

**Village Board Meeting
Monday, April 5, 2010**

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 Bruce Simon
Trustee John Meehan

ALSO PRESENT: Virginia Menschner, Village Clerk

ABSENT: Terry Rice, Village Attorney
Trustee Andrew Haggerty

SET DATES FOR MAY MEETINGS:

The Mayor said the first order of business is to set the dates for the May meeting. The workshop will be Wednesday, April 28 at 7:00 p.m. The regular Village Board meeting will be Monday, May 3 at 7:30 p.m. And the meeting to adopt the budget, which we will be discussing tonight, is set for April 19, which is two weeks from today on Monday, at 7:00 p.m.

FIRE DEPARTMENT:

A) New Member - Daniel Kinsley - Volunteer Hose Company & New Member - Keith Dillon - Hook & Ladder Company:

Chief Dan McInerney said that on the agenda he has two members for insurance - to add to the insurance rolls. One is from the Hose Company, Daniel Kinsley, and Keith Dillon from the Hook and Ladder. A motion approving the members was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

B) Request to Send Joe Hunt to the NYS Fire and Life Safety Education Seminar - May 27 to May 30 - Cost \$216:

Chief McInerney said the second item is for Joe Hunt, who is the Fire Prevention Officer for the Fire Department, to attend the NYS Fire and Life Safety Education Seminar May 27 to May 30 at a cost of \$216. A motion approving the request was made by Trustee Abato, seconded by Trustee Simon. The Mayor said that his understanding is that it was cancelled. Chief McInerney said the seminar part is cancelled but he is still going up for the weekend.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

C) Permission for Hose Company to have Dedication Party - Saturday, June 5, 2010 - Open House to Public between Noon and 3 p.m. - Fire Department Guests between 7 and 11 p.m.:

Chief McInerney said this is for permission for the Hose Company to have a Dedication party on Saturday, June 5, 2010. Open house for the public will be between noon and 3:00 p.m. and Fire Department guests between 7 and 11 p.m. A motion giving permission was made by Trustee Abato, seconded by Trustee Simon. Upon vote, the motion was carried.

D) Request to Allow 3 Fire Chiefs to Attend the Firehouse Expo in Baltimore, MD on July 22, 2010 and July 23, 2010:

Chief McInerney said this is a request for the three Fire Chiefs to attend the Firehouse Expo in Baltimore, MD on July 22 and July 23. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Abato. Upon vote, the motion was carried.

E) Permission for 19-Tower, 2000, Patrol and Squad to be Taken Out of Town for the Following Parades: Haverstraw, NY, May 15, 2010; Port Jervis, NY, July 10, 2010; Garnerville, NY, October 2, 2010:

Chief McInerney asked for permission to take the following trucks - 19-Tower, 2000, Patrol and Squad - out of town to the following parades - Haverstraw, NY, May 15; Port Jervis, NY, July 10, and Garnerville, NY, October 2. A motion giving permission was made by Trustee Simon, seconded by Trustee Abato. Upon vote, the motion was carried.

The Mayor said that on behalf of himself and the Village Board he wanted to thank him and all the members of the Fire Department for a truly exceptional job that was done last month with all the weather - the rain, the snowstorms. They are just great and we really appreciate it. The Chief thanked the Mayor.

CULTURE & RECREATION:

A) Great American Clean-Up - April 17, 2010:

Mrs. Gail Curtin said that she believes the Board has copies of three different requests in front of them. She said she would start with the annual Rockland County Great American Clean-up which will be held this month in the Village of Suffern on the lawn outside Village Hall Saturday, April 17 beginning at 8:30 a.m. and ending at about 12 noon and once again Village resident Heidi Zambruski Ericson has offered to be the coordinator. A motion authorizing the Clean-up was made by Trustee Abato, seconded by Trustee Simon. Upon vote, the motion was carried.

B) Girl Scouts Powder Puff Derby - April 17, 2010:

Mrs. Curtin said the next is a request from the Suffern Girl Scouts who would like to use the Community Center and Recreation would co-sponsor this with them for a Powder Puff Derby. The girl's version of the Pine Wood Derby has finally come to fruition. This also is this Saturday, April 17, from 9 a.m. to 3 p.m. and the Certificate of Insurance naming the Village as an additional insured has been received and approved by our Village Attorney. A motion authorizing the request was made by Trustee Simon, seconded by Trustee Meehan. Upon vote, the motion was carried.

