

**Village Board Meeting
Monday, November 5, 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 December Meetings:

The Mayor said the first item on the agenda is to set the date and time for the Village Organizational meeting which will be held Monday, December 3 at 7:00 p.m. The Board meeting will follow right thereafter at 7:30 p.m.

FIRE DEPARTMENT:

Chief Mike Stark said that he had two items for the agenda.

A) Permission for Fire Department to Attend Wallington Parade - November 24, 2012 and Orangeburg Holiday Parade - December 15, 2012:

Chief Stark asked for permission for the fire department to attend the Wallington, NJ holiday parade on November 24. The second item is to attend the Orangeburg holiday parade on December 15. A motion authorizing the requests was made by Trustee Abato, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Chief Stark said he put together, and he knows this isn't on the agenda, but it is something he did last minute today about the Hurricane Sandy overview. He asked for a minute to read it. The Mayor said of course. You all did an excellent job.

Chief Stark said that first of all he hopes everyone here in this room at least got their power back today. Some members of the audience said no. Chief Stark said hopefully soon. Chief Stark said he knows he was out for almost 3 ½ days himself and believe him he feels for them. Chief Stark said the fire department decided, after numerous meetings with the county, they decided that they should have a unified command so a meeting was

scheduled here at Village Hall with the Mayor's office, the police chief, DPW and numerous other Village officials along with the fire department at 4:30 on Friday afternoon. They then started planning for Hurricane Sandy, which would later be called a superstorm. They filled many sections of the incident commands. Their support section - Jesse Miller from the Hose Company served approximately 600 meals at the Volunteer Hose Company over the course of 2 ½ days. That was for the fire department, the police department and the DPW. Their logistics section - Jeremy Kaufer, who is also a police dispatcher here for the Village, filled out numerous 213's, which is a form to request officially to request equipment and supplies from the county. The community center was opened and closed, and opened and closed thanks to Gail and her staff. The Suffern fire department had a planning meeting early Sunday morning, which most of its members attended along with the mutual aid chiefs, including Mahwah, NJ. Their first operational period started on October 29 at 9:00 p.m. and it ended on October 30 at 8:00 p.m. They had members at the fire house all night in both fire houses. Their second operational period went from 10/30 at 8:00 p.m. until 10/31 at 8:00 p.m. During the two operational periods, the fire department, along with the police department, answered over 60 calls for service. Unfortunately most of them were wires down and trees on houses. Actually, he should say fortunately because they did not have any fires during that period. From Tuesday night until Saturday morning they answered approximately another 24 calls for service, for a total of 84 calls just this past week. That is approximately three months of calls. They do about 320 calls a year roughly. So that is a three month total in a week. Unfortunately, they are now preparing for the next Noreaster on Wednesday into Thursday. Chief Sammon was at the webinar briefing at the FTC today and he plans on attending tomorrow and they are now preparing for the next storm.

Chief Stark said he would like to take a moment to thank the Village Board, the police chief, DPW for all their support. He said he thinks everything went very well. And he just hopes they don't have to do it again anytime soon. The Mayor thanked the chief for an excellent job. He said his department was amazing and we couldn't have gotten through it pretty much without the fire department, the police department, the DPW and all the support here in the Village. And he thinks when people drive around, and he knows that there are people here tonight who don't have power still, and obviously they are very upset about that, and we are working with O & R and obviously there is a lot of pressure on them from all forms of government for not responding as quickly or being prepared for this storm. But he thinks that if you look at the Village compared to other communities that everyone was out there making sure it was safe and that trees had

been cut back and that roads were opened right away other than the one or two situations where we had to wait for O & R because we can't obviously send our DPW in there to remove trees when there are still wires which we were unsure if they were energized. And that was pretty much a delay until Friday when finally O & R sent over a crew that could work along with our DPW to ensure that the areas where there were still wires down were safe so that our crews could go in there and cut the trees up, cut the limbs up. So again to the fire chief, the police chief, to the DPW, thank you. You all did a tremendous storm during a very difficult storm.

The Mayor said we have a public hearing in about 5 minutes so he is going to move along to Culture and Recreation but we have an award. He asked Bruce Simon to present it.

Bruce Simon said good evening to everybody. He said as they know, every couple of months, they like to go around the Village and salute people who are making a difference in beautifying the Village. The reason they are here tonight is to celebrate the Best Halloween decorations. And he knows it was kind of hard this year because a lot of people brought theirs in in advance of the storm but they did go around. Submissions were made. Judging was held and the winners for the 2012 Best Halloween decorations in the Village of Suffern - James and Susan Howard of Prairie Avenue. He asked them to come down to the podium and said to Mr. Howard, on behalf of the Village Board, on behalf of the Green Council, the Recycling Committee and everybody here, thank you for doing your part to make Suffern a beautiful place. He then presented him with a certificate and a gift certificate to Koto Japanese Restaurant on Lafayette Avenue. Mr. Simon said this is our way of paying you back for doing your part. He then thanked him. Mr. Howard said it was his privilege.

Mr. Simon said one last thing for everybody who is here and for everybody who may watch this, whether online or on television, holiday decorations - they will be going around in December and they will be back in January with another award.

CULTURE & RECREATION:

Mrs. Gail Curtin said that since the last Village Board meeting the Recreation Department has sponsored a trip to New York City on October 4; participated in the Mystic Makeover Fashion Show for Breast Cancer prevention on October 7; hosted a DARE dance on October 12; hosted the Halloween window painting on October 13 with a record number of 50 teams which probably means about 150 middle schoolers in your Village that Saturday; blood drive on

October 16; senior citizen movie October 25; LEAD on October 26 and the Halloween parade, which unfortunately just like last year, was postponed from being outside but held inside the community center and the kids who were there still had a good time. So she thanks the Board for allowing them to do that.

Upcoming is the DARE dance November 9; LEAD November 16; holiday lighting Thursday, December 6; Hanukah festival Monday, December 10; LEAD Friday, December 14. Mrs. Curtin said that under miscellaneous she has been working with the representatives, and she is sure that Virginia will be bringing it up under her section of the agenda tonight, for the Veteran's Day parade. The Farmer's Market has worked with her and the Village attorney and the Mayor in providing the winter dates for the community center. The first ones which will be December 1 and December 15. Activities in progress at the moment include working with the Suffern fire department and Suffern high school to hopefully present the first Village of Suffern Christmas parade on the same night as the holiday lighting. Mrs. Curtin said they are also working on the Pearl Harbor commemoration, and once again because of last week's school closings, their contacts are a little slow in that regard as well as the next item which is the 100th anniversary of this building. She said they thought they would give it another day or two and then they would reach out once again to Connor School. And as the Mayor knows, that is going to be the beginning of their planning - once they find out if they are able to be part of the celebration they will move forward. They also are waiting for delivery of the toddler playground equipment for Memorial Park and they have a cub scout den who is ready and willing to do some cleanup in the Village. Mrs. Curtin said they will have to work with them with Mr. Sawicki this week to see whether in fact it is okay at this particular time or whether they should put that off until certain areas of the Village are cleaned up by the Village itself.

Mrs. Curtin said finally she would just like to mention to the Board that in a very small way, if anyone on the Village Board has any ideas for young children who might help after this storm - she has received calls from the student council at Connor School, from a local family who is involved in recreation and from the people who sponsored the recent fashion show as well as the LEAD kids up at the high school. Each of those groups or families are asking in what way can they help. So she stands ready to accept from the Board when they have those suggestions and to reach out to those people.

7:45 P.M. - PUBLIC HEARING - REZONING VARIOUS PROPERTIES LOCATED ALONG THE EASTSIDE OF ORANGE AVENUE FROM MR-15 TO CB, FROM MR-15

TO 2R-5, OR FROM PO-15 TO 2R-5:

Attorney Rice said the hearing is on a zone change for a number of parcels along Orange Avenue. The genesis for the zone changes were primarily to change the OTB parcel because there is a concern that has expressed interest in going into that location and the property needed to be rezoned in order to allow that. OTB which he doesn't think anybody thinks is of any particular benefit to the Village apparently is leaving. Because it is a quasi-state agency it was exempt from zoning and was able to exist for many years despite the fact that the zoning on that site is a multiple family residential zoning. So in the process of doing that, they sat with our planner and also noticed a number of other areas that were inappropriately zoned in the 1993 zoning law. The properties that are used as residential properties along Orange Avenue going towards the state line are zoned for professional office use when the use is all for residential use and in any event the lots are not large enough to permit a professional office use at those locations in any event. Attorney Rice said there are a number of other parcels besides the OTB parcel that are zoned for multiple residence and are used for commercial uses and those are proposed to be changed from the multiple residence use to a commercial use similar to the downtown. And there are also a few parcels that are zoned MR-15 that are going to be rezoned to 2R-5 which is one and two family use. So the intent is to actually zone the properties for the manner in which they are presently being used. It really doesn't involve any change going forward in what the properties would be developed for and so they thought this was consistent. For whatever reason in 1993 the planner that the Village was using at the time thought that if you zoned properties in a certain way perhaps they would be developed in that manner by somebody amassing a great number of parcels and developing them. Attorney Rice said he really doesn't think it was a practical approach so again the proposal is to zone properties as they are actually being used.

