he doesn't think that is proper. The Mayor said he will bring a resident, anyone, and he will bring situations to the attention of the code enforcer but he does not as a practice intervene on behalf or against anybody because again that should be the job of the code enforcers to carry out their responsibilities. Ms.

Burgis said you are their boss. The Mayor said he understands that. And if there is a situation where someone is alleging that they are not doing their job then he will look into it but he is just saying that he didn't know if she was referring to him when you said you reached out and you didn't get calls back. The Mayor said he does not believe, and he doesn't think it is proper and he doesn't want to get involved with neighbors. What often happens could be another discussion we could have in this situation - a neighbor will complain about something against another neighbor. And the code enforcer will show up. And of course they go well why are you coming here. That property is worse. That property is worse. And our thing is when someone makes a complaint we always look into it and we will address it. So unfortunately your way to deal with that, other than coming into compliance, if you feel someone else is not in compliance it is kind of tell on your neighbor or someone else. And it really unfortunately often is the situation - he has seen it a number of times where an individual complains about a neighbor, the neighbor rectified the situation but then the neighbor called and complains about them and then their now before the ZBA because they have a non-conforming issue so unfortunately that is the world we live in. It is not the greatest thing. We want to keep the Village looking good and he does support what our code enforcers are doing in terms of property maintenance because having grass that is not cut or having cars on your lawn is something where, when we have a depressed real estate market, it further depresses it. So he thinks when you drive around Suffern he thinks that the property looks pretty good and if there is a specific issue that is not being addressed on a complaint he will look into it. But he does know in the past that any situation that has been brought to their attention that they do a proper investigation.

Ms. Burgis said she doesn't condone the tit for tat. It is time consuming. My problem was when the code enforcer sees there is a problem and he goes out and he addresses it and then he turns around but you don't have to. I am asking you to. And he didn't give that courtesy to any other homeowner. The Mayor said he doesn't know. Ms. Burgis said doing favors for a homeowner. The Mayor said if you want to give him the situation, obviously, if somebody said that that's not to you - Ms. Burgis said he said it to her and to the other party. The Mayor said that you don't have to be in compliance? Ms. Burgis said he said they don't have to be in compliance. Ms. Burgis said she did ask him - the Mayor said if he can get information he will look into a specific thing but he does know that they are pretty proforma with this stuff and they are usually typically professional and fair but he will

look into that.

Ms. Burgis said okay. And she said Terry has the ADA. She said she thinks this is the Board that voted for the sidewalk shoveling in winter time that sidewalks have to be shoveled to thirty inches as opposed to full width. Why somebody would narrow it when ADA requirements say 36 inch sidewalks because a standard wheelchair is 36 inches but we have a Board telling masses, thousands of people, to break ADA compliance. Attorney Rice said he knows that she mentioned it to him. He has to look and see. Mrs. Burris said she hopes it will be corrected before this winter. She said she loves you, John Meehan. Trustee Meehan said thank you.

Dave Hirsch of East Maple Avenue said that on Wednesday, June 13, he met with Mayor LaCorte to discuss numerous Village issues. He said he has always been a strong supporter of this current administration however he is absolutely opposed to the proposed Quarry Ridge project as it will only increase traffic expeditiously, not support our downtown, and place an enormous burden on the infrastructure of the Village as well as taxing our already heavily burdened services, namely our police department, fire department and schools. Instead he is proposing the construction of a park along the lines of Brownstone Park as outlined in front of you. This park will provide increased revenue for our downtown businesses and the establishment of new related businesses while maintaining the use of the pit for the possibility of flood mitigation. He said they are requesting that the Village put this up for referendum, thus allowing the Village itself to determine the destiny of the quarry and ultimately the destiny of the Village. The referendum should read: the quarry developed as a park, the quarry developed as housing, or no development at all at the quarry. Remember, we are the electorate that voted for you guys. Make us proud and do the right thing.

Mayor LaCorte thanked him for his comments. He said we often have a dialogue about these and many things and he thinks that we will look at all options and we will have public hearings. The one thing is that we can't legally - there can't be a referendum on this issue. It is just in terms of what legally can be a referendum. There are certain things that you are required to such as like changes to our service award program or terms of elected officials. Very few things. And then like borrowing there are permissive referendums. For example, we had looked into the potential of a referendum on purchasing the Schwartz property so that could be preserved because, in that particular neighborhood around the pool, people were strongly in favor of preserving that

property and we wanted to see and it was a big price tag if everyone in the Village would feel the same way because of the expense. And we looked into that. And essentially we can't do it. We can't feed our authority to the electorate to vote on things like that. So that is the case. California does it that way. But we can't. So in terms of your idea - your idea is obviously something we can look into and discuss. When we have a public hearing on the quarry as we move forward it will be an open process which will have public participation but the plan of just having an A, B, C referendum is not legal. Trustee Abato said she can give him her personal assurance that it is going to stay on top of the pile as long as she is on the Board.