C) Girl Scout Troop 40808 Yard Sale - May 23, 2010:

Mrs. Curtin said that also from Girls Scouts in Suffern - permission to do a yard sale. They have done this for the past couple of years and would like to do it again on Sunday, May 23, from 10 a.m. to 4 p.m. and that also would be on the Village Hall green, otherwise known as the lawn in front of the municipal building. And once again the required insurance will be received before approval is given if you so agree. A motion authorizing permission was made by Trustee Abato, seconded by Trustee Simon. Upon vote, the motion was carried.

Mrs. Curtin said the Suffern Recreation Department's monthly update is as follows. Since the last Village Board meeting, Saturday, March 13, DARE Basketball Tournament at the Community Center. Friday, March 19, DARE Dance at the Community Center. Saturday, March 20, Wyldlife met at the Center. Sunday, March 21, the Suffern Rotary-Recreation Breakfast was held at the Center. Thursday, March 25, Senior Movie Afternoon, and Saturday, March 27, and she thanks each and every one of them for a record attendance at the Egg Hunt. She thanked all of them who were there to help them and the kids really had a good time. Upcoming events are: this Saturday, April 10, we will be departing Village Hall for a trip to New York City to see "Promises, Promises." And if they will allow her one last opportunity, Mrs. Curtin said they have a few tickets left so if anyone is interested in going with them this Saturday, please call the Recreation Office at 357-7943. AARP Tax Service continues on Tuesdays - tomorrow and the last one would be next Tuesday, April 13, from 10 a.m. to 2 p.m. April 16, Friday, DARE Dance. Saturday, April 17, the Great American Clean-Up. The same day, Powderpuff Derby. Friday, April 23, LEAD. Thursday, April 29, Senior Movie Afternoon. Sunday, May 2, and at this point she would like to call it the "proposed" bike rodeo, and Sunday, May 23, also approved earlier, the Girl Scout yard sale. And then finally, just a few miscellaneous items. Their department coordinated the taping of Mayor LaCorte's Suffern Update which was shown earlier this evening. The messaging system is up to 227. The Mayor said that the 500th person to sign up will get a \$75 gift certificate to the restaurant of their choice. So please visit and sign up for the Village messaging system. Trustee Meehan said if we have a pad, they can sign up on their way out. Mrs. Curtin said okay. She said that on March 17 and March 25, they interviewed applicants for positions at the pool. They will be doing more interviewing tomorrow and some more on Friday and they should be finished by this weekend. And on Mayor LaCorte's behalf, they have submitted Village of Suffern

Senior Citizen Vincent D'Esposito as a nominee for the Rockland County Office of the Aging for the Citizen of the Year. We should have that information in about two weeks, and she will let them know as soon as they get it. And then finally an update on the Stay Fit Senior program. They are continuing to average about 20 participants a day. The Mayor thanked Mrs. Curtin and said once again, thanks to her and the Recreation Committee for putting together a wonderful event a week ago Saturday - the Egg Hunt and Breakfast with the Bunny. And as always, unfortunately, we are upset that Kathy can't make it each year and maybe one year she will be able to make it. The Mayor said it is not the same without her. He said it was a little inside joke.