Attorney Rice said that they understand that although they thought that this was very innocuous that the public has some concerns because they may not have fully understood it from the little bit of information that was put out. He will say that the report that our planner has done is available on the Village's website and he certainly is available both here tonight and by his telephone to answer any questions that anybody may have. So because the genesis for this process was the OTB parcel and because there is some importance in moving relatively quickly on that in order to facilitate that use for a good tax ratable, his understanding is that what the Board may want to do tonight is

close the public hearing only with respect to the OTB parcel and perhaps take action on that alone tonight and to continue the public hearing until January on the balance of the properties so that everybody can have their questions and concerns satisfied. Now just for some procedural things before the planner, John Lange, makes a couple of comments - our zoning law required that this be referred to the Village planning board and it was and the Village planning board recommended approval of the proposed amendments. In addition it was referred to the Rockland County Department of Planning and by letter dated November 1 they made the following modifications. And he thinks that all of these are items that are not a problem for the Village. They said in evaluating the appropriateness of the MR-15 and the PO-15 zoning for the properties in the study area the Village planning consultant undertook a detailed analysis of the existing land uses on these parcels. The decision to rezone these properties to more accurately reflect the current land use is well thought out and carefully considered. The Department offers the following recommendations: the first one says that a review shall be completed by the NYS Department of Transportation and any required permits obtained. That is really not an issue because all that is occurring is the rezoning and there will not be any permits unless somebody were to develop the properties which is not something that they envision - anything occurring differently then the properties are presently being used for. The second comment related to offering the Township of Mahwah an opportunity to provide their input on this and the Notice of Public Hearing and the report was sent to the Township of Mahwah so both of these items don't present any type of impediment. Attorney Rice said so again, before Mr. Lange gives his presentation, as he understands it the Board is only going to deal with the OTB parcel tonight and will hold in abeyance the balance so everybody can have their questions answered at some point.

(Mr. Lange had a map of the area which he referred to.) John Lange said that Terry covered this quite well. He said the basis for the study that he conducted, and if you look at the top area in red, that is currently zoned for multiple residence. There are no multiple residences in that zone. So that is really clearly a misfit. He said this area is zoned for office and if you look through each one of these uses there is one office use down below. They have a minimum requirement of 15,000 square feet. Only one of the 24 lots in that district meets that requirement. Most of them are 4, 5, 6, 7 or 8000 square feet. So again a mismatch. The idea then is to turn this area back into the zoning so it is the same all around. This will become part of the general business district which also encompasses the OTB. So that in a nutshell is what they are doing. So just to show you the

detail of where the zoning lines are, these are the uses, so there is a little commercial use here. These are commercial so clearly a commercial zone there makes a lot more sense. These are all residential - this happens to be the one office. There is some commercial here but the rest of these are a variety of different residential. So we are just going to make it a residential zone. So it is really no change to the existing fabric there other than making it - putting a zone in there that would actually fit what is there already. So this is the existing MR-15. This is the planned office - 15,000 (PO-15) and the proposal is simply to turn all of this to 2R-5 so it is all consistent. A small piece here goes to 2R-5 and the rest of it goes to CB in conformance with what is there already. And that is the nut of it.

The Mayor thanked Mr. Lange. He said what he will do is to open it up for the public. So he thinks the best thing and the genesis behind this of what they both said was that since OTB is leaving there is interest, and he knows the current property owner is here tonight, of bringing in a retail operation there which obviously would fit the use of the building and it is not currently zoned. So it would be a non-conforming use and the person would have to go get variances which obviously makes the ability to bring in a new business, which would be beneficial to the Village, more difficult. So it just makes sense for us to move forward and bring it into conformity to what it currently is which is obviously a general business use. And then in talking with our planner about that he evaluated the entire area and said look, overall, this area doesn't make sense based on what's currently there. So again if the notice got some people concerned it was really just to bring it into conformity with what is currently there. But he thinks it would be appropriate that we can hold that aspect of the public hearing over so that people can ask Mr. Lange more questions but obviously we would like to move forward on the OTB because we do have a business that is interested in coming in and investing substantial money and really would greatly benefit the area and the entire community. So if anyone would like to come up and make comments, please come and do so.

Jean Hennelly of 135 Wayne Avenue said that she strongly suggests that the whole public hearing be postponed to a later date - whether you have to institute a special Board meeting later in the month or wait until next month but she thinks that many, many people have been affected by this recent storm and she is sure that there are numerous people who weren't able to come here tonight and speak their mind and she thinks to give the people the proper due course that this should be held over, whether it

be a week or two weeks. But it is too soon after the storm. She is sure that there are people who have family members who work for the police, fire, whatever who are right now helping in these devastated areas. If they are interested this week they could be interested next week - this business. She said she knows that there is priority that life must go on but the residents in this area should have proper time to speak. So she hopes everyone thinks to postpone this. And secondly, are they going to, the company that is interested in this building, are they going to use the existing building or are they going to build up to the 4 ½ stories that they are able to build up to under this new zoning. The Mayor said it is commercial. They are going to use the existing building. That is the plan. Mrs. Hennelly said that under the new zoning they can build up to four stories - correct? The Mayor said they are going to use the current building. Mrs. Hennelly said okay. But what about the other commercial plots in that area. The Mayor said we are only zoning tonight that one issue because we have a business that is interested in investing several million dollars and they want to move forward and OTB is leaving so he thinks we are just talking about that one property for tonight. Mrs. Hennelly said okay. Then the site plan is not going to change. The Mayor said it is because it is a non-conforming use right now meaning that no business could come in there other than an OTB. Mrs. Hennelly said she understands that. But you are saying that the existing building - they are not going to - the Mayor said they are going to use the current building. Mrs. Hennelly said she understands that Rockland Planning did send a report. Did they give a positive response. Attorney Rice said he read the two comments that they had so those are all issues that the Village does not have a problem with. Mrs. Hennelly said okay, so there is no super majority needed? Attorney Rice said no. Mrs. Hennelly asked if there was a SEQRA involved with this? Attorney Rice said yes, Mr. Lange has prepared an EAF and a negative declaration. Mrs. Hennelly thanked him.

Barbara Munez who said she happens to live in the house that sits right next door to OTB. She asked how that was going to affect her house. She said her house sits directly next door - when you pull in her driveway, she is against the OTB. How is that affecting her house. That building is starting to fall onto her driveway. And she has asked for years for them to come out and fix the one corner of that building. The Mayor said we have a business that is ready to come in and buy the building and invest millions of dollars into redoing that building. Ms. Munez said a couple of years ago they had the issue of taking those houses on that side of the street by public domain. Are those three houses that sit next to the OTB - will they be affected by this? The

Mayor said all this is enabling someone to do is to come in there, buy the building that OTB is in, refurbish it and bring in a good business that will benefit this Village. The Mayor said that is all we are trying to do here. Ms. Munez said which is fine because her backyard looks like a junkyard with all these ticket stubs. The Mayor said that is all we are trying to do here. The Mayor said again he thinks that everybody will be very happy to get a good retail business in and they are going to invest millions of dollars in refurbishing the property, repaving the lot there, putting up landscaping, and really just doing a phenomenal job. Ms. Munez said okay. The last time we had that problem with the four and five story buildings that were going to go from Lafayette Avenue down to where her house is they had - her son was running track at the time - and if he hadn't noticed the notices on the poles that were facing the train tracks. If she hadn't been here with a friend of hers who was taking care of a parking ticket she wouldn't have known that this was even going on this evening. She said she didn't get anything in the mail. And she is sitting right next door to it. The Mayor said we sent a notice. The Mayor said if you want to talk to the clerk's office tomorrow we did send out notices and especially if you are an adjoining property owner within 500 feet. So we can definitely confirm. If you give the address he can confirm and have someone call her tomorrow. The Mayor asked for the address. Ms. Munez said 53 Park Avenue. The Mayor said we have a record of everyone that was sent out.

