

Village Board Meeting
Monday, May 7, 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 Charles Falciglia, Trustee John Meehan
Trustee Jo Meegan-Corrigan

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

ABSENT: Trustee Patricia Abato

The Mayor said the first order of business in tonight's meeting is to make a presentation so he is going to step up to the podium.

The Mayor said we are honored here tonight to have many members of our, and he believes the Tallman fire department, here this evening in recognition of a particular heroic act which occurred during a fire here in the Village of Suffern at 3 Brook Street on Saturday, April 28. Responding to the fire were the Suffern fire departments, the Tallman fire district, and the Hillburn fire department who all really responded heroically and did a phenomenal job as we have all come to expect. The Mayor said but we are here tonight to recognize one particular individual who went above and beyond in risking his own life to save the life of a Village resident. So he would like to call up to join him Chief Mike Stark of the Suffern fire department, firefighter Matt Wilson along with his wife Kayla. The Mayor said he would also like to call up, as really is such a great tradition here in the Village of Suffern, Matt is one of many members of the Wilson family to be members of the Suffern fire department. So the Mayor would like to call up his father Glenn, and his mother Lisa.

Chief Stark said that for those of you who aren't familiar with the incident, about 5:29 on Saturday, April 28, 44 control dispatched the Suffern and the Tallman fire department to a structure fire at 3 Brook Street in the Village of Suffern. Firefighter Matt Wilson, working at his home less than a block away, rushed to the scene. Met by members of the family who reported there was somebody asleep in the upstairs bedroom. With no regard to his own safety, Matt made his way up to the second floor bedroom. Once upstairs, firefighter Wilson was able to wake the man, who was still sleeping, by the way, and lead him to

safety outside the home. Once outside, Matt proceeded to the firehouse only to return on the first aerial truck. Without Matt's quick actions, the outcome of this incident could have been very different. He congratulated Matt on a job well-done.

The Mayor said we are presenting Matt with a plaque on behalf of the Suffern Village Board. He said he would also like to note that Matt, in addition to serving as a member of the Suffern volunteer fire department, is also employed as a firefighter in NYC as a member of the FDNY. And as talking at the recommendation of the chief and the rest of the officers of the fire department, along with the Village Board, we are going to submit a letter to NYC in support of Matt receiving a medal, which he guesses would be a year from now in June, at the annual medal awards ceremony for the FDNY because we believe that his actions warrant that. The Mayor then presented a plaque to Matt which reads: Presented to Matthew Wilson in appreciation and recognition of your dedication to the safety of the Village of Suffern as exemplified on April 28, 2012 in your rescue success at 3 Brook Street. And this is presented on behalf of the Suffern Village Board. The Mayor then congratulated him.

The Mayor said there have been so many fires, as you noticed in the newspaper, and unfortunately a lot of them have had a tragic end and it is really great to see that someone in our department and other departments really acted heroically because in looking at the fire now and what went on there it doesn't seem that bad but really without Matt and then everybody else's response it would have been a lot different and the gentleman who was in the home who worked nights was sleeping. And really if his wife wasn't outside and Matt didn't arrive it could have been very different. So we are really just so honored here in the Village of Suffern to have such a wonderful fire department, led by our friend, chief Stark, who he will call up in a minute.

SET DATES FOR JUNE MEETINGS:

The Mayor said that the workshop meeting for June will be on Wednesday, May 30 at 7:00 p.m. followed by the Village Board meeting on Monday, June 4 at 7:30 p.m.

FIRE DEPARTMENT:

The Mayor called up, for his first meeting as the chief, chief Stark.

Chief Mike Stark said the paperwork for the service award program

was submitted to the workshop meeting last Thursday and he asks that the Board approve that for the calendar year of 2011. A motion approving the paperwork was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

7:40 P.M. - PUBLIC HEARING - DANGEROUS BUILDINGS:

The Mayor said we have a public hearing on dangerous buildings. Attorney Terry Rice said briefly that we have a code provision that deals with dangerous buildings and it has some very safety-oriented aspects to it as well as some aesthetic aspects to it. The building department in the past has rendered the interpretation that if somebody has taken out a building permit to rebuild property then the provisions of the dangerous building law would not apply to the piece of property with respect to the non-danger types of issues. This local law provides discretion, essentially, to the building department under the circumstances where someone has taken out a building permit and it is not one of the criteria under the dangerous buildings law that invokes any type of danger or safety issue but deals with more of the aesthetic type of aspects. They have discretion whether or not to enforce the provisions of the dangerous building law when there is a building permit in effect and when it doesn't involve any issues of public safety.

The Mayor said we will open it up for public comment. If there is anybody who would like to come up, please come up to the podium.

Jim Giannettino of 2 Memorial Drive said he just had a question. He asked if there were any parameters on this section in the code or is it just whatever the individual building inspector decides is warranted. Attorney Rice said no, we have a whole list of criteria under dangerous buildings and that is why he makes the distinction because there are a number of them. Some of them deal with obvious public safety issues which would not be covered by this law so that the building inspector would not be affected by someone taking out a building permit if it dealt with an issue of public safety. This deals with issues more of aesthetics than anything else. Mr. Giannettino said so this is strictly for aesthetics. Attorney Rice said it confirms that the building department has discretion and can consider when someone has a building permit in place whether or not to enforce the provisions of the dangerous buildings law when it deals with aesthetic and non-safety issues. Mr. Giannettino said so, for an example, 15 Washington would not be affected by this? Attorney Rice said probably not. Mr. Giannettino said even though the building has

been falling down for years? Attorney Rice said that is your characterization he is saying - Mr. Giannettino said no, it is an observation. It is not a characterization. Attorney Rice said you asked me a legal question and he can give him an answer to the legal question. Mr. Giannettino said okay, he will take the legal answer. Attorney Rice said probably not. Mr. Giannettino said so this is absolutely just window dressing as a law. It is not going to serve any purpose at all. Attorney Rice said that Mr. Meehan identified an issue that the Board agreed with. The building department in the past had taken one particular viewpoint.

The Mayor said to Mr. Giannettino that he thinks it would be appropriate, as a matter of courtesy, if someone is addressing you, to stay there while they address you. He said he thinks it would be proper.

Mr. Giannettino said he thought he was done. Attorney Rice said he was in the middle of saying something. He was kind of surprised too. Mr. Giannettino said okay, go ahead. He said he doesn't want to keep asking the questions. He said you gave me the answer. It is aesthetics. Attorney Rice said you asked me another question and he was answering it. Mr. Giannettino said sorry. Attorney Rice said that Mr. Meehan had identified an issue that the Board agreed that this was not intended to be retroactive but to deal with the situation that the Village Board didn't necessarily agree with an interpretation of the building department and not necessarily saying that they are wrong but that is how they interpreted the code as written so this was intended to be a corrective measure. Mr. Giannettino said he wasn't saying that this should apply to 15 Washington. He was using it as an example. If another building was in that condition would this law apply. Attorney Rice said probably so, yes. Mr. Giannettino thanked him.

Jean Hennelly of 135 Wayne Avenue said she thought there was a rule - something mandated by the state now - that for the public meetings that additional paperwork should be provided for public access and she thinks that the wording of this public hearing should have been supplied to the public either on the website or as an attachment to the agenda here this evening. She said they would be able to read the wording of the actual law. The Mayor said we have been doing that. It just wasn't done in this case of putting the supporting stuff on the website. Mrs. Hennelly said then the next day it is taken off again. Is there a reason why. The Mayor said what he would like to do - it just seems that - if you come up with these issues that arise during the course of the month, and he has said this a number of times, please come in -

call someone or do something - because at this point to do it tonight it doesn't serve a purpose. If there was a concern that you didn't see something online feel free to come in, we are always here all day long, and there are issues that we can address immediately so that way there is no problem. Because again everyone works hard here but sometimes things are missed so if you would have liked to have that you could have done a call to the clerk's office and we would have put it up. And we will do that in the future. So please, anything - if you want to come in and meet with any department, the Mayor, on any issues she has and he has said this before and he will reiterate this that you really don't have to wait to come to a Village Board meeting so again we appreciate your input and if we can rectify the situation immediately we are more than willing to do so. Mrs. Hennelly said she understands that but she doesn't want to be more of a pest than she already is to the people in the front office. She said that she knows that the agenda gets on the website at different times so she waits to see and it was on there this morning but the attachments weren't there and then the day just flew by so she didn't have a chance. The Mayor said if you could do that. He is sure that the people themselves would also appreciate to rectify it prior to being brought out in a public forum. Mrs. Hennelly said it should be with the workshops. It shouldn't just be one person's responsibility. Someone should be overseeing it. And in bringing that up, the website - some of the agendas are not opening. The Mayor said we switched companies and they are working on that. So there has just been a transition. Mrs. Hennelly said that she thinks this code or law is a good thing but as with any other law it is only as good as the people who enforce it. And she really hopes that the Village works hard and goes by the book.