Douglas Lawrence of 10 Washington Circle said what he wanted to talk about tonight is just the concern with the process, not the specifics, but the process for the quarry site. Specifically, he would like to avoid the situation where the first opportunity that the public has to speak is at the hearing to approve the zoning change because he doesn't think that gives the public an adequate opportunity for comment and he thinks it also denies the Board the right to hear the views of all the citizens and possibly not engage in the best possible decision. So without any comments on the merits of what has been filed publicly or not his request would be that there be a special meeting just to consider the quarry site, the five minute rule will be waived, the notice of the meeting be sent out by mail to all residents of the Village of Suffern, and the date for the meeting be fixed so that everybody can plan it into their schedule. He also would like to see it be at least, notice be at least thirty days in advance and he would like to see the notice of the hearing itself be at least ninety days in advance of the zoning board final meeting to approve the zoning variance. And the time limit could be a little different but the point is that the Board really needs to hear what the public has to say and have time to react to it. Points may be raised when the public has an adequate opportunity to comment what the Board really wants to take into consideration prior to the final zoning hearing. So that is his request. That we schedule a specific meeting, we send out plenty of notice. He said he would like to see written notice by mail as opposed to just something on the website or, he understands it was on the agenda for tonight, but it got postponed. The Mayor said he doesn't know why - there was nothing on the agenda - or what the miscommunication was. Mr. Lawrence said there are two things he wants to impress upon the Board right now just because he has their attention. He said he was talking to the chief. He said he knows this Village pretty well because he walks all over it and he rides his bike all over it so he is aware of situations in the

Village that other people might miss. He said he can tell them that from a pedestrian's point of view the intersection of Washington and Lafayette is not safe right now. He said he regularly finds himself in front of Sacred Heart Church crossing to go to Washington Avenue because most places that he goes in the Village he walks to. He doesn't generally drive. He just walks there. So he is at that intersection all the time. Now he can't tell them how many times he is ready to walk across the street and he is watching the guy in the left turn lane on the other side on Washington Avenue. He has his foot so close to the accelerator. He is going to beat the guy who is right turning off the line. The guy who is right turning - he is going to beat the guy who is going to left turn before he gets cut off. And neither one of them is thinking about little old him. And honestly he had a situation one morning where he was crossing with the light. He was in the walk zone. Here comes, and he doesn't know if he was on his phone, but here comes a guy in a one ton Ford truck. His grill is at his chest level and honest to gosh he stopped that far from hitting him. Now that intersection right now is not safe.

Mr. Lawrence said the second thing, and he will keep to his five minutes, is that he wants the Board to know that lower Lake Antrim is its own little eco-system and it has wood ducks and he has seen a pair of mating trumpeter swans back there, hawks, turtles, innumerable mallards and geese, which are actually kind of a nuisance, but it is in fact an eco-system and he hopes that whatever else we end up doing with regard to development of property that we keep in mind the fact that that lake is an eco-system and you only destroy an eco-system once.

The Mayor thanked him. He said he would just like to address a couple of those issues. One is that you know everything that we do here is based on - we try to keep it to the legal process. So we don't control an applicant's ability to make an application. It is absolutely their right to do so. Once they do so we have a process in place that is followed clearly. And what that process involves is that the application is referred to the Planning Board. The Planning Board will first conduct SEQRA - the environmental impact study under the state law. When they have those meetings at the Planning Board, and they will be noted - the Mayor said we will make sure that all the neighbors in the area - and again just like we don't want to give preferential treatment to anyone we don't want to require people to do more than you require anybody else because again the process should be equal. No special favors. But on the other hand don't overly burden someone that you wouldn't because then they can take

action against the Village that oh, you are creating a process that no one else had to comply with. So whether someone feels we are trying to push something forward or on the other hand whether we are trying to obstruct it, we need to be consistent and that is what we do. So the Planning Board will have public notice. It will go out to everyone within that area. He will make sure that the people in the area are properly noted. During that review of the environmental impact there is public comment. So you will have the ability to comment there at the Planning Board. The Planning Board will make their determination and then they will ultimately have a vote on whether or not to recommend a zone change. It will then come to the Village Board at which time we are required to and we will have a public hearing. We can't, it is not appropriate, it is not legal, it is not our process to have a public hearing before that because again you could just see practically - we don't want to be in a situation when we are asking the Planning Board, an independent body, to make a determination and then we are having a hearing beforehand presumably commenting on how they should act. And that is why the process goes that way. If they decide no on a zone change we can still vote yes but again we would be doing so contrary to their recommendation. The Mayor said we have the ultimate authority but the process starts with them. What he can assure him is that we will, when that ultimately happens, now we make a decision whether we have that - again if there is going to be a vote on a zone change, we will have a public hearing. The Board can decide not to entertain it. That is not typically what we do because we believe that everybody should have their day to make their case either for or against. At that time we will have appropriate public notice. The Mayor said he will make sure that it is in the newspapers, and he doesn't want to commit to mailing to everybody in the Village because we never do that under any circumstance. And if you do that more than once, unless it is a Village-wide thing, then you are establishing a precedent that again may be unfair or it is over-burdensome because the applicant pays for it. The applicant will legally make the notice to the neighborhood. We will publish it in the newspapers. He will make sure that you are aware of it so you can help disseminate the information. We will make sure that everybody knows about it in accordance with the law but again he thinks that what he is saying is appropriate. This is going to be a long process. No decisions have been made. He doesn't think things are going to happen tomorrow but he can assure him that every step of the way we will have the public involved. We all know and everyone feels strongly about this. But again the applicant has a right to bring their application forward and we will treat them fairly as how we treat everybody else.