George Audisio of 54 Park Avenue said he just wanted to know if this was a sale of the building or a lease of the building. The Mayor said he believes it is going to be a sale of the building. Mr. Audisio asked how will the Village Board or how does the Village Board plan to put some contingencies upon that sale for improvement of the property - like the sidewalk, the poor fencing that is around the building. The Mayor said they will have to go to site plan approval and he does know that the current owner of the property is here and the Mayor has talked to the prospective buyer and their concern was that they wanted to come in and they said we want a retail use. This is a commercial business but it is not zoned that way. So obviously he thinks that everybody in that neighborhood would like to see something a bit more beneficial to the Village than an OTB and that these people will go through site plan approval and they are prepared to invest millions of dollars in the property and really make a huge positive impact on this Village and that is why we are here tonight. Because we want to facilitate that and to get substantial investment in the community. And he thinks that for a business owner who is ready to pour millions of dollars, especially in this economy, he thinks it is important that we

show them that we are a partner with that and that we want to move forward. Mr. Audisio said good. He said also that he noticed on the MR-15 zoning versus the CB zoning that the CB zoning allows schools of special interest. What exactly is that? Attorney Rice said he doesn't have the zoning law in front of him to read the definition but it would generally be a ballet school, a music school, that type of thing. Mr. Audisio said then it wouldn't be like a yeshiva or anything like that. Attorney Rice said not by that term, no. Mr. Audisio said okay. And lastly, with regards to a different item on that same zoning plan, there are three houses that are along Park Place that are currently residential that are being rezoned as commercial business. How was that decided because that doesn't seem to fit what is currently there. Attorney Rice asked Mr. Lange to point it out. Mr. Audisio said if you turn that into a commercial business zone what will happen to those residents? Mr. Lange said they will stay there as a non-conforming use. Attorney Rice said they are non-conforming uses presently and they will remain as non-conforming uses. Mr. Audisio said okay.

Ned Suffern of 42 Chestnut Street said he wanted to commend the Board for being proactive in bringing business into the Village. That is thinking ahead and helping the Village develop. He said he just wanted to say that as a homeowner and a landlord in the general area, 42 Chestnut Street, they are a three-family house in what is going to become a commercial district there and so it isn't exactly accurate to say that it is being conformed to what it is being used as. He said he understands from his counsel and from those on the Board that he can be grandfathered in. But he just hopes that the need for middle to lower income housing of stable families would be respected in the area when a significant investment has been made in the building over the last ten years to add to the charm of the Village in many ways with cedar siding put in and the like. So he is just saying that he thinks it is great with what is going on with the OTB and he hopes in the future deliberations when he may not be able to be here that consideration for that kind of need for rental property would be considered.

Jim Giannettino of 2 Memorial Drive asked if there is a contract on the sale of this property. The Mayor said you would have to ask the owner about that. Mr. Giannettino said you seem to have the details. He thought maybe he was privy to it. The Mayor said that he told him that the prospective buyer approached and asked questions on the zoning and that is why this came about. He said he doesn't know if currently they are in contract. Again, the owner is here. If the owner wants to comment on that he can feel free to do that. But the Mayor doesn't know the current status of

the negotiations. He just knows that somebody is interested in this. Mr. Giannettino asked if the owner would care to comment. The owner did not answer.

Mr. Giannettino said his second question is that he would think that if there is a contract on this, and he is assuming this, which is not a good thing to do most of the time, that would be the reason for pushing this so quickly. Mr. Giannettino said he was at the planning board when this was given to the planning board. He said he thinks there was one or two other people there. And there was quite a discussion about what was the rush to push this through so that it could be put up for November's meeting. And John Lange gave his presentation and there were questions. But there was a lot of sentiment that they wanted to look deeper into the material and the reason it came up for a vote, and this isn't a quote - he will paraphrase it - was that the Village Board would like you to do them a favor and send this to them for the November meeting. Now is this how we are doing stuff now? We are not letting them read the material in order to push it through. He said he is probably in favor of this project but he really doesn't know enough about it and he doesn't think anybody in this room had a chance to look at what was going on on this project. There is nothing out there in the lobby.

Trustee Abato said that she thinks what Mr. Giannettino failed to mention is that what went to the Planning Board was the whole area - not just the OTB property. Mr. Giannettino said yes, that is the way it was presented. Trustee Abato said that she thinks he is being unfair in saying that they were - if it had gone just as the OTB property maybe there wouldn't have been so much indecision about whether they needed more time or not. Mr. Giannettino said we will never know that will we. Trustee Abato said exactly. We will never know that. So for you to come up and not bring that point to the table seems a little bit unfair. Mr. Giannettino said he made his presentation. Trustee Abato said okay. And secondly she doesn't think we heard from any of the planning board that they felt that they needed more time. And they do an excellent job and she feels that they are all perfectly willing to come to us and say, hey look, we know that you guys wanted this by the November meeting however we need more time. We don't feel comfortable with this. She said she doesn't think anybody is just going to vote for something because the Village Board asked to do a favor. She said she personally asks no one to do a favor and she hears from them - we send it them, we hear back from them. But she just thinks it is unfair the way he presented this. She said that she can understand that he is concerned but she doesn't feel it is fair for him to use the whole picture when we are only using a part of the picture. And

yes, she does agree that they do need more information for that big of a zone change. And she does agree with him. And she is really glad that that's not happening because she thinks we really do need more information. But with the OTB property there is no way that we would know if there is a contract or not. That is between the landowner and the person who is interested. Mr. Giannettino said yes. Trustee Abato said that she would, as a person who was going to buy a building, not have a contract ready to sign unless I was sure that this was going to be something that I could actually accomplish which is a multi-million dollar investment in a building. So that to her is not even an issue. What is an issue to her is the fact that they are coming in, they are going to spend money on a building that has blighted that area for a long time. You heard residents say that they are sick and tired of OTB tickets in their backyard and so on and so forth. That interests her when somebody wants to come in and wants to spend money to beautify a building and to run a business that really is going to be an asset to our Village. So she thinks we have to put into prospective that we are talking about one piece of property right now and we are not talking about the rest of it and that is what actually was brought to the planning board at the time.

Trustee Falciglia asked to interject a minute. He said he was at that meeting and he was really not happy with the way it transpired. He said he has cleared that up with Mayor LaCorte and he is sure that there won't be any mis-communication in the future. Whether the planning board agreed to it or not to him it is somewhat immaterial. Based on the business that is going there and the fact that we should probably rezone that anyway, he sees no reason not to move forward. But he does agree with Jim - the way it was handled was poor but that has been cleared up and he is satisfied. Mr. Giannettino said he is glad to hear that it has been cleared up because there was a good discussion about them having more time to look at this project and the Mayor happened to come in that night and he saw a whole group of us out there talking about it. The Mayor said and that is why we prefaced the beginning of this hearing. So again he thinks this has been cleared up already. Mr. Giannettino said okay, and of course he wasn't aware of that until - the Mayor said the beginning of this public hearing - Mr. Giannettino said that our Trustee had had a discussion and found out why it was presented the way it was presented because at the time he wasn't aware of the project. The Mayor said let's just move on with the Village business. Again, we tried to do this - Mr. Giannettino said okay, he is done.

The Mayor said we just want a commercial business to go into the existing building and anything else in the area, while we believe

it makes sense and does not represent a material change from the existing zone, we believe that to make everybody comfortable in that fact there should be further time to speak to our planner about the issue and address whatever concerns that we have. In the meantime he does not think it is inappropriate to act on a situation to have a building represent what its current use is so someone can come in and invest four to five million dollars in this Village and replace what has been a blight. He said he thinks it is that simple.

Rich Karrp of Squires Gate said they lucked out this time. He said he will talk about that later. He asked what kind of business is supposedly going there that the building will be bought, refurbished and built up. The Mayor said a family-owned retail business. Mr. Karrp said okay, again, what kind of a business is going there. The Mayor said that someone approached the Village with an interest in that building. Whether or not it comes to fruition with that particular potential purchaser it still leaves the fact that the building is not properly zoned meaning that anybody would come in whether it is a retail business or any commercial business that is not an OTB and it would be a non-conforming use. It makes it very difficult to sell the building and get someone to invest in it. So currently again there is a retail business which is a family-owned successful business that if they go to contract and they do it they will obviously then have to go to the planning board. It will be made public. It will be open hearings. They will have to get site plan approval. So it is just that simple. He said he just thinks that it is appropriate for him to say that it is a very good retail business that is family owned. They have an existing business. They have been successful and he thinks it is going to be a very positive thing for this Village. And everything will go publicly moving forward. Let's keep our eye on the ball here. Mr. Karrp said again - according to his version of what you gentlemen and ladies are saying - you know what kind of business it is. And he thinks that before anybody here says yeah, let's do this, we should know what kind of business this is. The Mayor said regardless - Mr. Karrp said he doesn't believe regardless of what kind of business this is. A privately owned business could be a waste filtering plant for fertilizer. That could be family owned. The Mayor said that is not it. The Mayor said it is a retail - Mr. Karrp said okay, retail. What are they selling? Are they selling chemicals? You bring something up but you tell half a story. And then you want everybody to say yeah, let's do it. The Mayor said it is not a question - we are not approving any business here. All we are doing is allowing - Mr. Karrp said once you approve this. The Mayor said he is not going to get into this. It is non-productive. Mr. Karrp said he wanted to ask him a

question. When you have a meeting - let's say you vote to approve it and it is rezoned and then the business wants to buy it. Would you give the people a chance to know what type of business is going in there? The Mayor said if you listen to his comments what he said is that we are not approving any business. We are zoning the property which is a commercial - Mr. Karrp said he understands that - the Mayor said to let him finish because this is not productive. We are rezoning the property so that it reflects a current use so a commercial business can go in - Mr. Karrp said right. The Mayor said to let him finish - so a commercial business can go into a commercial building. Whether this particular concern buys it or anybody else in order for any business to go in there they will have to get site plan approval, there will be a public hearing before the planning board. All we are trying to do right now is that it is zoned residential. It is zoned residential. Is that a residential building? Mr. Karrp said no that is what he wanted to know. The Mayor said that is all we are doing. Mr. Karrp said that is all he wanted to know right now. The Mayor said that is all we are doing here. He has said it nine times.