Jack H. Rosenberg of 13 Somerset Drive said that the public hearing is the proper time and place for the public to comment on the item that is on the agenda. The agenda is prepared sometimes on that day - sometimes it might have been prepared on Friday. How in the world could anybody know in advance that this item was going to be on the agenda until they looked at the agenda here at this meeting. He said he thinks that the previous speaker was proper in suggesting that there should be answers given at the time of the public hearing because that is the appropriate time for everybody to comment.

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. 7 of 2012

A LOCAL LAW AMENDING CHAPTER 100 OF THE CODE OF
THE VILLAGE OF SUFFERN, "DANGEROUS BUILDINGS,"
REGARDING THE EFFECT OF THE ISSUANCE OF THE
BUILDING PERMIT ON ENFORCEMENT OF CERTAIN
PROVISIONS OF THE CHAPTER

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

Section 1. Section 100-3(D) of the Code of the Village of
Suffern is hereby amended by adding thereto a new subsection,
"100-3(D)(5)," to provide as follows:

(5) In determining whether to apply the provisions of § 100-3 to the following enumerated portions of the definitions of "Dangerous Building" or "Public Nuisance" for any property for which a building permit has been secured, the Building Inspector shall consider the intention of the owner to rebuild or repair the structure, the proposed and realistic time within which such work can be accomplished, the circumstances giving rise to the condition, whether the condition giving rise to the potential classification as a "Dangerous Building" or "Public Nuisance" implicates public health or safety or aesthetics and any other factor which equitably is relevant. This provision shall apply to the following provisions of the term "Dangerous Building": A, B, F and J and to the following provisions of the term "Public Nuisance": "A" and "D". This provision shall not apply to any property for which a building permit presently is in effect. The appeal provisions set forth in § 100-3(E) of this chapter shall apply to any determination made hereunder.

Section 2. This local law shall take effect immediately upon

filing with the Secretary of State.

A motion to adopt Local Law No. 7, 2012 was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia, Trustee Jo Meegan-Corrigan
Trustee John Meehan, who said he just wanted to make a few comments on the law. He is not totally satisfied with the law. It doesn't do everything that he would like to see. But it does prevent, and the genesis of this law is the eyesore at 15 Washington Avenue that we have all been dealing with. They had a fire in 2008. He said he was told at that time that the owner, Conserve, had been issued a building permit and that nothing could be done. Well, they were issued a building permit for that project on November 9, 2009, which was renewed for an additional year on November 2, 2010 and that building permit expired November 2, 2011. So there is no existing building permit. He said we were also told last summer, and that was at the meeting in August, where Conserve applied for a zoning change on that site. That once the zoning change was allowed, and it was allowed by a 4 to 1 vote, a quite generous zoning change, he might say, and he is not going to elaborate on that but Mr. Brennan led us to believe that he would demolish the existing structure. Well, we are still waiting for that. There is no building permit. And then very frankly due to the efforts of super citizen Jean Hennelly, there are three violations on his property at 166 Wayne Avenue, where he got another zoning change over the objections of all of the neighbors. So he would certainly hope that the building department would take a second glance at this under the new law and come to some conclusion. And he would hope that this type of situation never occurs in the future. He said he thanks his fellow Board members for their support and he votes yes.

NOES: None

ABSENT: Trustee Patricia Abato

7:50 P.M. - PUBLIC HEARING - DaNINA ITALIAN RESTAURANT - VALET PARKING PERMIT:

The Mayor said we have a representative from the restaurant, the owner. Attorney Rice said that as the Board is aware, and the public may be aware, in order to do valet parking in the business district a special permit is required. The valet parking was a scheme that was arrived at a number of years ago because very clearly the restaurants can't supply on-site parking to satisfy

the requirements of the zoning law and the Village certainly doesn't want the parking for these restaurants to be on street as a matter of habit. So the valet parking law requires approval of the Board of Trustees both as far as the operator who is going to be doing the parking as well as the location. Now it is his understanding that this matter has been referred to various departments, including the building department. The application originally listed the A & B lots and he thinks what is more appropriate, and we discussed this, is the Chestnut Street lot which all the other restaurants utilize - the Mayor said the B lot. Attorney Rice said right, he tries not to use letters. Attorney Rice said the B lot, the Chestnut Street lot where the other restaurants also park their vehicles instead of any of the other lots which would interfere with perhaps other establishments that don't have valet parking. The law also requires that there be insurance, that there be a check of the people who are going to be doing the parking to make sure that they don't have any criminal records and we also discussed at the workshop meeting the possibility of taking one parking space right by DaNina's as a pick-up/drop off point so that it wouldn't interfere with the traffic in the streets.

The Mayor said that first also from the building department - do you want to report now. The Mayor said that we have code enforcer Ortiz here who the Mayor believes has some comments or suggestions. The Mayor would like to say at the workshop, as Mr. Rice noted, the request was for the A lot and the B lot but it has been the custom, because the B lot has the larger amount of parking and it is not centrally located around the restaurants, which overwhelmingly are on Lafayette below Chestnut Street that exclusively that the B lot will be used exclusively - no street parking, no A lot so that we can leave A lot parking and street parking for people who are not using valet parking or going to restaurants that don't have valet parking.

Code enforcer Randy Ortiz said that Mike and he, over the last month or so, has kind of watched the operation that he has going on down there with the existing valet that has been going on. And it is a clean operation. They just have a couple of comments. Mr. Ortiz said they definitely concur the B lot - everyone else has been parking there - Marcello has been using the B lot for years so the B lot makes the most sense. His application - and nothing on the street. Currently they have been parking - they have been moving cars. That is how they got the original complaint. Because the cars are being valet'd onto the street. So they would ask that that be a stipulation that there is no parking the cars on the street. The B lot. On the application, they need clear photos

and id's of the people that are going to be parking the cars so they can get the proper checks done. The police department can do those. And one other issue is that where they are parking cars now on that lot there are two separate lots there. The restaurant is on one piece of property and the parking lot is on another piece of property. And it is owned by somebody else. On the parking lot there is only 7 parking spaces there. And they have noticed quite often that the lot is kind of packed with cars. So he thinks that now that we are resolving this that we should be holding to the 7 parking spots in that lot so that we don't wind up with any safety issues in getting any emergency equipment or anything in there if there ever has to be in that parking area there on that lot.

The Mayor asked if the list has the site plan - what the document is. Mr. Ortiz said this is what we dug out of the building department folder for the lots - just the separate lot. The Mayor said he just wants to make sure that this drawing is accurate because it seems to him that even if - he understands that they can put a lot more cars in there but it does seem to him even in the absence of that that there are more than 7 spots. It is more than 7.

Rudy Zuniga said that there are more than 7 spots. How can they only park 7 cars in this space. He can fit 10 cars. And from 5 to 9 they need that space. So he can park in the lot. He is going to have it lined this week. To him that parking lot he can put 10 cars, 15 cars. It is private. Nobody goes in and out. He lets Marcello. He said how can they park no more than 10 cars there. The Mayor said he thinks that is just a consideration but he thinks that is something - we will just make sure that it operates in a safe manner. Mr. Zuniga said he has insurance on it. The Mayor said he understands and he doesn't even think that is an item which we could address even tonight because this is just about the valet parking. It is just another consideration that the code enforcer is bringing up. But even if there were 12 or 13 spots or 7 that is not something that will be addressed tonight anyway. So it has nothing to do with this. Mr. Zuniga said he also has the lot across the street from him where the State Farm building is. He spoke to the owner and he is letting him park there. And he said he can double park.

Attorney Rice said that raises zoning issues. We are hearing about this for the first time. Mr. Zuniga said it is a private lot. It is between A and he doesn't know what the other lot is. But you have something in the middle there and then the State Farm building and he spoke to the owner and he said yes, he can

park there. Mr. Zuniga said he doesn't use a lot of spaces in the street.

Attorney Rice said he thinks what we should do tonight because we are hearing about this for the first time and quite frankly he doesn't know if there are some zoning issues involved in using that other property or not. He said he thinks what we ought to do tonight is address solely the valet parking and allow him to use the B lot for valet parking and what he thinks Mr. Zuniga should do is write a letter to the building department requesting to use the other lot of the insurance brokerage and let's see if that entails any zoning issues or site plan review or any of those other issues.