Trustee Abato said to the Mayor that we can also have more than one public hearing. Is that correct? The Mayor said yes if there is more time and again, waiving the five minute rule, he is sure we will do that when the time comes. Again he doesn't want to beat a dead horse but he thinks he made it pretty clear and it hasn't happened here tonight but why there was a need for this rule and it is in no way to limit people from expressing legitimate concerns about big issues like that. So he promises him that he has his commitment that everybody will get a fair opportunity and have their full point when and if that hearing happens.

Mr. Lawrence said his concern at this point is only with the process. He doesn't want to get to the merits. The Mayor said that is what we are doing. He is just trying to explain the process to him so he understands it. What you are saying sounds good. It is just not the process and right away he would know that. If ultimately we did it that way and the applicant didn't get what they want then they could have a claim against the Village saying what is going on here.

Trustee Meehan said that when that happens, and he really thinks it is going to be a huge event, and he thinks that probably we would do well to devote an entire evening just to that. The Mayor said oh yes, definitely. The Mayor said definitely we can film it. Trustee Falciglia said that nothing prevents a private citizen from notifying everyone in the Village. The Mayor said yes. He said he just doesn't think - the applicant pays for the mailing so you can't suddenly say to an applicant that you now have to mail it to 11,000 residents and that is a cost. The Mayor said he is sure it is a cost that they can afford based on the scope of the project but you can see why someone may say that that is unfair because theoretically it creates a burden. Mr. Lawrence said the process is the process.

Attorney Rice said very briefly because it is extremely premature at this point. The applicant filed a petition and a little bit of information and it is now being reviewed by the Village's consultants and as the Mayor eluded to and undoubtedly it will be determined to require an environmental impact statement which will take the applicant undoubtedly a considerable period of time to prepare and that will again be reviewed by our consultants and any suggested insufficiencies will have to be addressed and then the Planning Board, who is the lead agency for SEQRA, the State Environmental Quality Review Act, will accept as being adequate for public comment and that is exactly what will happen. That will be the first opportunity where there will be sufficient

information to be commented upon. Prior to that anything would be premature and really wouldn't be of service to anybody.

Suzanne Daycock of 65 E. Maltbie Avenue said that she just wanted to add a comment on the crossing issues. Washington Avenue has no public crossings outside of the crossing, which is a dangerous crossing, right around the soldier's monument. And it is true. You can't see. But we do have three churches, we have municipal hall, we have the school and she has spoken with her neighbors and people zoom up and down. They have a lot of kids. She said that most of the traffic into the Village is going to come across Washington Avenue. She asked if there was a possibility that the Village Board could consider, for example, a crosswalk across Washington. The Mayor said there is a crosswalk. He said we did the paver ones because they have worked out well because they slow people down. There is one that goes across Sacred Heart. Ms. Daycock said she is talking about one at East Maltbie, one at East Maple because of the churches. The Mayor said oh, that way? Ms. Daycock said that would get you across the municipality and the downtown. The Mayor said he thought she was talking more on the end near the gazebo going across. Ms. Daycock said she is talking in the middle. The Mayor said we can look into it. We can look into it. He said he thinks crosswalks - he said to Charles let's take a look. He said we are trying to do something with parking there as well and all that. He said we can look and see what is appropriate.

George Abramson of Prairie Avenue said he is a lifetime resident here. He said that one of the things that he wanted to bring up to the Board's attention and to the residents of Suffern is that in the past we have had a problem. And the problem was Squires Gate. It is a great neighborhood. Obviously there was a study at one point that approved building all the buildings that they did. And the people that live in that neighborhood, unfortunately, suffered more than once because of the flood and other problems that they have had in that area. There was a study, like he is sure any development of that magnitude would have had. His question to the Board is that if there is going to be an impact study at the quarry that say that is flawed in some way. Is there a system of checks and balances to make sure that we don't find ourselves in a different situation. Because when you talk about a quarry you are usually talking about an area that doesn't percolate well and you usually have water that sits on the top as well as opposed to draining properly. And he just wonders if that quarry could be a solution to the people that live in that area and it becomes a water management as opposed to creating another situation that the town could suffer deeply in the future. So