Trustee Abato said that as soon as the property owner is ready and willing to give that information out - and she is not exactly sure why they are not, to be honest with him, but as soon as they do, trust her, they will get it out as soon as we are able to.

Michael Curley of 84 Orange Avenue said just a little history of the property. He said around 39 years ago when he moved up here it was a Grand Union. That is where they used to shop way back when. So it was commercial when he first got here. And it was always commercial as long as he has lived here. What happened years ago, as Mr. Rice said in the early 90's you had a planner and you also had a gentleman named Jack Keough who was into building and they had a plan for Suffern. And that plan really didn't work. So by taking that building and they made that zone they actually were wrong then. What is going on now is a correction. They are saying hey, it is a commercial building. How does a person who owns that building go ahead and sell it or lease it or do anything with it the proper way. As we know the state was exempt because of OTB. So when they came in they were allowed to get away with whatever they wanted to get away with. And now a new guy or woman is coming in there and they are not going to come in here and leave that building as it is and try to make money there. They are going to come in and bring money into this Village. And what you have going on all over whether it's New Jersey, New York or Connecticut - commercial space is in trouble. We are probably at one of our lowest rates. People are leaving commercial space. If OTB leaves that property now and

there will be a tough time to rent it or get it to someone else. Anything we can do to move that along to keep this Village better and more occupied is better for all of us because it will be tough to rent. Now the other alternative if they don't change the zoning, do you want houses there? Do you want high houses there? Do you want - you are kind of limiting the use then. You are kind of saying hey listen, you have to keep a business there. So he doesn't see it as a bad thing for the Village. Now we know what the process is. You do a zone change first. They send it to the Board. They send it to the Board. They do a zone change. Now when that new business comes they have to go to the planning board. There are hearings. There are public hearings. There is input. And if you watch the planning board in the Village of Suffern when you go in front of them now they make you do this and do trees and maybe sidewalks. You don't just come in and say I'm in. Have a nice day when you are taking over a new building like that. So he just doesn't see it as - he is glad they stopped the whole - since it is only that one piece of property he doesn't see the damage to the residents here. He said he can't even foresee the damage to the residents. If someone else can, that's fine. Then you speak up. But you can't let opportunity - there are too many other locations they can go. If we are lucky enough and there is a business that wants to go there, okay. A credible business. And he notices that there was a bipartisan talk on this Board here with people from different parties saying hey I might go for it. So he doesn't think there is a sell out going out here. He said he doesn't think it is any missteps. And he thinks because they limited it he thinks we should consider it. Thank you for your time.

Trustee Falciglia said if it alleviates anyone's fears. This is the type of business that really will produce no odors, no hangout, no loitering, no illegal discharge and also it could possibly create fifty jobs or so. So to give a little more insight.

Attorney Rice said that if he can guess what the Board of Trustees might be considering - based on the conversation. He said we originally prepared a local law that rezoned the various parcels under the three scenarios that we are talking about and submitted that to the Board. When it became apparent that the Board might only wish to deal with the OTB parcel, we prepared another local law which solely rezones that property at 140 Orange Avenue with its tax lot number listed in this from MR-15 to CB. So if the Board wants to proceed with that he would suggest that they close the public hearing only with respect to the proposed rezoning of section 54.43-1-3 from MR-15 to CB and that you continue the public hearing on the balance of the

proposed zone changes to January 7. The Mayor said yes, the January meeting. So it will give people two months. Attorney Rice said January 7. You have to do an exact date otherwise you would have to re-notice everybody.

Trustee Abato made the motion to close the public hearing only the OTB parcel portion of the public hearing and ask that the rest of the other parcels be continued until January 7, 2013, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.

Attorney Rice said that before you do that, John has a negative declaration on the entire proposal. You need to deal with the negative declaration before you actually vote on anything.

John Lange said that based upon the reasoning below and a review of the information in the environmental assessment forms, the project plans, the reason supporting the determination of a negative declaration are no impact based on the fact that the primary reason for the change for the MR-15 to central business is that the existing uses are already commercial uses. This change would extend the central business district to this already existing commercial area. There is no physical change in the land. It is expected that the water consumption would remain essentially the same. Sewage generation would be essentially unchanged. Stormwater runoff would be reduced slightly as new developments will have to conform to zero net runoff and the stormwater management regulations. It is not going to change the number of school age children. Traffic and circulation remain at the existing level since the changes proposed reflect the actual land use as opposed to a future residential use. Compliance regarding SEQRA regulation section 617.4b indicate that this is not a type 1 action. It doesn't meet any of the threshold criteria. So therefore this document is not required but we have created it to be in conformance with the spirit of the law.

A motion to adopt the negative declaration was made by Trustee Meehan, seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Charles Falciglia who said in the spirit of bipartisanship, yes.
Trustee Patricia Abato, Trustee Jo Meegan-Corrigan
Trustee John Meehan said in the spirit of bipartisanship to his next door neighbor, yes.

NOES: None

ABSENT: None

Attorney Rice said rather than refer to the local law number, so they are clear on what we are doing, he will read the title. It is a Local Law amending section 266 of the Code of the Village of Suffern, the Zoning Local Law and Zoning Map of the Village of Suffern rezoning property located at 140 Orange Avenue, section 54.43 block 2, lot 3 from MR-15 to CB.

VILLAGE OF SUFFERN, NEW YORK
LOCAL LAW NO. 14 OF 2012

A LOCAL LAW AMENDING SECTION 266 OF THE
CODE OF THE VILLAGE OF SUFFERN,
THE ZONING LOCAL LAW AND ZONING MAP OF THE
VILLAGE OF SUFFERN REZONING PROPERTY LOCATED AT
140 ORANGE AVENUE (SECTION 54.43, BLOCK 2, LOT 3)
FROM MR-15 TO CB

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

Section 1. Chapter 266 of the Code of the Village of Suffern, the Zoning Local Law and Zoning Map of the Village of Suffern, is hereby amended by changing the zoning district designation for property known and designated on the Tax Map of the Village of Suffern as Section 54.43, Block 2, Lot 3 from a MR-15 zoning district to a CB zoning district.

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

A motion to adopt Local Law No. 14 was made by Trustee Abato, seconded by Trustee Meehan.

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

NOES: None

ABSENT: None

GRANT WRITER:

The Mayor said he got a message from the grant writer early this evening. He is unable to attend but he wanted the Mayor to relay

a couple of items. One, they are moving forward with the committee meetings for the community development block grant. They will have two committee meetings to make recommendations to the Board to be adopted before January 31. In addition, the Mayor believes he is working with Virginia in coming up with a meeting that is required by the office of Community Development for all members of the Village Board, planning board, zoning board to attend with reference to fair housing education so that they can obviously be educated on that but also it is required to be eligible for community block grant money. And in terms of the façade, the construction company is ready to move forward and should begin work any day on at least two buildings. And getting to move forward beyond that so in the next week or so.

VILLAGE ATTORNEY:

A) Appraisal of Pleasant Avenue:

Attorney Terry Rice said we discussed at the workshop meeting the necessity to get an appraisal of a portion of Pleasant Avenue that the Village is considering declaring surplus because if the Village does so they have an obligation to get fair compensation for it. Attorney Rice said he has a proposal from Armstrong Appraisals from Clifton Park. They apparently specialize in this type of appraisal work and their proposal is for \$1800 for the appraisal and they will provide it within 15 business days. Trustee Falciglia asked why they were so far away. Clifton Park? Attorney Rice said they specifically do this kind of work. The Mayor said near Schenectady. Trustee Falciglia said nobody closer? Attorney Rice said that ultimately it will be reimbursed as part of the sale if the Board decides to do that and goes forward. A motion to have the appraisal by Armstrong Appraisals was made by Trustee Abato, 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

POLICE DEPARTMENT:

The Mayor told Chief Clarke Osborn that he did a phenomenal job during a difficult storm particularly Monday night. It was really hairy out there for a while and everyone did a great job and truly made sure that the Village was safe and he thinks we

definitely faired better than a lot of other communities. And the Mayor knows that the Chief and he on Friday went over to Piermont and saw what they have gone through and we offered them assistance. And also Chief talked to you and Chief Kanasky about helping in offering them assistance in dealing with FEMA. Obviously they are going to be going through the same situation that we dealt with trying to get funding for residents as well as the expenses associated with the governmental response there. So helping our neighbors.