Mr. Zuniga said okay. He asked what did he have to do to apply for the two spaces in front of his building. The Mayor said what we will do - actually we said that we will do one that will enable a smooth transition so that the valet can operate - the lot can operate - and still that there is the ability to have traffic flow freely. And he thinks the chief - Mr. Zuniga said that most of the time when he has parties he has two valet guys because one is not fast enough and he has all the people. They want to go home. By the time the valet driver goes to lot B he wants to have another one - Mr. Zuniga said he is here a long time in the community and this is the first time that he is here even to have an opinion on it. He said all he has done is work, work, work and provide for his own self. Now you are taking the valet parking from him and is giving away his service. And it is you that are doing that. Not him. He said he doesn't make the money to have the valet parking. The Mayor said he understands. It is just that valet parking is not something a right of every business owner to have. It is something which we allow through an application. So the situation alone - the Mayor said he goes to his restaurant and he knows that he has been here a lot of years. And we want to support the business. The Mayor said he is a very pro-business person but Mr. Zuniga also has to have control so that it isn't the wild west down there. So the issue was brought up because there was a valet that was operating and the valet was parking cars on the street - particularly along Orange Avenue and that was hurting other businesses who weren't having access. So the code enforcer spoke to him. We said we have no problem with you operating a valet. We just have to have it in a way that can help him but also respect the other businesses. So you do have a lot there which is your primary use to park. You will have a valet. We will provide you with another spot where the valet can operate. So if the Mayor is correct there is in front of the restaurant where the spot will be closer to the east - the Mayor

said which spot are we talking about. The one up from him? Chief Osborn said Lot B - the one closest to that. Attorney Rice said west. The Mayor said then in addition there is also some space between the lot and that first space. So he thinks that will be enough space. Mr. Zuniga said but you are not thinking that if he gets that spot, and he appreciates getting the spot, and if he gets it he gets it. But to him to take another space in the street he wants to be fine. He said if somebody parks there and he has to find them and tell them they can't park there. The Mayor said no, you will have a cone there and you will have a sign there that says valet parking. It's not like we are going to give a spot and just leave it open. You can put up a sign or have the valet there that says valet parking. And then you will have your lot also. So this is a trial to see that there will be enough space for you to operate your lot, to have the valet operate, to allow people to come into his business but also to make sure that traffic along Lafayette Avenue that is heading in that other direction, or even in both directions, will be able to flow. So we are trying to accommodate you. Mr. Zuniga said he understands. He said he is not talking about 40 cars. He is talking about 5 cars or 6 cars every weekend. If he has the business right in the town of Suffern he is not allowed to have 5 spaces around the closest to his establishment and he has to go to lot B what is the point. The Mayor said do you want us to give you all the spots? Mr. Zuniga said no, no. He is not saying to give him all the spots. He said let him park in lot A. The Mayor said that is not fair because you are getting an additional service to allow people to valet park - like Marcello has been doing for years. They park in the B lot. The A lot right across services Ole, Ole, services the Shamrock Hotel, services the Greek restaurant and the other Mexican restaurant so it wouldn't be fair for a valet to take up all those spots. So we are saying that you have your lot and the valet can operate but in order to have valet parking we feel it is appropriate to park in the B lot. That is what we have said to Marcello through the years. The Mayor said he once dealt with - one time he was downtown and he saw Marcello's valet putting in cones across the street and then allowing - and the Mayor said to him right away you can't do that. These are the conditions that everybody on the Board deemed appropriate - that we make it equal and fair to everyone so that people with valet can have that service and that people without it can still find a place to park in the Village and enjoy the night time here. Mr. Zuniga said he gets one front space and he is not allowed to park across in the State Farm building - he has to apply for that. The Mayor said it is in the B lot and can write a letter asking to use those private lots and if that is a permitted use then it will be allowed. We aren't aware off the

top of our heads, Terry is here, whether or not using their spots outside of business hours is permitted. So write a letter to the building department and say I would like to use those spots and I am going to arrange it with the business owner, just those, and if that is permitted then you will be able to use that in addition to the B lot. Mr. Zuniga said in writing for him? The Mayor said from you requesting it with his permission. And the spot that we are giving you in front is not for your valet to park. It is for the valet to operate. Mr. Zuniga said he understands that. He has to put the cone.

Attorney Rice said that what we are going to have to do to actually establish a parking space we will do it on an interim basis. To make it legal and enforceable we are going to have to set a public hearing for next month to amend the V & T section in the code to make that one space an enforceable valet space. The Mayor said isn't it a space we are allowing them to use. Attorney Rice said it is but if somebody decides that they are going to use it and the heck with everything else you can't give them a ticket unless you put it in the V & T law. So we will do that. So we will do that as well next month. So in the meantime he thinks you can allow it. Mr. Zuniga asked if he could use it immediately or does he have to apply for it. The Mayor said you can use it. Mr. Zuniga said he can put the cone on it. The Mayor said correct, on the hours that we are talking about. Mr. Zuniga said he only needs it Fridays and Saturdays when he has parties. He doesn't need it every day. The Mayor asked what are the hours that we said here. Trustee Falciglia said he thinks they are 5 to 11 Friday and Saturday. Mr. Zuniga said okay.

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

A motion to grant a special permit for valet parking for DaNina Restaurant, 1 Lafayette Avenue, subject to the condition that there be no on-street parking, that valet parking be only permitted in the B lot, that the Village Board and/or the building department will entertain an application to utilize the Kennedy Insurance Agency for additional valet parking and that will be subject for review by the building department. And also subject to provision, if it hasn't already been granted of the filing of the Certificate of Insurance, and as part of the motion to set a public hearing to establish a valet parking space in front of DaNina Restaurant on June 4 at 7:40 p.m. was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

GRANT WRITER:

Mr. Fred Rella said that over the past couple of years the Board has heard him speak about a grant that we have been trying to secure and also get the monies for which was for the purchase of a street sweeper which we had purchased a couple of years ago and we have been trying to get reimbursed for a large majority of the funds, specifically \$100,000. And he is happy to say that last week Mr. Zordan did receive the check for \$100,000 from the Dormitory Authority, deposited it, and it cleared. And we are very happy. And that is really the major item he has to report.

CULTURE & RECREATION:

Mrs. Gail Curtin said that normally she would e-mail them the recreation update early on the day of the meeting but she was having some computer problems herself today and it didn't get back up until around 4:30 so you are receiving it for the first time tonight. Since the last meeting, Keep Rockland Beautiful Great American Cleanup on April 14; the Rotary Annual Pancake breakfast on April 15; Challenger Little League 20th Anniversary Celebration on April 15; the Suffern Junior Woman's Club Military Bridge April 19; DARE Dance April 20; Suffern Little League Opening Day Parade April 21; Girl Scout Powder Puff Derby April 22. They mailed the 2012 summer calendar and the pool registration information on time. They had LEAD on April 27 and the Suffern Farmer's Market met on April 28.

Mrs. Curtin said upcoming they have LEAD this Friday night, May 11; the Lions Club, Village and Good Samaritan Hospital blood drive on Tuesday, May 15 from 5 to 9 and she was asked by the current officers of the Lion's Club if it might be permitted to publicize this blood drive in memory of Mel Berkowitz, who as you know recently passed away. The Mayor said of course. Mrs. Curtin said on May 16, 17, 18, 23, 24, 25 will be the beginning of pool registration for 2012. Monday, May 21, they are having another Cub Scout tour here at Village hall, including the police department. Saturday, May 26 the pool will open at 12 noon, the Farmer's Market will be open from 10 to 2 at the center, and later that evening we will have Movie Under the Stars in conjunction with the Suffern Chamber of Commerce and as you know "Star Wars" was selected this year and will start about 8 o'clock at dusk. Monday, May 28 is the Memorial Day parade; Wednesday, May 30 is Girl Scout Family Night at the center; Thursday, May 31 Girl Scout Bridging at the center; and Monday, June 4, we will have the dedication of Blauvelt Way at 5 p.m., preceding the meeting.

Since the meeting last week at the workshop, they did receive a request from the YMCA. They have been doing this for approximately 7 years - for use of the Suffern Memorial Pool. With the Board's approval, she will work up the letter and show Terry the requirements and the Certificate of Insurance, and she also attached to the paper that she gave them tonight an e-mail that she sent again very late this afternoon and she is not sure if they got to read it and basically it said to the Mayor, thank you and the Trustees for hearing her suggestion last Thursday evening about the possibility of offering a stipend to the Village of Suffern Memorial Pool lifeguards who further their training by taking and passing the water safety instructor course. Although she had hoped to have more information on said topic to bring to them at their meeting this evening, she is doing some additional research and has not finalized that yet. Therefore she would like the opportunity to revisit this topic with them at a later date. She thanked them for their consideration.