The Mayor said moving right along, they have a public hearing regarding vicious dogs. He said he knows that a number of people are here for that. The Mayor said he would like to say that before we open the public hearing, to a certain degree, this has been rendered moot. The impetus behind considering this law - currently there is a law on the books in the Village Code relating to vicious dogs. And typically, like many vicious dog laws, it is a one-bite rule. That a dog is considered vicious after it bites one person or attacks an animal and then after that is on record, then if the dog bites again, then the dog can be dealt with and the owner can be dealt with and it is a pretty successful law and it is a pretty common approach by many municipalities throughout the country. However, in one particular neighborhood, over the last year, there have been several attacks on people and on other dogs by a couple of pit bulls. And we had some debate about it and the Village Board was concerned that we didn't want anybody to get hurt and we don't want residents to not feel safe walking dogs or children playing in their neighborhood. Evidence presented to us suggested that while any dog can bite, and he knows that there is one particular case in the Town of Ramapo several years ago where there was a dog who attacked and there was a whole thing where they wanted to remove the dog and that happened to be a Golden Retriever. The Mayor said that while he is not a dog owner, they tend to be a particular docile breed but under this circumstance it hurt somebody. However, the evidence does suggest that of dog bites that lead to serious injury that overwhelmingly they are disproportionately pit bulls and rottweillers. Several years ago the Village Board, and he believes Mr. Meehan and Mr. Haggerty were on the Board at that time, passed a law which required pit bull owners to muzzle their dog. So what they were looking to do tonight was to add rottweillers to that law whereby if they are in public that those two particular breeds would have to be muzzled. The Mayor said we were prepared to have a public hearing tonight to discuss that and to take public comment and to ultimately vote on that. What is great about our democracy, while many advocated for the law, we also in the past week and a half received numerous amounts of literature, calls, e-mails from people who felt that breed-specific legislation was unfair and discriminatory. Specifically, they pointed to a provision in the State Agriculture and Market Act which provides that local laws may not regulate dogs in a manner that is specific as to breed. So our Village Attorney, Mr. Rice, couldn't be here tonight, and the Board

members discussed it and it seems pretty clear that we cannot pass a law that is breed specific. We are also looking in to determine whether our existing law which applies to pit bulls is legal. It would seem that based on when the State passed the law and when our law was passed that it indeed is not legal and ultimately our Village Code will have to be amended to remove that. So that being said, it is a very serious issue and we care deeply about the safety of our residents and we don't want anyone to get hurt. So really what we need to do is to educate people that if there is a dog that tends to be vicious that they report it to the police so that we have that on record. So again where someone goes in and that dog bit someone and it was the fourth time, and for purposes of the law, if there is no report of it then that is just considered a first bite. So that is where we are in terms of the law. He said he knows that many people came here tonight to talk about that and he hopes that this, to a certain degree, settles a lot of it because we are not moving forward with the law and again will likely strike the existing law from our books. We will continue to enforce the vicious dog law where the one bite law which he just explained applies. He asked if there were any comments from the Board first. And we will still open it up for public comment so feel free to come up, but again since we are not going to be voting on it or going forward, feel free to make comments but please try to keep them relevant. Trustee Meehan said he would be brief because he voted for that law and he was under the understanding that pit bulls were intrinsically vicious and he was told now that is not the case.

Pat Scully of the Village of Suffern said she has been a resident of the Village of Suffern for forty years and every year she has made a donation to the Suffern Police Department K-9 officer. She is an AKC licensed judge and she is presently serving on the Board of Directors of the American Kennel Club. However, she is speaking here as a private citizen. She is not speaking for the AKC. It is wrong to label entire breeds as vicious dogs. There are bad dogs and there are irresponsible owners. But it is incorrect to label an entire breed as dangerous. There are rottweillers serving in Iraq and Afghanistan with our troops. They are bomb-detection dogs, they are protection dogs, they are saving lives there. The rottweillers served as search and rescue dogs in Haiti and a seven-year-old young boy is alive today being found by a male rottweiler after the tragedy there with the hurricane. Rottweillers are working as K-9 officers on police departments. And she commends the Suffern Board for enforcing New York State's Dangerous Dog Law, which is one of the best in the country. We should all be against vicious dogs and irresponsible owners.