Chief Osborn thanked the Mayor and Board and he also wanted to, as Chief Stark said a little while ago when he first got up is to thank all of you for letting them do their job. They appreciate that. It was definitely a little hectic Monday night and the residual effects are still going on in the Village and we are doing what we need to do to help out as needed. And he just wants to thank Gail, Mike, DPW, Tom and everybody stepped up and they had a good thing going with what they had to deal with. And hopefully places like Piermont and Stony Point - the one thing we can offer them is unfortunately being through it before is that we can offer them a little knowledge and assistance of having similar circumstances during Irene. So he appreciates that.

A) Resolution No. 10 - Reimbursement from County of Rockland Narcotics Task Force (\$100,000):

Chief Clarke Osborn said he just had two resolutions tonight and these are for reimbursements. And one of the requirements from the County of Rockland is a resolution for each one. Chief Osborn said that Resolution No. 10, which is reimbursement from the County of Rockland Narcotics Task Force which will be in the sum of \$100,000 and that will be reimbursement for Detective Mike Fennessey who has been assigned to the narcotics unit for the past year to do investigations in Suffern as well as the county as a group supervisor. Trustee Meegan-Corrigan read the following resolution:

RESOLUTION NO. 10, 2012

RESOLVED, the Mayor is authorized to execute an agreement with the County of Rockland for reimbursement for participation in the Narcotics Task Force in the amount of \$100,000.

A motion adopting Resolution No. 10 was made by Trustee Abato, 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

B) Resolution No. 11 - Reimbursement from County of Rockland for Surveillance Equipment and License Plate Readers (\$61,630):

Chief Osborne said the second resolution, No. 11, is also reimbursement from the County of Rockland. That will be for surveillance equipment and license plate readers. If you have ever seen in the back of our patrol car, on one car we have them, there are two boxes on the back of one of the cars - it is license plate readers. They monitor every license plate that you either pass or passes you. It stores it in a central data base. In one year, from 2009 when we first got them, in the first eight months we ran over 800,000 plates which is very good in the course of investigations. And we made in the first year over 180 arrests for suspended plates, for suspended registrations and for stolen vehicles. So the first plate reader that we received was a grant from New York state and this would be for two more from the County of Rockland from the seizure committee, which he sits on as well for the county, and we will be receiving two more as well as surveillance equipment for covert operations for \$61,630. Trustee Meegan-Corrigan read the following resolution:

RESOLUTION NO. 11, 2012

RESOLVED, the Mayor is authorized to execute an agreement with the County of Rockland for reimbursement for surveillance equipment and license plate readers in the amount of \$61,630.

A motion approving the resolution 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

Chief Osborne thanked the Mayor and Board for all their assistance.

The Mayor said in the meantime if anybody would like to discuss

the other properties that were subject to the continuation of the public hearing, Mr. Lange will be outside in the hall so if you have any questions it would be a good time now since he is here he can answer those questions.

Trustee Abato said to the Chief that she didn't know. She said she was probably overstepping her bounds here but did he want to mention while he was up here about the gift cards. Chief Osborn thanked Trustee Abato. He said that one thing they are doing for the residents in Rockland County - obviously this storm was catastrophic throughout New York, New Jersey and Connecticut. One of the things that they are going to do here in the Suffern Police Department to assist other county residents is they have started to collect gift cards, which they received a very sizeable donation today. And they are going to be distributing those to Piermont and Stony Point. He said he has spoken to the police chiefs of both communities. He said we are going to focus on those two areas. Those seem to be the hardest hit. He said we can appreciate that. When we went through Irene the other communities stepped in and helped us out. So we are definitely going to reciprocate that back and we are doing very well. He said they literally just started yesterday. He said they are just going to collect gift cards - really any kind of gift cards for clothing and food will definitely help. Because unfortunately most of the families lost everything - their houses are gone. It was devastating in Piermont. The tidal surge wiped out a whole community over there and these people are left with nothing. There are many little children and elderly people as well. So it is definitely something we want to do. So thank you for reminding him.

AUDIENCE PARTICIPATION:

Dave Hirsch of 74 E. Maple Avenue said to the Mayor and Village Board members that at the July 9, 2012 Village Board meeting he had discussed the possibility of an alternative at the quarry and that was creating an extreme sports park fashioned after Brownstone Quarry. And there is a lot of interest from Brownstone regarding the quarry. They are going to be down in the city the weekend before November 12. They called him and asked if they could get in for a physical view of the quarry for 20 minutes, maybe 30 minutes on Monday, the 12th at 11:00 a.m. He asked if we could facilitate that. The Mayor said he could talk to the Town of Ramapo. They are in possession of the property. Mr. Hirsch said he understands. But he also believes that the planning board has been escorted up there. The Mayor said with respect to looking at the application that was made by Quarry Ridge. Mr. Hirsch said once again. He understands that but they won't even -

Brownstone won't even consider coming to you and making an alternative proposal unless they can just have a 20 minute view - just to see if they are even interested. Trustee Falciglia asked if we could call the Town of Ramapo. He said that is Veterans Day and he is off and he would like to see it himself. The Mayor said yes - it is like anything. It is in the Village of Suffern but we don't control the property. So if you want you can contact the Town of Ramapo and the applicant and they can let you into the property. The Mayor said that is the answer. He said he doesn't know what to tell him. It's like if we don't have access. He said he can't grant access to your home. Mr. Hirsch said he understands that. The Mayor said it is not my property. Mr. Hirsch said he understands that. He understands that. He said so you are telling him that the planning board went to the Town of Ramapo in order to access the property. The Mayor said the applicant - yes - the applicant, Quarry Ridge, wanted the planning board to take a look at the property so they did that. So the applicant and the Town of Ramapo are the controlling parties. Mr. Hirsch said right. But he has become the liaison for Brownstone. And they are asking - the Mayor said okay - Mr. Hirsch said the bottom line is this. They are on their way driving back to Connecticut. They are asking him do you think the Board would accommodate us and just let us walk in for twenty minutes. The Mayor said he is just trying to tell him that we don't control that property. So again it's kin to saying - if someone said I want to see Dr. Hirsch's house, he would say call Dr. Hirsch if he wants you to be there. So it is the same - he said he is not trying to be evasive or anything. It is just that we don't control that property.

Mr. Hirsch asked if he could ask him this. He said just one minute. He said that after the storm he has no services. He has no phone. Can he ask the Mayor to do them a favor, on behalf of the Village, to make a phone call over to the Town of Ramapo and ask them. Trustee Abato said she will. She will do that. Mr. Hirsch said and just get back to him. Trustee Abato said she will take care of that tomorrow. She asked him to leave a number with Gail. Mr. Hirsch said honesty, he doesn't have a phone. Trustee Abato said how do we get in touch with you. Mr. Hirsch said you can leave a message at the clerk's office and he would be more than happy to pick it up. Trustee Falciglia said he would like to see the property too if you can arrange with him, he will come to his house. He will personally come to his house. Trustee Abato said that by 3 o'clock tomorrow she will have an answer for him. Check in with Virginia around two or three tomorrow afternoon and she will get in touch with the Town of Ramapo and find out if there is anyway that we can - Mr. Hirsch said he greatly appreciates the effort. Trustee Abato said no problem. Mr. Hirsch

thanked her.

Jim Giannettino of 2 Memorial Drive said he just had a quick question on the quarry. He said he has spoken to the chief. Different people or organizations have been using it to shoot weapons and it has been going on - the last one it went on all day long. This gunfire. And it was pretty loud gunfire. He asked if we were aware of this. Can we take control of this? He said he knows that somebody owns the property. But it is not zoned for a shooting range. Trustee Falciglia said this is the first he is hearing of this. Mr. Giannettino said he doesn't know if he has called the office. The Mayor asked the chief to come up. Chief Osborn said they have been using it - he said he knows they spoke to the Town of Ramapo and he believes you were made aware over the summer. They have a couple of training days a year up there. They are from the county police academy. It is really not our officers that are running it. It is not us. Mr. Giannettino said it was the town using it also wasn't it? The chief said they may have. He said he knows the county used it. Mr. Giannettino said he made a couple of calls up to the Town and their answer is we can do whatever we want. The Mayor said we - meaning who? Mr. Giannettino said the Town of Ramapo police department. The Mayor said we used it once - the town allowed our fire department to do a training exercise there as well once. Mr. Giannettino said that is fine. But to shoot guns all day long. The Mayor said he can check into that. He asked Mr. Giannettino if he had a date. The chief said he had a date. And they did it during the summer with the pool open which he doesn't think was a very good idea. Trustee Abato asked if we could just clarify. She said at his first comment she thought people were just up there with guns - Mr. Giannettino said no, no. He said organizations. Trustee Abato said law enforcement in particular only? Mr. Giannettino said yes. Mr. Giannettino said the police academy and the Ramapo police. Trustee Abato said okay. Mr. Giannettino said that is what he knows of. Trustee Falciglia said he would hope they know what they are doing.