really what he is doing here is that he is asking them a question about the possibility of making sure that the study is not a flood study and down the road that our taxes don't increase as a result of that. The Mayor said he understands. To address what he is saying is that at the time that Squires Gate was built in the early 60's - 65 - and SEQRA which exists now, SEQRA did not exist then. So obviously a lot has changed since that time and especially at looking back of what happened recently and what was supposed to be built and what was actually built are two very different things. So one, he can assure him that even if we were as a practical matter - everything was fine - we are not going to get into a situation where somebody builds something that they didn't say that they were going to build. So that would be the situation. So we will make sure that our professional, and he is very confident in our building department, will do the right thing. In terms of any studies that are done one that could benefit obviously with this project would be the potential flood mitigation. He said he knows that we are expressly concerned about exacerbating flooding especially as it impacts people in Squires Gate and surrounding neighborhoods and Memorial Drive. There is flooding all over. That those people, a lot of them are actually very much in favor of the quarry because they see it as the only real effort or any real step towards reducing flooding even if it is not a panacea it still can help reduce the amount of water even if it is a few inches or a foot. Just so you know, any engineering report or any professional report that is created by the applicant is reviewed by the Village. We have consultants who have specific expertise. We have hired them. Money is deposited in an escrow account. The Village pays them and then the developer reimburses us. So we are going to review those reports and that is how it goes. So that way we have checks and balances because obviously we can't take at face value what a consultant, even though they are professional, that is paid for by a developer. So that is already in place. Any project we do we have an independent engineer already. We have to get two independent engineers in addition to Charles Sawicki who is our engineer that will review anything that they do. And it is pro forma right now with any application that we review those applications and independently verify or contradict any information that is contained therein. The Mayor said we will stay on top of it.

Jim Giannettino of 2 Memorial Drive said he takes exception to the Giannettino rule, he said he is sorry, the five-minute rule. He said that he is sure that the 38 minutes was accounted to him. Mr. Giannettino said he didn't talk for 38 minutes. He said you seemed to forget that we had engineers talk, we had building

inspectors talk and of course the Mayor likes to talk. So if you take out those people it wasn't 38 minutes. And it is the obligation of this Board whether or not you like what the residents are saying or agree with what they are saying - it is your obligation to listen to them. They are the people that put you where you are sitting.

Adam DeStefano of 19 Prairie Avenue said he just had two things that he wanted to talk about. One is with the five minute rule. What he would recommend is make it one - so that you can only come up once per participation to speak so that once you are in each type of public hearing that way you don't have people coming up multiple times. And the second recommendation is that rather than have it as a five minute time limit, if you are going to go over five minutes have them speak at the end of that section that way you can get a lot of the other people's opinions and comments because chances are if someone is going to speak for fifteen minutes you have five more people come up before them chances are a couple of them are going to hit topics that they want to ask questions on. Trustee Abato said that is what we did. Mr. DeStefano said okay because he couldn't hear it all the way with the mic situation before.

He said the other thing that he has a question on is that with the building on Washington Avenue - the Conserve building - the fence currently for two months has been in disrepair and it has had the citation from the code enforcer. What his concern is the implications with that is for the building project. Because before we even gave them approval with the variances on what they wanted for the new building project they had all the rubble there. Then they removed the rubble. They used it as kind of a bargaining chip. Now they have the fence in disrepair and his concern is if they can't fix up a fence how are they going to build and maintain a building for 48 residential condos. So those are just a couple of concerns he has with that one area. Because we did go out of our way to give them those variances. The Mayor said they didn't get variances. It was a zone change. Mr. DeStefano said yes, with the zone change and they are applying for the variances, correct? The Mayor said his understanding is that this project may require some variances. Mr. DeStefano said with the distances from the site. Mr. DeStefano said his concern is that with us going, and we are actually extending them a very long leeway to make sure that they can get this project done at an economical rate. He said that he thinks we should see something back from them especially with that fence because there is no excuse for it to be left in disrepair like that. The Mayor said he will reach out to the code enforcer again. He said he

knows that they had gone there and that some of the issues were rectified. The Mayor said he doesn't know specifically what the status was currently with the fence. But he does know that there were notice of violations given to them.