Mrs. Curtin said finally she wasn't sure if saying at this meeting would make it official that at a special meeting last Thursday night you hired the 2012 pool staff.

The Mayor said thank you and we look forward to all these upcoming events. He said he knows that we are always busy but this is a particularly busy season and lots of fun that we are coming into. So thank you, your staff and the committee for all their continued hard work.

BUILDING DEPARTMENT:

The Mayor said he believes the one issue they wanted to comment on was the valet parking. So they did that.

VILLAGE ATTORNEY:

Attorney Terry Rice said that on the agenda tonight, under the Village Clerk's report, you have the fact that there has been a petition filed by Quarry Ridge and when you get to that point in the meeting, he believes that you will be referring it to the Village Planning Board for their review and recommendation as is required by the zoning law. Although he doesn't believe he actually has an actual conflict because he has known the applicant for many years, he thinks there is some perception that he either has a conflict or that it wouldn't be the best idea for him to represent the Board's during the review of the process -

the review process. So you have information from Silverberg and Zalantis as special counsel. Steve Silverberg is one of the very few attorney's he would recommend as being knowledgeable about zoning. Both with respect to this and with respect to the next item that he is going to talk about, which is hiring an engineer to do the reviews of the engineering aspects. The applicant will be paying into an escrow fund to cover all of the Village's costs so for both the special counsel and as well as the engineer and as well as our Village planner, who is already under contract, all of those expenses will be reimbursed - actually in advance - because we will have an escrow account by the applicant during the review process. So the first thing would be if the Board is in agreement would be to hire the firm of Silverberg and Zalantis as special counsel for review of the Quarry Ridge application at an hourly rate of \$250. Trustee Falciglia asked if we only got one bid or one - Attorney Rice said it is personal services and number one it is actually not going to cost the Village a penny. Number two, \$250 is a very reasonable rate for this level of expertise, and number three, as he said, there are very few attorneys that he could recommend as being as knowledgeable in the area of zoning and land use. Trustee Falciglia asked if they have done work for the parking authority. The Mayor said yes, they have. A motion to approve the firm of Silverberg and Zalantis 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: None

ABSENT: Trustee Patricia Abato

Attorney Rice said the second item is that he would suggest to the Board that they retain Dennis Rocks, the former DPW Director, who works with Leonard Jackson, as the engineer for review of the engineering aspect of Quarry Ridge. Mr. Rocks is very knowledgeable with water retainage. A motion to hire Dennis Rocks 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: None

ABSENT: Trustee Patricia Abato

POLICE DEPARTMENT:

Chief Clarke Osborn said that he just had a few items tonight to vote on. The first one is the appointment of a part-time police officer, Timothy Dunn. Timmy Dunn is retired from the Spring Valley police department after 20 years. He is a very highly decorated officer. And as the Board knows, Chief Osborn has spoken to them before in regards to part-time personnel. There are pretty strict requirements from the Department of Personnel as to who we can hire and who we can't. We are definitely getting a steal here for a part-timer. He is willing to work nights, holiday, weekends - whenever we need him. So he is asking the Board to appoint officer Timmy Dunn as long as he passes the favorable background check and personnel clearance from the county - Department of Personnel - which we do not see a problem with at this time. The Mayor asked what the rate was. Chief Osborn said it is 22 an hour - 22 something. He said he knows it is going to change June 1. The Mayor said 22 and change. Chief Osborn said it is 22 he believes. The Mayor said not to exceed \$23. A motion to appoint Timothy Dunn was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

Chief Osborn said the second is that part-time dispatchers save us a lot of money in overtime. We have two right now. One possibly going to the NYC police department. So we are looking to put another dispatcher on. Once again, there are certain restrictions that the Department of Personnel puts upon us. They have to have a year of full-time radio experience and a lot of credentials to even get part-time. So we are looking to put on a gentleman named Glenn Edwards who just retired from the NYC police department as a part-time dispatcher to work nights, holidays, weekends - basically whenever we need him. And he will only work, as he knows we have spoken before, just when there is no dispatcher working to fill in. And he is asking the Board, once again based on a favorable background check and personnel clearance, to appoint him as well. The Mayor asked if we have the rate on that. A motion to confirm Glenn Edwards was made by

Trustee Meegan-Corrigan, seconded by Trustee Falciglia.

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

NOES: None

ABSENT: Trustee Patricia Abato

Chief Osborn said last, but certainly not least, last month we had a gentleman come in from E. Maple Avenue with some parking concerns which were totally legitimate. Chief Osborn said he checked it out on Sundays and he said there are some people back there from E. Maple. It is tough on Sundays. He said he goes down that street and he has been checking it for the last several weeks. And it is tough at the corners - there are vehicles parked right up to the corners. So he is asking the Board to set a public hearing for a local law parking amendment in regards to Washington Avenue and E. Maple Avenue. The local law would be that there is a 40 foot east and west on E. Maple Avenue and Washington Avenue 40 feet at each corner. That would make it much safer for the vehicles and the residents on E. Maple to be able to pull out and safer for all drivers because obviously you have the church, the Indian Orthodox Church right here, Sacred Heart, Christ Church and the Presbyterian Church on Sundays. So it is very busy in that area and he thinks this is something that he thinks is well needed. A motion to set a public hearing on June 4 at 7:30 p.m. was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

AUDIENCE PARTICIPATION:

Richard Karpp of Squires Gate said that he is sure that they all know what he is here for and what he is going to say. It has been 9 months now and at the last Board meeting he was told about the disposition of those houses that you would have some information at the end of the month. It is past the end of the month now. Mr. Karpp said he lives within 100 feet of those four houses. Those four houses he is talking about right now were never cleaned. No one was inside doing any work. Luckily in the cold weather, no germs will grow, mold will get there but not as fast and as dangerous as when the heat starts. Now it is starting to get summertime. It is starting to get warm. You are going to have smells and God knows what else coming out of there. What are you going to do about it?

Trustee Meegan-Corrigan said that as of today, Wednesday, we are filing the second step. So Charles, Elaine and she are working on this and it will be going out on Thursday.

Mr. Karpp asked how many steps are there altogether. Trustee Meegan-Corrigan said there are four. Mr. Karpp said time wise - this could take up to one year. Trustee Meegan-Corrigan said that is correct. Mr. Karpp asked what can, if anything, can be done to disinfect those houses for the summertime. You start getting 90, 95, 100 degree days - hot, sticky and humid - you are going to have smells, odors, contaminants and everything else coming out of there. It is bad enough that we have to live there as it is. But this is his concern right now. He said he doesn't want to have to start to call the EPA and things like that. Trustee Meegan-Corrigan said we can check with the Board of Health on this. Mr. Karpp said he believes the Mayor was told after the flood that somebody complained about getting sick on all that stuff. He said he doesn't want people to do that. Because once somebody starts to complain that they are sick everybody is going to get involved. And it is no good for everybody - it's not good for anybody - us and especially the Board and for the Village. The Mayor said he thinks what Deputy Mayor Corrigan is suggesting is valid. We can call the Board of Health, have them come in, to ensure that the site is secure and as you know people are not gaining access to it. It is fenced in. To take a look at it. Again, it is a very difficult balance between protecting the interest of those homeowners financially because as you can imagine - Mr. Karpp said he knows that - while everybody is fearful of the next flood to a large degree life has returned to normal and that people are back in their homes, their basements have been repaired. For those people that haven't - and the worst thing we want to do, the last thing we want to do - is be in a position where we hurt them more financially by knocking down the buildings which ultimately are their responsibility. So if that happens now then they are on the line for that and that is their responsibility. So you can imagine if you are homeless you are still required to pay a mortgage. He said he knows the taxes for those homes were reduced, he believes 85% - pretty much reduced to zero, other than the land. And he believes they got letters last week. But we don't want to be in a position where now they have to come up with potentially \$50,000 each to knock down the buildings. We have to go through a process. He said he knows it seems in a lot of ways that it is a long time but compared to what happened in Jersey, where there was twenty something years, that everybody is moving quickly and he has to particularly recognize Deputy Mayor Corrigan, Elaine Accocella, our Superintendent of Public Works Charles Sawicki who are constantly

working there. And he knows that the three of them, at least two of them, had meetings with each individual homeowner last week. So we are working the best we can and if we get a balance between everybody else in the neighborhood and also those four residents. Trustee Meegan-Corrigan said but she will call the Board of Health. Mr. Karpp said again he will say - he is not blaming - he is not putting blame. You are doing 110%, 115. But he is not talking about knocking them down. He said that nobody has been in that house - you can't go in that house to spray. You can't go in there to see what is there. And something has to be done. What happens - he is not saying knock them down. He knows that it is a long process. The worst thing to do is to prematurely go in there and knock them down. That is like starting World War IV. Nobody wants that. But the thing is find out if something has to be done through the Board of Health or the EPA or something to do something to spray if possible. That might be the worst thing to do also. But to try to contain whatever is in there. The Mayor said we will do that. Mr. Karpp said there are a lot of kids - a lot of small kids around there. The Mayor said we agree with you and Jo is nodding. He asked her if she wanted to take care of that. Trustee Meegan-Corrigan said she will contact the Board of Health. What they did tell us at the end of last summer was that these homes are far enough away that the mold or smells or whatever would not go far enough out of the property. Mr. Karpp said but what happens in the heat. The heat changes everything. Trustee Meegan-Corrigan said that is why she will call the Board of Health. Mr. Karpp said that is what he is concerned about right now.