Michael Curley of 84 Orange Avenue said the first concern with the quarry should be water alleviation for the neighborhoods that are in trouble in the Village of Suffern. Secondly, homes or a water park. But the first concern only should be how to use that area and the drainage area to protect neighborhoods in this Village and to protect everyone in this Village. Then everything else comes secondary. What happened years back was the Town of Ramapo put out that property as some sort of bid project. The concern was that Quarry Ridge had won that bid. That bid was put out to a public bid. Quarry Ridge supposedly won that bid. The Town of Ramapo is the owner of that property and the Village of

Suffern gets to control the zoning on it. So they can't do anything without us in there. So anything that goes in there is only secondary to water alleviation for all the neighborhoods in the Village or things that the Village people need - the residents may need. Secondarily, the Town of Ramapo now has spent approximately they are claiming about \$550,000 since they bought that property. So they already have an investment here. He said he suggested this years back and he will suggest it again. The Village of Suffern should be able to get it at the same price as that bidder paid for it which was 2 million dollars. Quarry Ridge, in their contract, is paying 2 million dollars for that piece of property. That piece of property is worth a multitude of that. Now he doesn't disrespect Quarry Ridge or anyone for doing business and trying to move on and make money. You probably could get state money to help pay to alleviate the water problems - whether it is Squires Gate or water that backs up Memorial Drive and wherever else. But you have to first understand all the factors. A park is a good secondary. But the park is a secondary to try to keep - the intention is to keep homes out. You first have to say how are we going to help this people in this Village who are getting destroyed. We have an obligation as neighbors and as residents. But you have to recognize that Quarry Ridge won't just say hey, I'm going to leave now. Why should I leave now? I have an investment here. So we have to make a choice - a choice to invest in our Village for the long run. And we have to make a choice to maybe try to take that property over a long-term bond ourselves and enter in contracts ourselves as a Village to go and put other things in there to protect the residents.

Mr. Rich Karrp of Lonergan Drive said he thinks the last time he saw them or the time before he saw them or the last time when you were worried about those houses in Squires Gate being up - being knocked down by the river and you had them shored up again. He said he thinks that is something to think of too. We lucked out. We really lucked out. Those houses are still standing. And he is right next to them and he is still standing. He said with all due respect, if those houses toppled into the river, then what? Okay, he said that. That is why he is here anyway.

He said as far as the quarry. He asked him a question the last time he saw them. He said he heard that the Town of Ramapo has applied to the federal government or FEMA for a grant to fix up the pumping - to install the pumping station without any buildings at all going in there. He said he asked him if he heard about it. You said yes you had heard about it. Mr. Karrp said he asked him well he was told that it was approved. You said you didn't know that. The Mayor said he would check into it. Mr. Karrp said you would check into it. Now, if the Town of Ramapo

has applied for a grant through FEMA and the federal government and if what he heard is true that they were approved for flood mitigation, all this about the houses and the park is done. Trustee Falciglia said the Town of Ramapo has not been approved for any funding. That is not the way it works. Mr. Karrp said okay. Trustee Falciglia said he has a prepared statement that he was going to read. The Mayor said go ahead. Trustee Falciglia said okay. He said he just wanted to read a prepared statement on behalf of himself into the record. He said the quarry was obtained six years ago by the Town of Ramapo for a flood mitigation project to attempt to alleviate flooding in lower Suffern. Six years and two hurricanes later, however, the project is still on the drawing board. There have been no legitimate reasons for this delay. And one can argue that with stronger political will this project may already have been in an advanced stage or fully completed. In addition, to my knowledge, there has never been any alternatives proposed for the development of the acreage above and beyond the required acreage for the flood project. No thought seemingly has ever been given to the possible failure or that a smarter alternative may have existed. No federal funding was sought until March of this year. A letter of intent oddly sent the day prior to my community view questioning same. Now I have been put into the position of having to vote on two projects joined at the hip which could have been pursued unilaterally. Poor planning, indifference, incompetence, lethargy and any other words you choose to describe the situation has left me with a clear conscience of the situation. Accordingly, I would call on the Town of Ramapo to complete the flood mitigation project prior to initiating any building project. I would additionally request that the town seek alternate proposals to the current proposal to allow the Village of Suffern to perform a comparative analysis of all proposals in respect to revenues, cost of services and quality of life. I am available at all times to discuss this matter with anyone who so desires.

Mr. Karrp said about three or four years ago he was in the town hall paying his taxes and he happened to see our illustrious supervisor and he was smiling. And he asked him what is going on with that. What happens if nothing is built. And he told him well then we will build it. And then he heard about the grant that they applied for and that is why he asked. Nobody else knows about anything. Trustee Abato said it is funny that you say that because she gets the same response from him. You know at some point you have to be realistic that it is going to be built on. Well, she doesn't agree with that. Mr. Karrp said we lucked out. Nobody lost power. Nothing. Trustee Abato said yes. Mr. Karrp said the sun shone and the river did not go up more than about 8 inches. Trustee Abato said right, we were lucky this time. Mr.

Karrp said we were lucky. And the Mayor was afraid and everybody. He said he saw them here that night with the engineer and everybody else.

Trustee Abato said she actually had the opportunity to speak with Phil Tisi because it is difficult to reach - Mr. Karrp said he called up and spoke to Phil last week and asked him and he said he'd find out about it. Trustee Abato said right. She said she actually had a conversation with him regarding the same situation. Mr. Karrp said a lot of people don't even know what is going on. He just happened to be at the right place at the right time and he heard something and he asked about it. Trustee Abato said she did speak to him and she told him of our frustrations of all the communication that the Mayor and Village Board members are trying to have with the Town of Ramapo. Jack Meehan has spoke several times on this. And the fact of the matter is that the communication is horrible. And he and she are actually going to meet to try to formulate a better form of communication. She said she thinks this has gone on quite long enough about the quarry and she does feel, and she knows that all of them on the Village Board feel that if there is any possible way that they can get funding to help with flood mitigation for anywhere - to help with Squires Gate area we are on it. The problem with this particular property is that it is in the Town of Ramapo's hands right now. So we are starting to look like beggars at this point. Mr. Karrp said he was even thinking, just him going to a board meeting in the Town of Ramapo and just get up and ask. The Mayor said thank you. Trustee Abato said please do. That would be great. Mr. Karrp said at least the people would know him. Trustee Abato said that would be great.

Sam Jannarrone of 73 E. Maple Avenue said that first off he would like to thank our police, fire and department of public works workers and leaders all for the help they have given us on E. Maple Avenue. They have been out of electricity since 10:30 the night of the storm and a number of people he would like to commend. Charles Sawicki in particular, who repeatedly went to Orange and Rockland and has spearheaded the effort to get the power turned back on their street. He would like to thank Clarke, who is here, and Charles, who obviously is not. Mr. Jannarrone said he would like to continue regarding Dave Hirsh's request that the quarry be opened to the developers of the Brownstone Park. Mr. Jannarrone said he is not sure whether or not the Board has explored - Jack Meehan told him that he went to the website and looked at it and he is not sure as to what extent he did. This park is a successful, money-making operation that benefits the city of Portland, CT. It is about a half hour south of Hartford. The governor of Connecticut, Malloy, visited the park