Sam Jannarone of 73 E. Maple Avenue said that first off he would like to thank all those involved and he is not sure who it was who saw fit to publish the petition document concerning the quarry on the website. Thank you for doing that. As far as the quarry being far down the road, on page 6 of the environmental impact study, he said he will read #7, part b - "anticipated date for commencement of phase I is March 2013" in this application. He said that sounds like next spring to him. "Approximate completion date of final phase September 2017." This does not sound as though it is something that we have a lot of time. Attorney Rice said they can put any date that they may have in their heads. Mr. Jannarone said he wanted to ask Mr. Rice a question. He said he looked up the definition of recusal. Is it fair for me to ask you questions concerning the quarry in this situation? Attorney Rice said that he doesn't have any specific knowledge about this application because we do have special counsel. The point he is trying to make is separate and aside and is general - that any applicant can say that they think that they are going to start construction at a particular period of time but there is a process that has to be gone through. Mr. Jannarone said he understands that. He said that form, which is to be submitted to the state, was partially filled out by Brooker Engineering he believes and the Village of Suffern is going to be the lead agency on that form. Is that correct? The Mayor said yes, the Planning Board is going to be lead agency for SEQRA purposes. Mr. Jannarone said okay. He said that as he said it is partially filled out by Brooker Engineering. This is one of the portions that was filled out - the definition and the identification - the lead agency is not. He said he had another question and this was a discrepancy that somebody brought up to him and he hadn't seen it reading through it. On page 3 of the full petition document, #8, states "as currently conceived there will be 272 units of housing, almost all of them rental apartments." And on page 9 of the NYS Environmental Assessment Form, #5 poses a question. "What is the maximum potential development of the site if developed as permitted by the proposed zoning." Mr. Jannarone said this is the zoning that is going to go before the Planning Board, correct? And then before - Mr. Jannarone said excuse him - he said he would repeat that. Number 5 - "what is the maximum potential development of the site if developed as permitted by the proposed zoning. 360 units." Mr. Jannarone said that is a 30% difference from what is stated at

272 units and he doesn't know who he should pose that question to. He said it doesn't have to be answered now. The Mayor said that what he is saying is very fair. That is a legitimate statement because what they are saying is that they want - they are applying - and he is not being specific with this application - but someone can apply and say look we are asking for a certain zone. The Mayor said that this zone, if granted to us, would allow us to build 360 units but we are only asking for 260 units. So remember it is per acre for that so they may be allowed more but ultimately the Village and the Planning Board decides how many. The Mayor said he does know that from the basic conversations that have gone on through the years, and up on this Board if you look at the record, when numbers came out like 550 units the consensus that was made publicly by every Board member was that hey you can spend your time and money. We can't stop you. But we think that that amount is something that the Board would not consider. Mr. Jannarone said his fear is that at 272 it becomes palatable to the Board and the Village. That is a much different story than 360. The Mayor said he understands that. Mr. Jannarone said there is nothing to prevent another Board down the road if this zone is approved of allowing the Goldstein's, who will own the property at that point, to build another 90 units. The Mayor said that is not necessarily the case because we have been led to believe that just in the application is something about the 262 units. Mr. Jannarone said 272. The Mayor said yes so that is what we are talking about. Mr. Jannarone said that is his fear that the 272 will become more. The Mayor said he can tell him, and he doesn't speak for the Board, but that is not something that he would look to - Mr. Jannarone said he understands. He appreciates that.

Trustee Falciglia said that he just wanted to cite a few words as this Board. He said the key word here is this Board. He said the Board could change every November possibly and that is what the voters have to keep in mind.

Trustee Abato said she just wanted to apologize to Mr. Jannarone. She said she wasn't being disrespectful. She said she just was actually asking the attorney exactly what Mayor LaCorte said to you about the numbers. And that is what she wanted to make sure that she was correct because she was going to answer you and Mayor LaCorte answered him. Attorney Rice said he is not going to talk on this specific proposal but there are a number of things that can occur with respect to a zone change. Number one the SEQRA review which any action, whether it be approving the zone change or any subsequent approvals by the Planning Board or other agencies, all have to be predicated on the information in the

environmental impact statement. So if an environmental statement is prepared for x use or y number of units the approvals can't be more intense than the SEQRA review without doing a new SEQRA review. Mr. Jannarone said the density can't be any higher you are saying. Attorney Rice said yes. Because that is what the study is. Mr. Jannarone said and that is up to the state. Attorney Rice said the state actually has no involvement in the State Environmental Quality Review Act. It is all administered by the permitting agencies so any agency that actually has to issue a permit, whether it be the Planning Board, the Board of Trustees, the Zoning Board, the NYS Department of Transportation, can in theory be the lead agency. The state agencies that do have permitting authority almost always defer it to the local agencies who are reviewing the application more broadly and in more detail than they do. So it will be, in this particular case that he doesn't know anything about, he is sure it will be the Planning Board because that is generally what the Board of Trustees does since they have that expertise and they have the time to delve into those issues. Secondly, when an approval of a zone change is granted, generally the resolution in any particular case that the study is based upon so it is highly unlikely that any process could be hijacked as you were concerned about. Mr. Jannarone said he is not - he said forgive him. He must have misspoken. He was not implying that any process was going to be hijacked. Attorney Rice said he didn't mean that. He said that maybe he used the wrong word. That an applicant could then take advantage of the process and then do more than what was proposed. Mr. Jannarone said we have been kicking this around for a number of years and we are up around 440 for a time and back down. Now his fear is that 272 with 500 parking spaces becomes palpable. To him it is not. The Mayor said we can talk more about this. Mr. Jannarone said thank you. He doesn't expect those questions to be - he said one last thing. When questions arise as they are going to over the course in the next couple of months - he is not sure when this hearing is proposed and you probably haven't set a date for it and so forth - where and to whom should they be directed. The Mayor said as stuff becomes available, he thinks, as you move forward with the process on the agenda for the Planning Board he said those should be directed to the Planning Board, to the chairman of the Planning Board, through the secretary of the Planning Board, and you can address those and they will be addressed at the proper meeting. Mr. Jannarone said okay. Thank you.