Roy Tschudy of 16 Lonergan Drive said as to what the Mayor eluded to before, he has been very passionate in this too but he would like to on this night keep things in perspective regarding the unfortunate deaths of the two students from Suffern High School and he thinks that everything else that he says or what anyone else says tonight will pale in comparison. But with all due respect to the previous speaker, he would just like to make his statement. On four separate occasions, while walking his dog, a 12 pound shih tsu

properly harnessed and leashed, he has been attacked. Twice by pit bulls and twice by rottweillers causing serious physical injury to both his dog and himself. All of these attacks were in the Village of Suffern, off of the owner's property, each time the attacking dog was unleashed and unharnessed and unmuzzled. None were supervised by the said owners. Incident reports were filed with the Suffern P.D. as a matter of record. From Wikipedia Free Encyclopedia, a study by Merrit Clifton analyzed serious dog attacks in the United States and Canada between 1982 and 2006 and determined that pit bulls and rottweillers and their mixes were responsible for 74% of attacks studied. 65% were fatalities. From Google, under dog bite laws, combined pit bulls and rottweillers committed 45% of attacks on children alone, 58% fatalities in combined children and adults. As of 2007, after an in-depth research and analyzing the studies performed by the American Veterinary Association, the Center for Disease Control, and the Humane Society of the United States compiled a list of the top ten most dangerous dog breeds. Number one - pit bull. Number two - rottweiler. Maybe the most important statistic is also an unknown one. That statistic is fear. How does one account for fear? Is there a statistic for that? Fear for the safety of your children. Fear for the safety of bodily harm to you. Fear for the safety of your very own pet. Must law-abiding residents in the small peaceful Village of Suffern resort to and continue to arm themselves with clubs, large bats, and in some cases, guns. He asked that they continue to do what they have been doing in engaging the laws that are on the books. He respectfully disagrees with this law which the State has but he would hope that the owners of such animals would be held accountable. Lastly, a muzzle law also protects the owners of pit bulls and rottweillers with regard to litigation. If said dogs do happen to escape from control of the owner and attack pedestrians in public. So it works both ways. And he thanks everyone for giving him the time to speak tonight.

Rich Karp of 88 Lonergan Drive said that first of all he is a dog lover. He doesn't care what type of a dog it is. He loves dogs - all sizes. Rottweillers and pit bulls are on the top of the list of vicious dogs. But any dog can bite. Any dog can do damage. He does not hold a dog responsible. He holds the owners responsible. Some of the cases where the dogs have gotten Roy and other people, in Squires Gate, and that is where we are talking about right now. The owners have been warned many times. He personally has told one owner that his dog is getting out of the yard several times and other dogs have gotten out of the house or jumped out of a window. The owners are warned. Do what you want with the dogs but you will never stop it unless you do something to the people who just don't give a damn and keep the dogs.

Jerry Levitus of 20 Lonergan Drive said that before he makes his comment he just wanted to say that he appreciates the effort that Mayor Dagan LaCorte did for the residents of Squires Gate in the last two times that we had a tremendous rain storm. He said he knows that some of them did have some water in their basement but not as much as we have had in previous times. He said he also wanted to thank the Fire Department for being available and to our Police

Chief for being around and watching everything that was going on and giving them a big hand. But he also wants to thank Charlie and especially Dan from the Public Works Department because over the years he thinks that they have done a tremendous job helping us with the water, especially down at the park. He noticed when he went by there and there were men out in the rain cleaning up the trees and making sure that all of the branches and wood did not get into the river and block the water that was flowing by. So once again he wants to thank all of them for doing a great job and he appreciates everything that they have done especially for the people down at Squires Gate.