this summer and commended them for turning what was a wasteland into a productive enterprise. Now he has been in construction his whole life and he realizes that something and numerous things are going to be built in the quarry. There are a number of options. They have been discussing with Orangetown the possibility of a solar field - a solar-power field on the property back by Novartis who wants no development in there. They are doing that on Route 303 at the old landfill. The Mayor said he would like to ask him a quick question. The Mayor asked if he had brought any of these, and he is not trying to - Mr. Jannarrone said excuse him - the Mayor asked if he had brought any of these ideas to the Town of Ramapo at a public hearing because they control - Mr. Jannarrone said they are looking to them to be their representatives. You were elected to be their representatives. The Mayor said he understands that. Mr. Jannarrone said Chris St. Lawrence ignored all their pleas regarding the baseball stadium and we are all paying for it right now, including you. The Mayor said he understands that - we will - Mr. Jannarrone said no, we have not gone to the town. The Mayor said we will protect - Mr. Jannarrone said as far as he is concerned Ramapo is a dead end at this point. The Mayor said he understands but we will protect the Village's interest in anything that moves forward but we cannot look to try to develop a property that we don't own. He said he understands what he is saying. Mr. Jannarrone said he understands that. The Mayor said he is trying to assist them - Mr. Jannarrone said what can you do? He said he heard what you can't do. What can you do. The Mayor said what we can do is that anything that moves forward that comes to the Village Board we can make sure that whatever is proposed that we protect the interests of the Village of Suffern. Mr. Jannarrone said there is no equivalence between letting somebody look inside Dave Hirsh's house to someone letting to look at the quarry. The Goldstein's are not applying to put up a two car garage in somebody's back yard. This has the potential to benefit the Village of Suffern to a degree that has been unavailable. The Mayor said we will contact them and try - Mr. Jannarrone said excuse him, can he finish? The Mayor said sure, sure. Mr. Jannarrone said what village that has been developed for a long time has 60 acres become available within its coordinates. This is a godsend to us and if the Goldstein's are allowed to come in there and spoon feed you and the residents of Suffern a project where they can collect rent in perpetuity and ruin that property forever then the Village is being poorly led at this point. Trustee Abato said she would just like to say something. She was just talking to Trustee Falciglia - he and her and she invites any other Board member to come with them - they are going to go to the next Town of Ramapo Board meeting. Mr. Jannarrone said they will go with them. They will be happy to. Trustee Abato said okay. So anyone who would like to

come with them, they will go up there and they will definitely be able to see Chris St. Lawrence at that time and they will try to get some answers publicly. Maybe that is what they need to do. So Charles and she are going to go - Trustee Meegan-Corrigan said she will go - Trustee Abato said Jo is coming - Trustee Meehan said he will go too - Trustee Abato said Jack is coming. She said we will all go up there and - Mr. Karrp said he would go - Trustee Abato said let's go as a Village, a concerned Village, about a piece of property and find out if there is anything that is going to be done to help Squires Gate and where we are on this and we will have to get an answer at that point. Mr. Jannarrone said thank you. That is great.

The Mayor said he would like to say something. He said he is not trying to - all he is trying to tell him is that it is kind of like his professor said - right church, wrong pew. And we can help him out and protect the Village but we don't control the property. Mr. Jannarrone said he understands that. The Mayor said if someone wants a proposal then we will assist you. All he is trying to say is that to say can you come in and let this group come in and take a look at the property, it is not our ability or right to do that. Mr. Jannarrone asked if he could suggest - the Mayor said we will give you whatever assistance we can, and again he is not trying to be difficult but he just wants to steer him in the right direction. And he knows there is a frustration because you come here and we are here and we answer questions every month. So you go to the part where you can speak to where you may not be able to do that with respect to the Town of Ramapo and he understands the frustration. But he just wants to make sure that we all have the proper information. And that is all he is trying to do. Mr. Hirsh has a completely valid point but as Mrs. Abato is saying and Mr. Falciglia - you should go to the person that controls the property and make sure that you bring this proposal to them. Mr. Jannarrone asked if the Village of Suffern could apply any pressure to the Town of Ramapo. The Mayor said we are going on this trip here. Trustee Abato said that is why we are going on a field trip. Mr. Jannarrone said aside from going to a meeting. Trustee Abato said that is the best way to do it. The Mayor said that is the best way.

Mr. Jannarrone said he had another avenue. He said that Deputy Mayor Corrigan and Jack Meehan were kind enough to meet with them two Monday's ago, he believes it was, and introduce themselves to a number of the residents of the Village. At that meeting, they learned a number of things. It was very beneficial. A lot of the neighbors got to know them. At that meeting, Jack Meehan told the assembled crowd that his wife and Shelly Goldstein's wife are friends. Mr. Jannarrone said maybe he could speak to Shelly one

night. Trustee Meehan said excuse him. If you heard that - his wife does not know Shelly Goldstein's wife. Mr. Jannarrone said or Jeff Goldstein's or one of the Goldstein's wives. Trustee Meehan said no - as a matter of fact his wife, and he doesn't know why her name has been brought up - is actually a good friend. They were talking about someone else. A local engineer and his wife and the local engineer's wife are both members of the Suffern Junior Women's club and they have known each other for about twenty or thirty years. And so the facts - Mr. Jannarrone said just another avenue that maybe you can explore. Trustee Meehan said excuse him but there is a big difference between Goldstein and this engineer's wife. Mr. Jannarrone said he also learned at that meeting that there is a deal that you told us - and he doesn't know who told him - but that Avon and Arco Management made a deal to purchase the property behind Avon. Is that correct? Is he recalling that correctly. Trustee Meehan said that he thinks that Quarry Ridge has been in touch with Avon because the preliminary proposal that Quarry Ridge shared with all the members of the Board involved an easement, involved the construction of a bridge over the Mahwah River and it would involve using Avon property land. So he presumes that they have been in - the Mayor said that is public. That is on the website. Mr. Jannarrone said what is on the website? The Mayor said the plans. Mr. Jannarrone said yes, he read that. The Mayor said he just wants to make sure again and he is not trying to put words in Mr. Meehan's mouth but he thinks it is important again that the facts are accurate. There is a proposal that has been made and that proposal contains an access point which would be on Washington Avenue and would cross over Avon's property. So he thinks that is to the extent that that would be the case. Whether or not they have contacted them or to what extent - Mr. Jannarrone said that Mr. Meehan told them that an agreement had been reached between Avon and Quarry Ridge to purchase that property. The Mayor said he is not aware of that. Trustee Falciglia said that someone on the Planning Board told him it is completely opposite. The Mayor said he is not aware of that at all. Mr. Jannarrone said alright then let's dispel a rumor. The Mayor said we are throwing out a lot - Trustee Falciglia said this is all hearsay. Mr. Jannarrone said he would like to propose one thing so we don't have to go through this every month because frankly he is getting tired of it too. Can we form a committee and he doesn't know whether this should be of citizens in the Village with public officials and sponsored by the Village of Suffern to examine alternatives to the present plan at the quarry. Trustee Abato said okay. What she wants to do - and this is the plan that she really has in her head. She really wants to start with going up to the Town of Ramapo and getting the answers from the horses mouth. Mr. Jannarrone said thank you. Trustee

Abato said and then we can take it from there. And she would like to revisit that sentiment that Mr. Jannarrone just shared with them. She said she doesn't think it is a horrible idea but again we need to have answers from the Town of Ramapo where they are going. Because we could form as many committees as we want but we don't have control over the property. Mr. Jannarrone said he understands that. Trustee Abato said so what we can do is we can go to the Town of Ramapo and let's get the answers from him publicly. Let's find out where they are and we are not leaving without answers and then we can go to the next step. She said what she really wants to do, and if you are watching Chris, get ready - she really wants to pin him down to somebody who is going to be liaison for them that we can contact directly to get the information instead of these empty messages - Mr. Jannarrone said Suffern does not have a liaison with the Town of Ramapo regarding the quarry - Trustee Abato said no, no, it's not that we don't have a liaison. She said she wants a liaison specifically for this quarry project who has the immediate answers for us who is up on exactly what is going on with that property. Mr. Jannarrone said that would make a lot of sense. Trustee Abato said a lot of sense. Mr. Jannarrone said at this late date. Trustee Abato said right. So once we have that - she said we tried, trust her - it is not for a lack of trying but she believes if we go up to this board meeting, we go up in numbers, she will prepare a statement with the questions with everything that has come up here at the meetings and please feel free to do so themselves and let's pin him down to giving us answers of exactly where they are at that particular moment with this project and what is going on. Mr. Jannarrone thanked Trustee Abato and said he appreciated her time. Trustee Abato said no problem. And he said thank them all for helping them out during the storm.

Trustee Meegan-Corrigan said that since she is on the phone with FEMA all the time on those four homeowners, she will see where that project sits. Trustee Abato said which one? Trustee Meegan-Corrigan said the project that they put in that Mr. Karrp is referring to with the flood mitigation with the pumping station and the quarry. Trustee Abato said okay. Trustee Meegan-Corrigan said because they did put that in. Trustee Abato said that is great. The Mayor said okay. Trustee Falciglia asked if it was federal funding? Trustee Meegan-Corrigan said correct. Trustee Abato said she heard it didn't go through. The Mayor asked if there was anything else. We have some people who are waiting who have other items on the agenda.

VILLAGE CLERK:

A) Approval of Minutes of Regular Board Meeting - October 1,

2012:

Village Clerk Virginia Menschner said first we have the approval of the regular Board meeting of October 1. A motion approving the minutes was made by Trustee Abato, seconded by Trustee Falciglia. Upon vote, the motion was carried.

B) VFW and American Legion - Request for Veterans Day Parade - Monday, November 12, 2012:

The Village Clerk said we have a request from the VFW which she read as follows:

Dear Ms. Menschner.