Joe Varano of 10 W. Maple Avenue said he has lived here 55 years. He said they cut big trees by him over there for no reason - no wires, no nothing. He said he doesn't know if the Village cut those trees or who was involved in this. He said he doesn't know why they cut the trees - no wire, no nothing. Why did they do that. Now they have a ton of wood over there. Who is responsible to move that wood over there. The Mayor said he spoke to him. He was at his house. Mr. Varano asked who cut the trees. The Mayor said he had his salami - it was delicious. It was good. It was homemade salami - it was really good. Mr. Varano said he wants to know who cut those trees - the Village? The Mayor said he understands. He looked at it. He will be in touch with Danny to make sure that the right trees - the Mayor said he knows that the one tree that Mr. Varano talked about that was dead wasn't removed and the Mayor said they spoke to the neighbor. But he promises him in the next day or two they are going to go back out there with Danny to look at it. When the Mayor went out there the other day, as Mr. Varano knows, with him, Danny was out of the

Village taking care of something so he wasn't there. But we will go back in the next day or two. We will see exactly what is going on and we will get to the bottom of things. Mr. Varano said the damage is done now. The Mayor said he understands. He said we have had this conversation with tons of people. Tree maintenance people are very sensitive because mature trees really add to the aesthetics of a neighborhood, of your home, of shade and reducing energy. But there is also a problem sometimes because trees that look healthy may not be healthy and can result in severe damage to one's home or to loss of life during a storm if they come down. So we are constantly battling between keeping trees but also trying to keep safety. And he thinks that this past year, especially the storm that happened on Halloween, if you look at every other village and municipality throughout the area - the amount of blackouts were tremendous. Because of trees being down and destroying power lines. And we only had one street in the Village that was down for any substantial period of time. And he would like to say that luck played into it, which he is sure that is the case, but he thinks that our pro-active tree maintenance also made a huge difference. So again he promises him that he will go out there with Danny to see if a mistake was made. We also have instituted a program by which we replace trees. And we hired an arborist to consult with us on where those trees should be planted because sometimes he knows when you plant those trees and they are planted in the right of way there is not a lot of room and the root systems grow out of the ground, raise up the streets, the curbs, and all that. So we are cognizant of his concerns. He promises him that we will go back out there and we will see what happened. And we will try to balance all of the concerns the best we can. Mr. Varano said what gets him is there were no wires, no wires at all. The Mayor said he understands. Mr. Varano said there is a big tree that is gone. No wires. Why? That tree must have been over 100 years old. The Mayor said he understands. Mr. Varano said he is 80 years old. He is not going to live 100 years to see another tree grow up again. It's terrible to destroy the Village. What they should have done was they should have trimmed those trees. And they look like an umbrella. Beautiful. That is what they should have done. Mr. Varano said he has the other one in front of his house that is very tall. That tree is supposed to be treated. He was going to do it himself. The Mayor said he understands. We will take a look at every tree he discussed and he will find out why they were cut down and if there was a mistake made. We will get to the bottom of it. He promises. He told Mr. Varano that he has his number. The Mayor said we spoke. The Mayor said he was there. He will come back out. Mr. Varano said the damage is done now. It is done. The trees are cut. The Mayor said he understands. But we

can also see why those were cut because they may appear to be healthy. He said he has seen many trees that appeared to be healthy. And we had a whole meeting about trees along Ramapo Avenue and there were worms that were this size in those trees. Mr. Varano said you would see if the tree was damaged. You would see the worm or the end or whatever. He said there was another tree over there with wires. Why didn't they do something about that? The Mayor said he will come back out and look at it.

Roy Tschudy of 16 Lonergan Drive said he would like to address two quick subjects. He said that speaking with Jo we spoke about Donna Hallett park and he knows that you said that there was a firm plan in action. Mr. Tschudy said he would just like to have an update on it. When do you think that might be taken into effect. Have any of you been down there lately? You will notice that where some of the equipment was there is a lot of standing water. It has nowhere to drain. So when you go to put the new equipment in hopefully they will have some kind of engineering done to alleviate that problem so there is no more flooding in that area. That is just from the current rain. The Mayor asked Deputy Mayor Meegan-Corrigan if she would like to touch on that. Trustee Meegan-Corrigan said the reason why we didn't have a plan on this is that we have been working over on Rockland Terrace. And from what we understand that the person who owns the lot now has agreed to let the Village license that piece of property. So we are going to move that park over to that area. Therefore the park won't be as flooded as much and it will be much nicer. The basketball courts will stay. There will be benches put down there. That way we won't have to worry about everything washing away because even in that little rainstorm there is water there. So we are looking to move all of the park equipment over to that area. So until we have confirmation from the attorney that that was actually going to happen that is why we didn't want to say anything not knowing if that was actually going to be a reality.

Mr. Tschudy said just to get that straight. That is on Temple, that big lot there, that is used for dog traffic. Trustee Meegan-Corrigan said correct. Trustee Falciglia said behind Gannon's house. Mr. Tschudy said okay - the Mayor said we are going to look into new additional equipment as well. Mr. Tschudy asked if there was a time table when that might be? Trustee Meegan-Corrigan said we just got word from the attorney today so we think that probably within three to four weeks - she said she knows that Danny and she - Attorney Rice said we have to work out the agreement with the property owner and then it will have to be approved by the Board so hopefully we can get it in front of the Board for the next Board meeting. The Mayor said we had a

conversation today, Terry and he and Jo on a conference call, and we also looked at the taxes on the property because that was a concern of the property owner, to at least cover their taxes. So we are negotiating it. We also didn't want to invest in new equipment because, as Jo said, even in an event where there is not major flooding of homes that the park area floods. The area that we are talking about, yes, it would've flooded during this storm and Floyd but that is twice that he believes there has been water there over the past twenty something years. So he thinks that that idea - and he doesn't know who initially - Danny Haglund came up with that one. And we all said wow, that would be a good idea. Mr. Tschudy said as long as the homeowners across from Temple don't mind. The Mayor said yes, great. Mr. Tschudy said the reason that he is bringing that up is that he believes in being pro-active and since the days are getting longer now there are more and more kids staying out longer now playing in the streets and it is just an accident-prone condition waiting to happen. So something is better than nothing on that.

And just to touch on something that was mentioned earlier by the Board. When you were talking about Quarry Ridge. He said he knows that this is the embryo stage of that but he would ask that when that is considered - whatever is brought before the Board - before anything is done in the building of that area that they consider putting in that pumping station that they were talking about which would help alleviate - not an end all and he is well aware - but it is parts thereof. Because he knows there is no one answer to help alleviate. The Mayor said he believes that is why Terry suggested that we go with the particular engineering firm we did. Because obviously something which is a great benefit of anything going there is the proposal for the flood mitigation system. So we will have a consulting engineer that will look into that independently to determine if it works. Mr. Tschudy said okay.

Trustee Meehan said the firm, Leonard Jackson Associates, was the firm that the Corps of Engineers hired to do work on the Mahwah and at that point of time, two decades ago, they had a young engineer who they hired to work on that and his name was Brian Brooker. And we understand that Brian Brooker has been hired by Quarry Ridge to work on flood mitigation so the historical institutional memory here. Mr. Tschudy said it is a step in the right direction. Trustee Meegan-Corrigan said remember that the Town of Ramapo put in that flood mitigation system for that pumping system to get put in. So the town actually put that in to get done prior to any Quarry Ridge coming through.