He said his main concern is not with the dogs because there are a number of dogs that he can honestly say that if you took a survey of pit bulls, rottweillers, chihuahuas, jack russells and no matter what have you are pretty safe. And that being is because the owners themselves are responsible. There are any number of owners who have a dog, don't know the facts that their dog may be just a little too big for the area where the house or the acreage is. You take where he lives. He has a 20 x 30 yard in the back but he doesn't have a tremendous dog. But he does allow the dog, while he is in the back, to roam and to run around. But then he has a small dog. So that should be sufficient acreage or actually length or whatever you want to do to run around and do whatever he has to do and have some fun, get rid of any frustrations the dog may have within him, and then come back into the house. But if you take a rottweiler or a big dog in the area that he has it just won't work. So it is up to the owner himself or herself to say, you know what, I have a small house that has a smaller yard and maybe a rottweiler, etc., etc. is not conducive to this type of house. His main concern, and his dog has been attacked. He had to spend a night at the vet in the hospital. He had to go to Good Samaritan Hospital and he had to get attended to and he had to get shots and he had to wait for the Health Department to give him the okay that the dog did not have rabies or he would have had to have gone and he was told it was a very difficult thing to take rabies shots. And he was grateful that the dog did not have rabies. But there is nothing scarier then to be walking your dog and then all of a sudden your dog is being attacked and you have to try and get the dog that attacked his dog plus his dog out of there and when you take a look and see the viciousness of the dog and what it did to his dog and what it did to him, you say to yourself, well, you do have to do something about keeping the streets safe from this type of dog. But it is not the dog. He said he often wonders why the dog was allowed to get out and to roam the streets and then to make an attack. He said he is also concerned not only for his safety but for the safety of his dog but for a four, five or six year old who is playing in front of a house and along comes a dog and attacks that person. And it doesn't take much for that to happen. He said he was just reading in the book that he now has, "What Dogs Saw," and it is interesting that the last chapter was on dogs and what had happened was that the mother and father was walking along and the five year old was in the back and when they turned around they realized that there was a pit bull who had grabbed their son and was carrying him away. They ran after the dog,

neighbors saw it and ran after the dog, and it took a tremendous amount of effort to get the young boy away from the pit bull. He said he is concerned not only for his safety as he said before but for the safety of the children that are in the street. Therefore he thinks that we have to do something, the Mayor and Trustees, to pass some sort of law that says if you don't, if you cannot, then he thinks we are going to have to do something and that is perhaps we have to take the dog away. And he hopes that does not happen, but if it does, then it is the responsibility of the owner to have done something before this happened.

Kerri Potter-Kopecki, a Montebello resident, and vice president and director of a non-profit organization called Doggone Safe and their mission is to focus on dog bite prevention. And she became involved in the non-profit after her daughter was mauled by a neighbor's dog in her yard which was a life-threatening incident and unfortunately there was a rottweiler involved in that incident, but after she became educated on dog bite prevention, she came to realize that you really can't label the breed. Not all pit bulls or rottweillers are dangerous and there are other breeds that can be considered dangerous as well like doberman's, great danes, german shepards. And then in the problem of labeling also comes determining the breed because there are breed mixes. So Doggone Safe was founded in Canada after a young girl was mauled by a neighbor's dog and killed and that was a bull mastiff. So it was not a rottweiler or a pit bull. So what they really promote is education on dog bite prevention. She said she does some educational programs in the schools and she would be happy to offer any of those services for the Suffern community for children and there is also education for dog owners and adults as well. Whether you are a dog owner or not dogs do give indications when they are feeling stressed and anxiety and most people don't even know what they are so she would be - she said you have a great resource here because her organization is put together by behavioral experts that are international. So, one, she would be glad to offer any type of educational programs to the community and also to make them aware that there are other risk factors that are more important than the breed and they are things like whether the dog is neutered, whether the dog was trained or well socialized, and whether the dog is chained. There is a very high risk with chained dogs. She said she doesn't know if the Village has a law pertaining to how long the dog should be chained but there is an organization that just focuses on chaining because there were a lot of children killed by chained dogs. And also, of course, supervision of the children around the dog and the purpose of the dog - whether it was obtained for guarding or why the person has that particular dog. Also she heard a mention about possibly putting out signs for dog owners or labels saying that there is a dangerous dog there. She thinks, on a community and even County level, it is a great idea for dog owners even to just have a paw print put on their mail box, hopefully voluntarily. She doesn't know how it can be enforced. But of any breed just to let people know that you have a dog on the premises. And they do have a dog and they are dog lovers also but this would be beneficial for utility people, mailmen, or even for mom's bringing their child over for a play date in case the child is

afraid of a dog just to know that there is a dog on the premises. In Rockland County, just so you know, we have approximately three hundred bites per year and that's what is reported and most of the bites that are reported require some type of medical attention and many go unreported because people don't want to tell on their neighbors so they just keep quiet about it. So it is an issue on a County level as well and children are the most frequent victims. That is why she appreciates any support and anybody who also wants to learn about educating children. And again they are largely preventable through education. So she has her cards here and she will pass them up to the Board and she said to feel free to visit her web site and contact her for any additional information.