DEPARTMENT OF PUBLIC WORKS:

A) Personnel:

Mr. Charles Sawicki said he had two personnel issues. The first one is requesting authorization to create an additional position for maintenance helper for the street department. A motion to create the position was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Mr. Sawicki said the second item is requesting authorization to hire Mr. Daniel Horton, a Village resident, as a temporary laborer to work for the street department for a period not to exceed three (3) months. The starting pay is \$15.25 per hour. A motion to confirm Mr. Horton was made by Trustee Abato, seconded by trustee Meehan. Upon vote, the motion was carried.

B) Transfer of Funds:

Mr. Sawicki said he would like to add one item to the agenda. He said the transfer of funds. He requested authorization to transfer \$20,000 of capital funds from the DPW street garage roof restoration project to the roadway improvements project. Trustee Meegan-Corrigan asked if he had account numbers for them. The Mayor said again we are doing this because the roof project is going to come in lower than we had budgeted so that will create \$20,000 that we would like to - because it is the same part of the capital budget this year of 500 grand that we want to move that 20 grand to pay for it. Trustee Abato asked if the money that we are talking about is borrowed money or our money that we are transferring. Mayor LaCorte said it is just within that umbrella of \$500,000. We are going to transfer from one account to the next. We are saying that the roof is costing less so we want to put more of that money in the roads. It is not coming out of the cup. It is just moving around in the cup. The Mayor said we will go onto the next item and we will come back.

C) Contract Award:

Mr. Sawicki said he had two contract items. The first one is requesting authorization to award a contract - the problem is these two items really depend on the outcome of that first item.

The Mayor said okay, then why don't you skip down to the DPW street garage.

D) Application for Payment:

Mr. Sawicki said that he was requesting authorization for the payment of application of payment number 1 in the amount of \$70,020 to Monpat Construction Inc. for the DPW street garage

roof restoration project. A motion authorizing the payment was made by Trustee Abato. Trustee Falciglia asked if this is the payment that - this is the project that other guy is complaining about - Jimmy John? Mr. Sawicki said yes. The motion was seconded by Trustee Falciglia.

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

NOES: None

ABSENT: None

The Mayor said we can go back to transfer of funds. Trustee Abato said she would make the motion to move the \$20,000. She said she just wanted to make sure we were okay. The motion was seconded by Trustee Meehan.

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

NOES: None

ABSENT: None

The Mayor said now you can award your contract. Mr. Sawicki requested authorization to award a contract for the milling and resurfacing portion of the roadway improvement phase 5 project to the low bidder, Tilcon New York Inc., West Nyack, NY. The contract amount is \$174,741 and is based on estimated quantities. Roads included are Cross Street, Rockland Terrace, South Street and Hillcrest Road. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia who asked why these four roads? Are they the worst in his opinion? Mr. Sawicki said that they identified the worst. He said we identified about six or seven of the worst roads and we kind of backed into these because obviously we only had a certain amount of money.
Trustee Patricia Abato
Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

Mr. Sawicki said he was requesting authorization to award a contract for the chip seal and slurry seal portion of the roadway improvement phase 5 project to Thomas Gannon and Sons Inc. of Hammonton, NJ. The contract amount is \$73,423 and it is based on estimated quantities. This is a NYS bid. Roads included are Lonergan Drive, Temple Lane, Yorkshire Road, and Sylvan Way. A motion authorizing the award was made by Trustee Abato, seconded by Trustee Falciglia.

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

NOES: None

ABSENT: None

VILLAGE CLERK:

A) Approval of Minutes of Regular Village Board Meeting of April 2, 2012:

Village Clerk Virginia Menschner asked for approval of the minutes of the regular Village Board meeting of April 2, 2012. A motion approving the minutes was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

B) Approval of Minutes of Regular Village Board Meeting of May 7, 2012:

The Village Clerk asked for approval of the regular Village Board minutes of May 7, 2012. A motion approving the minutes was made by Trustee Meegan-Corrigan, seconded by Trustee Falciglia. Upon vote, the motion was carried, with Trustee Abato abstaining.