Bill Pamm of 176 Doxbury Lane said that he was here because last week he lost a dear personal friend in the person of Mel Berkowitz. After a long illness of cancer, he succumbed to that disease. The Village of Suffern and the Town of Ramapo also lost an extraordinary community activist. Here is a partial list of all the causes that he actively worked for: the Alzheimer Foundation, the Kidney Foundation, the Lions Club, Suffern Civic Association, Chamber of Commerce of Suffern. He was in charge of many of the Suffern street fairs. He also conducted the annual blood drive. He also was on the Suffern Foundation. Mr. Pamm said he first met Mel quite a few years ago when he organized a demonstration in front of the new Walmart. He learned they were going to bring in a complete gun department and we did have a partial victory there. They agreed not to have handguns. Because young kids could come in and possibly get handguns. Mr. Pamm said he knows it was small. Mr. Pamm said Mr. Berkowitz set up tables, and he saw it himself, and he conducted drives for the tsunami that happened quite a few years ago, Haitian relief, the Japanese earthquake. In politics he fought hard for the principles he believed in and for the people he thought were the best people for the jobs. As a matter of fact, he helped elect two of the present members of the Board. The last thing that he heard him say was that he requested the Board to check on the people who do not attend the Planning and Zoning Board meetings and they should not be paid. Finally he will be sorely missed by all the people and by him, his friends, his family and all the people in Suffern.

Adam Chadin, president of Superior Waste and Carting Inc, said they submitted a bid for the refuse and recycling collection container service in the area of Bon Aire. He said they were the low bid. He said he just wanted to read a letter in response to the letter that he received from the Village of Suffern from the Village Attorney Terry Rice. His letter was written based on the recommendation of the Director of the DPW, Mr. Charles Sawicki. Mr. Chadin said their letter in response to them stated the following: their letter first stated that his bid was basically rejected because of experience and lack of qualification. In response to that letter, they replied: after reviewing the Village of Suffern response in which it disqualifies the bid of Superior Waste and Carting, they have concluded that they are in disagreement with the findings for the following reasons: first of all, your response states that the bid specifications mandated that the bidder must have actively engaged in the business of serving 1 ½ cubic yards to 3 cubic yard containers, the disposal of garbage and/or trash for a period of at least five years. If you reference page one of the bid packet, section number one,

general information for bidders, you will see that number two states more than this. Number two states the following: bidders shall be experienced in garbage and/or trash work and shall have sufficient capital and equipment to properly provide the containers and services required herein. In order to qualify the bidder must have actively engaged in the business of serving 1 ½ to 3 cubic yard containers, the disposal of garbage and/or trash for at least a period of five years. This states that the bidder must have experience. If you reference question number sixteen of the bidder questionnaire, Superior responded by stating the following: Superior has been in business for under five years. However, our director of operations owned and operated a waste removal business for over twenty years. During those twenty years in business, he serviced over 22,000 homes and over 1400 commercial accounts. This bid states that there are only 1824 units. It is because of this that we do not understand how we are not qualified and how you find that they lack experience to complete this project. You also state in the letter that Superior lacks the necessary equipment to complete this contract. Nowhere in the bid packet does it state the amount of equipment needed for the proposed contract. Their bid proposal stated that they plan to lease two additional trucks. Also, in addition to that, they are willing to purchase an additional truck. That will provide them with ample and more than enough equipment to complete this contract. In closing, if the contract was awarded to Superior Waste and Carting it would save the residents of those areas a combined \$40,000 over the first year of the contract and over the life-term of the contract at two years it would save the residents over \$80,000. He said that this letter was submitted to the Village Clerk's office on May 2 around 9:45 a.m. It was addressed to Mr. Terry Rice and the Board of Trustees and Mr. Charles Sawicki. The Mayor said everyone, just for the record, all Board members received a copy of the letter as was addressed. So it is in everybody's possession.

Eddie Egan of 87 Lonergan Drive said you have all the equipment that is there now. Do you plan on using that for the new part of the park? Trustee Jo Meegan-Corrigan said there are pieces of that that can be refurbished and they are healthy and they are fine and there are other pieces that will not be. Mr. Egan said with the park that is there now. What are you going to do about all the standing water that is going to be there probably until July or August. Is there a plan to maybe have some sort of drainage put in? Raise it up a little bit. Have it slanted or something? Trustee Meegan-Corrigan said not at this particular moment. Mr. Egan said there will be standing water there well until July. Trustee Meegan-Corrigan said we don't have a

permanent plan for it. Mr. Egan said even last year. You have puddles there pretty much throughout the whole year. Now you are going to get more rain and there is nothing there and you are going to have standing water. Trustee Meegan-Corrigan said the park equipment wouldn't help the puddles. Mr. Egan said he understands that. But what is going to happen now once you move everything. Is it going to be maintained? Trustee Meegan-Corrigan said of course. Mr. Egan said something has to be done about the standing water there. The Mayor said we will take care of it. We will take care of the water there. Trustee Meegan-Corrigan said she understood his question were we putting drainage in at the moment. Mr. Egan said yes - will you be able to put drainage in to alleviate some of that water? If you raise it up like you did the baseball field and put rocks underneath it and sand so the water has a place to go. Trustee Meegan-Corrigan said she does have a phone call in on that. The Mayor said we will make sure that there is no standing water. We understand, not just in that particular area, but anywhere throughout the Village there is a danger associated with that with mosquitoes and West Nile so he assures him that we will take care of it. Jo is working on this and a number of issues. He said we can talk to Charles about this. But he can assure him that we will take care of it. Mr. Egan asked if there was a plan for something for that park now or is it just going to be a grass field? Trustee Meegan-Corrigan said we had planned on keeping it as a grass field with benches and keeping the basketball courts. The Mayor said and obviously the 9/11 memorial. Mr. Egan said he guesses they will start to clean that up soon. The Mayor said yes. We are on top of it.

Roy Tschudy said regarding the use of any parts of the old playground. He said he understood that we have \$15,000 from FEMA to purchase new equipment for this park of which they have been designated half of that. If we have been designated half of that, that should be enough to suffice to put new equipment in there and not any of the old equipment that is there. First of all, that old equipment, that old playground equipment, when it first came, it looked like somebody else threw it out. It looked old. And he doesn't think anybody in the neighborhood that he has spoken to wants to see it. The Mayor said we will build a park that will be a nice, good park. We are going to look at everything. Jo is working on it. He promises that we will do the right thing by him. Mr. Tschudy said he is sure you will. All he is asking, not only on his behalf, but his grandkids and the people that have kids in the neighborhood is that nobody wants to see that equipment. Just take it and throw it away. Get rid of it. But nobody wants to see that back in any shape, manner or form. If we got \$15,000 and we are going to have half of that, he

has already done research on playground equipment which he sent to Ms. Corrigan and you can see that it is a fairly decent price and it will be more than sufficient for the neighborhood.

Jack Rosenberg of 13 Somerset Drive said that Bill Pamm listed a series of activities that Mel Berkowitz was involved in - a very long and detailed list of extraordinary effort by a man, who he believes, showed a great desire to help mankind. Selfless, unpaid, dedicated, hard-working in every sense of the word. But even the best of us will not list everything that a person did. For instance, he lives in a condominium and he worked constantly to correct the errors of a long time ago in terms of the construction of a building and he was trying and trying and trying until the day he died to see if there wasn't some way in which there could be a sum of money raised to correct the errors that should never have been. In addition, there was another activity that he was involved in and he can't think of it at the moment and it will come to him as soon as he gets off the stand here. But that is the sort of person that Mel Berkowitz was. There was one other thing. He was as kind to Mr. Rosenberg at times of travail as anybody could possibly be who was not an immediate relative. Constantly taking care of him. Helping him. Notifying people. Doing all sorts of personal things. And as strange as it may seem, he was a political opponent for a long time but in the last two years of his life he was extraordinarily kind to Mr. Rosenberg when things began to occur to him mostly on the basis of age. And he just wants everybody to know how much he thought of Mel Berkowitz.

Jim Giannettino of 2 Memorial Drive asked if this proposal is a formal proposal by Quarry Ridge to the Board? Are they making a formal proposal. The Mayor said yes. Mr. Giannettino said one other thing. He is glad you straightened out the valet parking. His only question was that you had a public hearing and you didn't give the public a chance to speak. Be that as it may it was done. He has no problem with it. The Mayor said he thought we did it. That was an oversight. Mr. Giannettino said yes, it is not a big deal.

Mr. Giannettino said he had made a couple of simple requests. One was to have a moment of silence for our troops and everybody said yea, yea, yea, we can do that. He said he guesses they forgot about it tonight. Hopefully you will remember next month. And he is glad that the light in front of the building is put on the flag. That is one. You have about five more to go. Hopefully, we didn't pay to fix that light because that is the responsibility of the person that owns the cell tower. So send him a bill if you

paid for it.