The Mayor thanked her and said he is sure we will do that.

Stacy Samara said that she is not a resident of the town of Suffern. She lives down in Orangeburg, New York and she has been a dog breeder, trainer and groomer for over 15 years and she is a former employee of the Rockland County SPCA. She said she is here tonight to say pretty much what a few other people have said that it is the owner's that need to be held accountable. For those involved in the dog hobby, there is a lot of talk on the internet about how to get that done. She said that she is here to offer us her services, if necessary, to try to be one of the first towns that can get a workable program together that can hold irresponsible dog owners accountable for dogs running loose, number one. Having a dog running loose is an enforceable issue whereas declaring breed specific laws is very, very difficult to enforce because of what the Mayor explained. However, dogs that are running loose, especially dogs that have threatened or have attacked, those types of things need to be set up in a program and made enforceable. The other thing that is really important to mention is that she has a letter here from the American Veterinary Medical Association and they state that the study that the gentleman mentioned was not conducted by the AVMA but by individual investigators from the Center for Disease Control Prevention and the Humane Society of the United States and that it underwent the standard review but was not used to infer any breed specific risk for dog bite fatalities. The major reason for that is because so many dog bites go unreported. It is a wonderful thing that we have google available and many reports are available on line but we need to be very careful about the conclusions that we draw from all of that information. It is our responsibility to make sure that the right studies are done and the right conclusions are concluded. If at any point, you can make her services usable to the town, please feel free to give her a call.

Al D'Ambrosio of 4 Cross Street, Suffern, said he heard a lot of people speak, primarily out of concern of the consequence of dogs hurting them and specific breeds being questioned. He said he thinks that the primary point that has been brought out again and again is that it is the owner, primarily, that is the responsible person allowing this to take place from carelessness or whatever. So he thinks that they might be interested in dealing with that as something on the agenda - how to address the owner to be more

responsible with a serious consequence if he allows or they allow their pet to cause harm. A consequence that will stop them in their tracks. Not to pick on the animal or the breed or species. So he agrees with what a lot of people said but he thinks that ending is what he thinks should be addressed.

Michael Curley of 84 Orange Avenue said that what he noticed about everyone that spoke tonight was that they are all responsible people. So what he recommends that this Board do is maybe appoint a fast-track committee where people from this side or that side or different views all get together. He said he is sure the police chief would let our dog officer here, Louie Venturini, also be a part of that. And he thinks that everyone that spoke here is educated and everyone cares about the safety of the people. In response to Mrs. Scully over there he agrees with her and at the same time he agrees with Mr. Tschudy and Mr. Karp and the other ones. So if there is some way that we can get a committee together - a fast track committee, and maybe use the Village room at some point and maybe even someone from the Board being on it - so that way next month we can come here and we can have ideas and all work together as a community.

The Mayor told Mr. Curley that was a great idea and what he is going to do is to put a piece of paper up front and if anyone is interested in that, please sign it with their e-mail and their phone number and we will reach out to them and have a meeting and we will try to work this out to try to again protect the rights of dog owners but also ensure that our Village is safe. So what we will do is put a piece of paper out here and just sign up if you are interested.

Jo Corrigan of 46 Park Avenue said that she was just going to say the same exact thing. She said that with Stacy's help, and actually what she would also like is to be able to get to possibly sit with the Village Attorney or the Deputy Village Attorney so that way we have legal counsel as to what is correct and what is not correct before we go through all these hoops.

Trustee Abato said that she just wanted to say that it really does her heart good to see them all come out here tonight and get involved in what is a very difficult situation. And she firmly believes that any pet - dog, cat or whatever you have in your house - is a responsibility. And when you take on that responsibility you also take on responsibility for being accountable for that dog because it is how you raise that dog and how you train that dog that will make that dog what he is. Rottweillers and pit bulls, unfortunately, have been known to be raised as vicious dogs to fight. And a lot of people are afraid of rottweillers and pit bulls, which she didn't realize until she became a rottweiler owner. And her dog is a sweetheart and it is because she raised him that way. But she also, in making the decision to own a rottweiler, learned that people do use them and train them for dog fights to make money off of them. And if a dog is trained to be vicious and a dog is trained to attack, a dog will bite and a dog will maul. If a child