C) Taita Restaurant - Live Entertainment:

Ms. Menschner said we have one request from Taita Restaurant for live entertainment. Trustee Abato said she just wanted to point out on their application that they have the finish time of 2:00 a.m. which is not within the limitations of our agreement. We have 1:00 a.m. And the Board is recommending Friday and Saturday until 1:00 a.m. and Thursday, Sunday, holidays until 11:00 p.m. with sound not to exceed 90 decibels at the property line. She said she would move it with those conditions. Attorney Rice said

with the additional condition that the Mayor and Chief of Police can suspend the permit for violating the live entertainment or if the operation causes any disturbances subject to revocation by the Board of Trustees. Trustee Abato said in addition to them also getting those terms and conditions in writing and signed by the owner/operator. The Mayor said he believes they are here. He asked them if they understood those terms, which is typically which we do for everybody. Trustee Abato said everybody has the same. So we can't have you until 2:00 a.m. when everyone else - our standard is 1:00 a.m. and then 11:00 p.m. during the weekdays and holidays. That is our standard procedure. So although you applied for later times we unfortunately can't do that for you. Attorney Rice said as with all the applications it will be for the calendar year so they would be required to reapply so it can be renewed for 2013. And that would require an application to be made during the month of November or earlier so it can get on the December Board meeting. Trustee Falciglia said this is a different - the Mayor said this is at the end of the year. And if you want after the meeting you can talk to the Village Clerk and she will explain exactly what you need to do. Trustee Meegan-Corrigan said she also had another question. Are we going to find out if the live music - you know how sometimes we put stipulations on how large the band can be and what not. Are we doing that on this as well? Trustee Abato said she didn't think they asked for that. Trustee Meegan-Corrigan said yes, live music. Trustee Abato said she missed that. She asked what is the live music?

The representative from Taita Restaurant thanked them first of all for the temporary permit that she already has in her place because we all understand that the only way to bring business up is working hard. Tonight she is with her three sons who came with her. These three young men are working hard in the business. Full-time shifts. Working day and night time trying to bring the business up considering the rough times that the country is in. She said that she would be very thankful for the permit. Trustee Abato asked what kind of live music. The representative said it is a small band. She said they have the chef working during these hours because they decided to put this business in the town because - Trustee Abato said we are okay with all of that. We understand and we thank you for that. We just need to know how many people will be in the band. The representative said actually we are talking about a small band. The most probably five people. Trustee Abato said then no more than five. Trustee Abato asked if she understood that if we give them the permit it will be no more than five. The representative said yes, they understand how they have to follow the rules and all the regulations in order for

them not to get in trouble. Trustee Abato said she will move it with all those stipulations, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

D) Request for Taxicab License - Jose Luis Perez Casas:

Ms. Menschner said we have a request for a taxi license. She said we have to set a public hearing. The Mayor said we will set the public hearing for Monday, August 6 at 7:40 p.m. The motion was made by Trustee Falciglia, seconded by Trustee Abato. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said unfortunately he didn't have the opportunity, because he was on vacation and things had time constraints, and unfortunately over the last few years our workers compensation insurance has gone up and this past year they wanted to raise it \$101,000, the premium, from \$360,000 to \$461,000. Mr. Zordan said he knew right away that it was totally unacceptable. He said he had a little chat with them and they came back and pleaded their case and as they were walking out it was \$25,000 less and he told them that still was not acceptable. So he went out and he got a couple of quotes. Our insurance broker got a couple more quotes for us and lo and behold we were able to get our workers compensation insurance for around \$7,000 less than it was last year. So it is still a lot of money - \$354,000. The Mayor said we are talking about things in the future based on our situation. Treasurer Zordan said our workers compensation insurance is basically based on our payroll and our experience rating with the number of injuries that we have had over the last five years. And they take that in and do some mathematical formulas and give us the bad news of how much it is going to cost us. It is a necessary evil because any time someone can get hurt it can cost from anywhere from the cost of a bandaid to hundreds of thousands of dollars. So of course it is required by law to have this. So anyway after all that he needs to get approval to accept from PERMA, which is the Public Employees Risk Management Association, to be our workers comp insurance company with a policy of \$354,000 and lo and behold he asked if there was a little discount if he paid up front. And they said they would give us a 2% discount. So we are going to save another \$5900 so our total policy that we will pay is \$348,574. A motion to accept PERMA was made by Trustee Abato, seconded by Trustee Falciglia.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Patricia Abato

Trustee Jo Meegan-Corrigan, Trustee John Meehan

NOES: None

ABSENT: None

Treasurer Zordan said he had one other small item. We have an employee who, for whatever reason that he is not sure of and it really doesn't matter because it happened twelve or fourteen years ago, and he didn't pay into his retirement for whatever reason. The money wasn't taken out and so they have to pay that money back and it is \$352 of which approximately \$153 is interest. And we have had this in the past since he has been here - two other times it happened to people and the Board has said we were responsible to take the money out and we should have done it so we paid the interest on that money. Treasurer Zordan said the employee paid his share and we pay the interest because we just didn't do it. So he is asking for authorization for us to pay the interest which is roughly \$153. A motion authorizing the payment was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