Rich Karpp said as far as the park. He asked the Chief if anybody had spoken to him with the problem they have in Squires Gate with speeders. They don't stop - you put the speed bumps in but they go over them fast. And stop signs. If you put a park over there with a lot of kids and the streets are narrower. Just please. Take into consideration traffic and the way kids come in and out of that neighborhood. That is all he wants to make sure.

Jean Hennelly of 135 Wayne Avenue said that first she would like to commend the recreation board again. The calendar was spectacular. Every year you can just see how much time and effort is put into it. Thank you for your hard work. She would also like to thank whoever, somebody listened to her for a change, and they striped the B lot and it looks terrific and she is very happy. Mrs. Hennelly said that a year ago, almost to the day, at a Village Board meeting a presentation took place regarding the traffic study on Route 202 and at that time there was an elaborate display presented and a lot of feedback back and forth and at the end of the evening the Village Board said they would discuss it further and at a later meeting they would get back and go onto the second phase of the study which was to present to the NYS Department of Transportation to rectify some of the issues - it would be speeding and dangerous issues on 202. She said she would like to know if at any point - and she knows that Trustee Falciglia wasn't on the Board so it is not an issue with him - but she asked if they ever got together and discussed - the Mayor said we did. There were some things that we initially did. He said he knows that the lane there, that they initially striped, right immediately after. That was one thing that we have done. Mrs. Hennelly said excuse me. She said there is no lane - the Mayor said that lane, the side - Mrs. Hennelly said that was always striped going east - the Mayor said on the underpass - Mrs. Hennelly said on the east was always there. He was talking about the west side that that would be striped and that has not been done. The Mayor said he will look into that. He said the other thing he knows that we had talked about was concerning improvements such as crosswalks that would be part of something the developer would do. Obviously we are not at that point yet because there has been no site plan approval on that project. Mrs. Hennelly said but there were some short term suggestions. The Mayor said for example, and he thinks she is aware, that we have stepped up enforcement on the road. We have had several Operation Safe Roads there - probably three or four in the last year where we have gone out there. Mrs. Hennelly said oh, definitely. And we can make a lot more money if we do it even

more. The Mayor said we looked into that. And again there are certain things that we talked about in terms of other crosswalks was one. And he guesses further he will check on the striping - because it is his understanding and he will look back to see what could be done. What was supposed to be done there he will check to see if that was done. Mrs. Hennelly said they asked for additional lighting underneath the tunnel and maybe to renew that guardrail because of site distance looking west coming up from Washington Avenue in the line of vision. There were numerous things. She said she would like the Board to revisit the study and hopefully make some - good money was done on this. She said she knows it was Mr. Brennan's money and nevertheless good money was spent on the study and it would be nice to have something to show for it.

Steven Alpert of 17 Meadowbrook Lane said he just wanted to bring up something that Mr. Pamm mentioned actually about Mel Berkowitz because he thought it was actually something with a lot of merit and he wasn't sure if the Board might actually be willing to consider moving forward with such a suggestion. But there was some talk about people on various boards that are paid members of these other boards that don't show up. It probably is not a bad idea to have an incentive for them to show up whereby they lose a percentage of their pay for not showing up. And he doesn't know if the Board is willing to take up a measure of this sort. The Mayor said we can do that. It is not something that we do - if someone wants to propose it we can do it. The one thing that we don't want to do though - no one here on those boards is serving to get paid. But he thinks that yes, any money we could make this out to be a larger amount of money than it actually is. He said he thinks we are talking about \$700 an individual. And if someone doesn't make a meeting but also spends a tremendous amount of time reviewing the material and participating in it he thinks to a certain degree it is kind of not right for them to kind of make it look like they are not doing their job. So again, he doesn't think that anybody there is doing it for the money. It comes out to like \$50 a meeting but if someone wants to bring it up he has no problem as a local law. He has said it all along. We can do it. He said he doesn't know if it is legal to do it with respect to this Board - Mr. Alpert said he is just proposing it - Attorney Rice said no, no, it is different with the Board of Trustees. The Mayor said with elected officials you are - but we can do it. It is the zoning board and the planning board. They are the only paid boards. Trustee Falciglia said that we will discuss this and at the next meeting we will have an answer. The Mayor said he has no problem. If someone wants to bring it up, we can do it.

The Mayor said we can do it based on attendance. Terry can draft a law. We can put it on for the next meeting. He has no problem. Attorney Rice said that he is just thinking out loud. It would be an amendment to the zoning law so it actually has to go through the process of being referred to both the County planning board and our planning board if you are going to amend it. Unless we can do it by some other measures. He will have to look at it.

Trustee Falciglia asked if we could fire the culprit if we want to? Attorney Rice said if people are appointed to the boards they can be removed for cause after a hearing or so forth and it is a situation that he doesn't think has ever presented itself but it would have to be really gross and excessive absences to warrant removal. The Mayor said they are there for a five year term and he thinks the purpose of having a long term is to afford them independence from a political process because they do decide on very important things. So he thinks that while there are issues as someone says attendance he personally believes the best way later is to not reappoint them. He said he doesn't know of anyone particularly that we have had a problem with attendance but he does believe generally that the purpose of having such long-term is to avoid the political process and he would hope that we should be reluctant to kind of use whatever authority we have over them. But again he doesn't think that anybody there is earning any significant - and he is not saying - a dollar is a dollar - so he is not saying that \$700 isn't a lot of money but he doesn't believe that anybody gets into that position to get that money. So he just doesn't want to be in the position where you offend people who to a large degree are volunteering - it is really just a stipend. But if that is what the Board wants to do then we can vote on it.

Trustee Falciglia said that he can appreciate that. But with the five years sometimes people's situations change. And maybe they are not as involved.

Trustee Meehan said he is inclined to agree with him. The time to look at the people is reappointment time. Sometimes we do have people who are actually out of the Village who have maintained winter homes in other states and he thinks that is a situation. But he thinks that really almost in Mel's memory since it was something really important to him he would like to see us do something with the idea of attendance and he thinks that if a person misses the majority of the meetings per year then there is something wrong with us and it's time to rethink your duty here. And the one thing that he has been trying to do for years and has

gotten nowhere and that is if you are a planning board or a zoning board member in the Village of Suffern you are probably the worst paid zoning board member or planning board member in the state. He said he knows planning board members - he has friends in the umpire's association, guys who are planning board members in one of the village's and he makes \$3500 a year. He is not saying that we have to make \$3500 - but he would like to raise the salaries. They have been the same since he has been here in 98.

The Mayor said he does know that there was one individual that was the subject of particular concern. That individual is no longer a full member of the board but is an alternate. And yes, there is a person that he has spoken to because really that is the only person in attendance who goes down to Florida several months of the year. That person is also someone who when they are here, he believes, goes above and beyond and puts in more work than most of the other members and has attended lots of continuing education, other conventions on planning and zoning and has over 50 years experience in the field of construction. So he has a great deal of expertise and brings a unique perspective to the board. The Mayor did, in terms of that person, they felt it was appropriate for them not to seek another term because it is somebody that he knows and they felt that it was hurting the Mayor and that this was an issue which really wasn't a big issue but was kind of being used for in the political arena. The person said look, I can't be there, so someone who votes should be there all the time to vote but he would still like to serve and could he serve as an alternate. The person also said he doesn't even want to get paid. The Mayor said they didn't mind if they didn't get paid. The Mayor said we can look to that if they want to donate their salary. The Mayor said he doesn't get paid during the period that he is away. So he voluntarily waived his payment for the time that he is away. So he thinks that that one person that we talked about, who has served this Village in a number of capacities, and again you just want to do the right thing. And that is the situation there. The person is not being paid when they are away. When they are here they serve as an alternate. But again if somebody wants to institute a policy and bring it up in a way that is fair and equitable, the Mayor is always open to it. So he thinks that probably - Forest Gump said that is all I have to say about that.

Bill Pamm said just another topic. He said a few months ago he brought up the matter of Yorkshire Drive and he asked that a single or a double line be drawn on the complete length of Yorkshire Drive. It is a particularly dangerous road at night.