We respectfully request a permit to conduct a Veterans Day parade on Monday, November 12 with both the VFW and American Legion who will conduct the parade. We will assemble at the Village Hall beginning at 10:30 a.m. and proceed to the Soldier's Monument for the 11 o'clock ceremony. The ceremony is scheduled to end at 12.

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

C) Penflex Service Award Program Fee - \$5100 - Last Year \$4700:

Ms. Menschner said next we have a bill from Penflex and this is for the standard service fee schedule. Last year it was \$4,700 and this year it is \$5,100. She said the Mayor could explain that this is the - the Mayor said this is the service award program - Ms. Menschner said the service award program for the fire department. A motion authorizing the fee was made by Trustee Abato, 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

D) Request - Live Entertainment - Taita Restaurant Corp.:

(The Mayor stepped out the meeting at this point.)

Attorney Rice said the next item is the application for a live

entertainment permit from Taita. They propose live music Friday's and Saturday's from 8 p.m. to 2 a.m. and on Sundays from 5 p.m. to midnight. Karaoke Friday's through Sundays from 8 p.m. to 2 a.m. And they also ask for the ability to provide for private parties and catering at all times. Trustee Abato asked who was here from Taita because she had a few questions. A lady came up to the microphone. Trustee Abato said she had some questions for her. First of all, you are saying live music. What would that entail? Is that a band. What kind of live music? The lady said this is the second time they are requesting the permit. They already had two events in her place and with it they play small band - Trustee Abato said like three pieces? Trustee Falciglia asked how many band members? The lady said five people. Trustee Abato said five band members. When we do the permits we need to know, we need to specify how much and that is all you can have. The lady said okay. Trustee Abato said so that is what she wanted. So you are saying no more than five. The lady said no. Trustee Abato asked what kind of music is it? The lady said all kinds of music. Trustee Abato said and also, and she didn't know if she was aware, but we have a 1 a.m. She said they had 2 a.m. That would have to be 1 a.m. And also the other thing is the ability to provide for private parties. If it doesn't fall within the time constraints you would have to ask the Board for special permission. The lady said that is regarding people that come to rent the place for a particular party like - Trustee Abato said we can't just leave that an open door for her. That is something that would need approval. Unfortunately, we can't just allow them to have music whenever they want to because it is a private party. So if you have someone that comes in to have a party then you need to come here and apply for a special permit to have music on that particular time outside of whatever your permit is good for. Trustee Abato said that is with every business, not just hers. That is just the policy of the Village. So basically you are saying that it would be live music on Friday's and Saturday's and it would be 8 p.m. to 1 a.m. The lady said yes. Trustee Abato said Sunday's from 5 p.m. to 11 p.m. With our policy it is only until 11 on Sunday. So you would have Saturday's from 8 p.m. to 1 a.m. and Sunday's from 5 p.m. to 11 p.m. And then the karaoke sing-along Friday through Sunday would be 8 p.m. to 1 a.m. on Friday and Saturday and only to 11 on Sunday. And then the ability to provide for parties and catering at all times - that is something that we can't agree to. The lady said okay. She said if she needs to request a permit we have to come here. Trustee Abato said absolutely. Come to the clerks' office and request a special permit.

Attorney Rice said if he understands what she wants. It is approving the permit subject to and conditioned upon the

following: live entertainment consisting of a band of not more than five individuals or karaoke on Friday evenings and Saturday evenings until 1 a.m. and for karaoke only on Sunday's until 11 p.m. The Mayor or police chief reserves the right to revoke the permit for violation of the terms of the permit or if unreasonable disturbances are created at the premises. Noise shall not exceed 90 decibels at the property line and the permit is not valid until the owner signs and returns a copy of the letter that is sent from the clerk's office indicating that they are aware of those conditions and will abide by them. The motion was moved by Trustee Abato, who said that just means that your permit, even if we approve it, until you sign the letter and return it to us, you can't start your live entertainment. The lady said okay. Trustee Abato said so you will be getting a letter from the Village Clerk's office. You need to sign it, bring it back to her, and then you can start your live entertainment. Attorney Rice said he would suggest normally that we do these to the end of the calendar year but since it is November to make this to the end of 2013. Trustee Abato said that would be fine with her. She told the lady that you will have a year and a few months instead of just one year. Usually in January you would have to come back again to renew it because you have to renew it every year but we are saying that we won't make you come back this January. You will come back next January. The lady said okay. Thank you. Trustee Meegan-Corrigan said to the lady that tomorrow she can see Virginia and she will go over everything all over again with her. The motion was seconded by Trustee Meehan.

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

NOES: None

ABSENT: Mayor Dagan LaCorte (who stepped out of the meeting)

E) Return of Unpaid Taxes - 2012 (\$223,452.38):

The Village Clerk said she has one more thing. We have the return of unpaid taxes. Our Village taxes were sent out in June. And now we have the opportunity to take the unpaid taxes and send them over to the county which in turn pays us when they collect them in January. The amount of the taxes are \$223,452.38 and the warrant has to be signed by the Mayor and three Trustees. A motion was made by Trustee Abato, seconded by Trustee Falciglia.

AYES: Deputy Mayor Jo Meegan-Corrigan

Trustee Charles Falciglia, Trustee Patricia Abato
Trustee John Meehan

NOES: None

ABSENT: Mayor Dagan LaCorte

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that just so you know, our computers are up and running. We were down last week. Our annual audit has started as of today and as of last Thursday, we sent out the water and sewer bills totaling approximately 1.75 million dollars and he would like to thank the residents who have been coming in and paying. He greatly appreciates it.

MAYOR:

A) Approve Chief Clarke Osborn and Lt. John Bonkoski Contracts:

Deputy Mayor Meegan-Corrigan said we have the approval for Chief Osborn and Lt. John Bonkoski contracts. A motion to approve the contracts was made by Trustee Abato, seconded by Trustee Falciglia.

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

NOES: None

ABSENT: Mayor Dagan LaCorte

B) Colleen Mueller - 4% Increase to \$34.28 per hour:

Deputy Mayor Meegan-Corrigan said for Colleen Mueller this is a 4% increase to \$34.28 per hour. Trustee Abato said that is actually to - Trustee Falciglia said there is no salary increase - Trustee Abato said Colleen has actually moved into a new position in the police department so that would be her salary at that position. Trustee Abato made the motion to approve it, seconded by Trustee Falciglia.

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

NOES: None

ABSENT: Mayor Dagan LaCorte

C) Promotion - Terry Dunnigan to Maintenance Helper - \$23.42 per hour:

Deputy Mayor Meegan-Corrigan said this is a promotion for Terry Dunnigan to Maintenance Helper at \$23.42 per hour. A motion approving the promotion was made by Trustee Meehan, seconded by Trustee Abato.

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

NOES: None

ABSENT: Mayor Dagan LaCorte

D) Promotion - Michael Alvarez to MEO I - \$22.94 per hour:

Deputy Mayor Meegan-Corrigan said this is a promotion for Michael Alvarez to an MEO I at \$22.94 per hour. A motion approving the promotion was made by Trustee Abato, seconded by Trustee Meehan.

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

NOES: None

ABSENT: Mayor Dagan LaCorte

E) Hire Daniel Horton - Laborer - \$15.52 per hour:

Deputy Mayor Meegan-Corrigan said this is to hire Daniel Horton as a laborer at \$15.52 per hour. A motion approving the hiring was made by Trustee Abato, seconded by Trustee Falciglia.

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

NOES: None

ABSENT: Mayor Dagan LaCorte

ADJOURNMENT:

Trustee Abato said she just had one quick comment. She just wanted to say how proud she was of this Village through the last storm. She worked very closely with Chief Osborn and Mike Stark and their departments and she has to tell you that she at no time felt panicked or unsafe in this Village. She watched this Village Board come together and worry about each and every part of this Village. When it was Squires Gate it was kind of a little different because we knew where we needed to be. During this storm it was a matter of where do we need to be next. And it was really scary for her until she turned around and looked at Chief Osborn and Mike Stark and Dan Haglund, who always had this Village completely under control and she salutes each and every one of them. Scott Brown who is here from the DPW tonight. These guys worked tirelessly and never complained. Filled sandbags. Went to different - Trustee Meegan-Corrigan said 4,000 sandbags. Trustee Abato said 4,000 sandbags. Went to different buildings then they are accustomed to working in. Did whatever they were asked to do and still worried even after that was done. So she guesses she just wanted to say thank you - Joe Hunt don't leave without her mentioning his name. Joe Hunt, thank you, for all your tireless hours. She said this Village pulled together once again and fortunately we didn't have what we had during Irene but it was good to see everybody come together and she is so happy that we are able to reach out to the communities that reached out to us during our time of need.

A motion to adjourn at 9:19 p.m. was made by Trustee Meehan, seconded by Trustee Meegan-Corrigan. Upon vote, the motion was carried.