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

NOES: None

ABSENT: None

The Mayor said this isn't on the agenda. It came up today. He said he got a call from our good friend, our neighbor to the northwest, Hillburn, and their building inspector resigned and they are also looking for a fire inspector also. Treasurer Zordan said he is going to go there tomorrow. The Mayor said that essentially what happened is that they are in a bind and they want to use our building inspectors and essentially we think that shared services are great. Joe Jacaruso, our lead building inspector, only can work a certain amount of hours because of whatever exemptions because he is retired. So he can't work anymore. But we have our assistant building inspector, Joe, who can work those hours in addition and then Joe Jacaruso can supervise it and it will still be within his hours and we help Hillburn. So he talked about a number with Tom based on what we are paying our building inspectors, specifically our assistant building inspector, and we believe that at a rate of \$25 an hour it will be worthwhile for the Village financially and it will also be beneficial to Hillburn and save them some money. And then

also he would like permission, if possible, to enter into an agreement under those terms on a basis where we can terminate it with thirty or sixty days if we need them back or if we have too much work. And also to enter into a similar agreement under similar terms for our fire inspector assuming that Mr. Wilson has the time. He said they are in a real bind and we can't wait another month. It is good for us because our assistant building inspector is not putting in a huge amount of time and he is not limited and if he does it, ten hours, we actually make a little bit of money on top of it so it is a good thing and we help a neighbor. A motion authorizing the Mayor to enter into an agreement was made by Trustee Meegan-Corrigan, seconded by Trustee Abato. Upon vote, the motion was carried.

MAYOR:

A) Appointment of 2 Alternate Planning Board Members:

The Mayor said he has two quick items. One is the appointment, and he knows that the young lady back there has been waiting since one of the items that we are talking about involves something she has been working on. The first item is the appointment of 2 alternate Planning Board members which is his appointment. They are Dan McInerney and Andrew Dale. This obviously is because of the conflict regarding the Quarry Ridge development. So he guesses we will take them individually. A motion to confirm the two members until December, 2012, was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

B) Memorial Park - Authorization to Purchase Playground Equipment:

The Mayor said the other item is one that he has been working on with neighbors in the neighborhood and Gail has really been a great help. He said we had a bunch of people express concern over the condition of Memorial Park near the pool and we talked about putting in some work specifically to the kiddie area of it and so using money in lieu of recreation we would like to go forward in pursuing this. Gail has a number of proposals. We don't have to bid it out because it is under the amount. But we are looking obviously of what we think is great. We had input from the residents and ultimately we will get more than one proposal so we will make sure that we go according to our procurement policy. What he is asking the Village is for authorization using money in lieu of recreation, which again is a separate fund and is for recreation, not to exceed \$18,000 to purchase playground

equipment and for installation using money in lieu of recreation. Trustee Falciglia asked if there was nothing there now? The Mayor said there is a kiddie area that is old. Mrs. Curtin said the project actually, the way she understood it and the Mayor wants it to be, is two-fold. She said what the Mayor is asking for the money for is called the toddler park. There is equipment there. It is old. A lot of it doesn't meet code. So to bring it up to code, up to a more trendy situation, it is thought that we would replace all of that equipment there. The other side, the main part of the park, is more improvements and that work, she believes and the Mayor believes, will be done in-house - improving and replacing a few things. So what this money is being asked for if she understands it correctly as does Mrs. Sullivan is the toddler park only. And she also just wanted to go on record tonight as saying she only had one conversation - actually two - one meeting, one conversation with Charles Sawicki thus far. Once you make this decision tonight, if you do, then certainly he will be brought into this project. The Mayor said he thinks that the theme of the toddler park - all the equipment looks just like a Howdy Doody theme - so he thinks it is a little outdated. Trustee Abato said she doesn't think we have really done much to update the park in quite some time so she thinks it is wonderful. A motion authorizing the purchase was made by Trustee Abato, seconded by Trustee Meehan. The Mayor said we will vote again on the specific amount but this is just so we can move forward with not to exceed \$18,000. Trustee Falciglia asked if we had the money. The Mayor said yes, it is a separate fund - money in lieu of recreation - when a developer or someone builds or subdivides property they have to put in depending on the type of application. Trustee Falciglia said we never move that money. The Mayor said that money can only be used for recreation infrastructure - like capital. So we have used it for parking lots that we have paved, we used it for the lights at the ballfield, purchasing equipment and stuff like that.

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

NOES: None

ABSENT: None

A motion to adjourn the meeting at 9:30 p.m. was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. The Mayor said he would like to adjourn the meeting in honor and memory of our

soliders. Obviously as Roy said many perished today which is extremely tragic especially as we get to celebrate July 4th and enjoy our freedoms. They are continuing to fight and, going forward, he will do it in the beginning as it seems that people feel that is more appropriate when we do the pledge. Upon vote, the motion was carried.