You cannot see where you are on the road. He said he was just wondering where that stands. The Mayor said we looked into that. The situation with that is the road is due to get a final coat. It was paved and then there was one slurry coat that was put on the road. And now there is another coat that is set to be done this season. So he believes we start the new budget on June 1. We will look into the roads and the budget we have and included will be the slurry coat of Village roads that were all done in that area - Yorkshire and the surrounding areas. That coat will be put on and then after that a contractor will come and do the paint. We are not going to paint the road, spend the money, then four months from now pave over it. So the reason why the communicating wasn't done is because that is how you do the roads. The process we took. You let the road sit for a year - make sure we have a warranty against, put one coat, and now we are putting the second coat and then once that is done we will then paint the road with the line. Mr. Pamm said some of the lines on the other main roads are also fading. Will they be repainted? The Mayor said we can look into that. If there is a particular list of roads that you think are faded we can look into it. The Mayor said some roads - Maplewood would be one - but a lot of the roads that have double yellow lines are not our roads. But if you have a particular road you can e-mail the Mayor or call Charles' office or drop a note by his office with Virginia and we will look into it. And when we have the contractor come in we will do all of that. There are also some roads that never should have had a double line that did. One being Lonergan Drive, another being Salem Court and Chatham. Someone went double yellow line crazy. The Mayor said we will make sure. No problem. He said we didn't forget about it. We are just going to put another coat on that road.

DEPARTMENT OF PUBLIC WORKS:

A) Training:

Mr. Charles Sawicki requested authorization for Mr. Donald Tuscano to enroll in a home study course entitled "Effective Utility Leadership Practices" prepared by Sacramento State Office of Water Programs. These classes satisfy the NYS DEC continuing professional education requirements. The total cost is \$99. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Falciglia.

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

NOES: None

ABSENT: Trustee Patricia Abato

B) Personnel:

Mr. Sawicki requested authorization to appoint Mr. Edward Uveges to the open MEO II position effective today, Monday, May 7, 2012 at a pay rate of \$24.56 per hour. The Mayor said this is his appointment. And he would just say before doing that that he has had the privilege to get to know Ed, who is here this evening. The Mayor said Ed has been a loyal and hard-working employee of this Village for almost 8 years - Mr. Uveges said 6 - and he always works really hard. He always has a smile on his face and a positive attitude and is truly an asset to this Village. Something we have been talking about for a number of months and first looked at - it just took a while for the county to get back with the approval. So it is the Mayor's privilege and great honor to make the appointment of Mr. Edward Uveges to MEO II position effective Monday, May 7, 2012 at a pay of \$24.56 per hour. A motion confirming the appointment was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

C) Solicit Bids:

Mr. Sawicki requested authorization to publicly advertise bids for the restoration of the DPW street garage roof. Bids are due on May 30, 2012 at 10:00 a.m. A motion authorizing the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

Mr. Sawicki requested authorization to publicly advertise for a new Ford Explorer or equivalent. The bids are due May 24, 2012 at 10:00 a.m. A motion authorizing the request was made by Trustee Meegan-Corrigan, seconded by Trustee Falciglia. Upon vote, the motion was carried.

D_ Set Public Hearing - MS4 Annual Report:

Mr. Sawicki requested authorization to schedule a public hearing for the MS4 Annual Report as required by the NYS DEC for June 4 at 7:45 p.m. A motion authorizing the request was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

D) Refuse & Recycling Collection - Container Service:

Mr. Sawicki requested authorization to accept the low qualified bid for the refuse and recycling collection container service from Donato Marangi Inc., Valley Cottage, New York, at a unit rate of \$13.85.

Attorney Rice said before there is a motion to vote he just wanted to state for the record that Mr. Sawicki did an evaluation of Superior, who was the low bidder, and he set that forth in the memorandum that was provided to Superior by Attorney Rice in a letter asking them to provide any comments that they may have with respect with Mr. Sawicki's recommendation and his conclusion that they were not the lowest qualified bidder which as the speaker said earlier they did so in a letter dated May 2, 2012, which was also read into the record this evening so they have had an opportunity to speak to Mr. Sawicki's recommendation and conclusion that they were not the lowest qualified bidder.

A motion to award the contract to Donato Marangi Inc. of Valley Cottage of \$13.85 per unit was made by Trustee Falciglia, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

VILLAGE CLERK:

Village Clerk Virginia Menschner said the first thing on the agenda was a request from the VFW for the Memorial Day Parade which would be on Monday, May 28. A motion approving the request was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Ms. Menschner said she forgot the approval of the minutes of the regular Board meeting of March 5. A motion approving the minutes

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

Ms. Menschner said then we have Marcello's valet parking request. The Mayor asked if it was a renewal. Ms. Menschner said yes, it is a renewal. A motion approving the request was made by Trustee Meehan, seconded by Trustee Falciglia. The Village Clerk said the only thing we have to do is his insurance - we have \$380,000 instead of one million and we are going to accept it at that. The parking is in the B lot and no on street parking. Upon vote, the motion was carried.

Ms. Menschner said then we advertised for the concession stand at the swimming pool and this year we have Ronni Jones who has been serving this Village and the pool for seven years. She has offered \$300. A motion accepting the offer was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Trustee Patricia Abato

The Village Clerk said next is the request from Quarry Ridge of Suffern with a petition to the Village Board for the planning board. Attorney Rice said to refer it to the Village planning board for their review and recommendation. Subsequently when you get a more complete application you can also refer it to the County department of planning and he would further put it in the motion a request that the planning board act as LEAD agency for the State Environmental Quality Review Act. The motion was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

The Village Clerk said there was one thing - Lt. Bonkoski wants to surplus the 2003 Ford and put it out to bid. The Mayor said the mileage is 107,997. A motion to surplus the car and put it out to bid was made by Trustee Meehan, seconded by Trustee Falciglia. Upon vote, the motion was carried. The Village Clerk said he also wants to advertise like he did with the other surplus.

The Village Clerk said one other thing is to establish the position of Court Attendant. The motion was made by Trustee

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

The Village Clerk said on the agenda, under the Fire Department, we have approval of the fire district map. This was brought up a couple of months ago so all she needs is the Board's approval and she will send it out to the different villages. A motion approving the map was made by Trustee Meegan-Corrigan, seconded by Trustee Meehan. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

A) Set Rates for Refuse Collection - Container Service:

Treasurer Tom Zordan said he had two items. He said we have to set the rate for refuse collection container service that has just been approved. The rate would be \$180 a year or \$90 every six months. A motion approving the rate was made by Trustee Meegan-Corrigan, seconded by Trustee Falciglia. Upon vote, the motion was carried.

B) Amend Procurement Policy:

Treasurer Zordan said the second item was that he wanted to amend our procurement policy so that we won't have to use purchase orders until the amount is \$1500. Currently it is at \$1000. A motion amending the policy was made by Trustee Meehan, seconded by Trustee Falciglia. Upon vote, the motion was carried.

TRUSTEES:

A) Trustee Jack Meehan - Bon Aire Sidewalks:

Trustee Meehan said he wrote something out and he will read it. He said in March, 2011, Supervisor St. Lawrence attended our Village Board meeting to suggest installation of sidewalks on either or both sides of Campbell Avenue from the entrance of Bon Aire to Lafayette Avenue. Jack Rosenberg recently brought this matter to our attention in a letter to the editor. Trustee Meehan said he believes that everyone on the Board agrees that the present lack of a sidewalk makes walking between the entrance of Bon Aire and Lafayette Avenue dangerous from a traffic and footing standpoint. He said they also have seen scores of recreational walkers in Bon Aire and he is convinced that a safe sidewalk on the Suffern side of Campbell Avenue would be of tremendous use to those in Bon Aire who would like to have walking access to the hospital, library and the shopping centers

on either side of Hemion Road. Trustee Meehan said we discussed this at the workshop meeting on Wednesday, and he would therefore like to make the following motion. One, that a sidewalk on Campbell Avenue become an official goal of the Village and two that the Mayor be authorized to meet with Supervisor St. Lawrence who has expressed an interest to explore ways to accomplish this goal including investigating a shared services state grant. And that is his motion, which was seconded by Mayor LaCorte. The Mayor said he would like Trustee Meehan, when they have a meeting, to attend and meet together with the Supervisor so we can talk about this. Trustee Meehan said fine. The Mayor said this is a valid goal. Upon vote, the motion was carried.

MAYOR:

The Mayor said he has one item which is not here. He said we had discussed Orange Avenue and he believes it would be worthwhile for the Village - he said we had a recent Request for Interest - and that we go out again and advertise for interest in the project to see if there is additional interest. So he would ask the Board to go out on the project pursuant to the same RFI we did before with a return date of June 1. A motion to go out was made by Trustee Meehan, seconded by Trustee Falciglia. Upon vote, the motion was carried.

The Mayor said at the request made by Mr. Giannettino, he would like to adjourn this meeting in honor and memory of those soldiers, brave men and women, who are protecting our freedom throughout the world. It is very important always to recognize what they do and it is so often said but he doesn't think you could put it more eloquently - freedom is definitely not free and we would not be here this evening without them. So in their honor and memory, he moves to adjourn this meeting at 9:35 p.m., seconded by Trustee Meehan. Upon vote, the motion was carried.