is taught to curse and a child is in a home where it is violent, the child will become violent and the child will curse. You are a product of your environment and that is what a dog is as well. So she does feel, and this was discussed at the workshop, that we really, really need to enforce the laws that we have. And the Mayor and she and the Board members have also asked our Village Attorney to please review the laws and see if there is anything that we can add on that the dog owner would be held accountable to the fullest extent of the law for the dog's actions. If you know that you have a vicious dog, you are an adult and you know that you have to muzzle your dog. You know your dog shouldn't be around children and you know your dog shouldn't be around other dogs. So she thinks it is being responsible and she thinks it is the responsibility of the dog owner and that is what this Board has committed themselves to now look at and to be able to get as many laws on our books to protect each of our residents - dogs, children - so that we don't have any further incidents like Mr. Tschudy, which was very upsetting to her and still is. So to Mr. Tschudy, he has her promise that we will make sure that whatever we can do with staying within the realm of the law, we will do.

Jack Rosenberg, 13 Somerset Drive said he listened very carefully to all of the speakers. The gentleman who gave all the statistics had a very, very powerful irrefutable argument and it is not something which concerns Suffern alone. He said he is sure that the statistics that he quoted are for a much larger area than the Village of Suffern. Mr. Rosenberg said he didn't hear a single person refute anything that he said. That leads him to the conclusion that there is a clear and present danger. And if you have a clear and present danger, it is incumbent upon the Board to think about what actions can be taken to correct a situation which until a week or two ago was not known to anybody about the breed of a dog and you couldn't do something about a breed of a dog. We have had laws on the books and suddenly we find out that those laws aren't worth the paper that they are written on because of that law up in Albany. So he says get a hold of your state representatives, your Governor and everybody else who has anything to say about state laws and see to it that that law is modified or repealed because it is clear nobody said that any other dog, a police dog, or any other dog has been involved in such a huge number of cases as a pit bull or a rottweiler. He thinks it is incumbent upon the Board to see to it that action is taken in Albany to correct or repeal that law so that everybody in the State of New York can be safe.

The Mayor said if there is no other public comment, he would suggest that this list is being passed around and if you are interested in being part of a committee to really address this, and again we feel that there are laws on the books which can take care of the issue adequately, and we just need to inform people and make sure that they know what the remedies are and how to make sure that dogs and dog owners act responsibly in the Village. Trustee Simon has agreed to be the liaison, the Village Board liaison, to that committee so if you put your name on the list, he will be in touch with you about setting up a meeting and moving forward. The Mayor said once again

thank you so much. It was really great to see so much participation and interest and he is sure that we will get some more productive work out of it. He said we don't need a motion to close the public hearing because the law is not being voted on anyway.

8:00 P.M. - PUBLIC HEARING - CAFFE DOLCE - CONTINUATION OF PUBLIC HEARING - LIVE ENTERTAINMENT PERMIT:

The Mayor said we can continue along. Next on we have a public hearing for Caffe Dolce, which is a continuation of their public hearing regarding live entertainment. The Mayor said he has been informed that the applicant needs some more time to complete the noise study so he would ask that we put it back on for the May meeting, for Monday, May 3, at 7:45 p.m. A motion to continue the public hearing to May 3 at 7:45 p.m. was made by Trustee Abato, seconded by Trustee Simon. Upon vote, the motion was carried.

8:05 P.M. - PUBLIC HEARING - SET SEWER RATES:

The Mayor said next we have a public hearing regarding the sewer rate. He said they have a copy of the budget and about two thirds of the way through, page G15 through G17. The Mayor said he would just like to say that before we open this public hearing up that one thing that we have been spending a lot of time on as a Board and working with our Director of Public Works, Charles Sawicki, is our sewer plant. Our wastewater treatment facility was essentially revamped in 1980. At the time it was pretty much state of the art and had many technologies that up until recently were way ahead of its time. For whatever reason, the sewer plant has been neglected for a long time and it has gotten to the point where it is just not running efficiently. The physical plant is falling apart and it is costing us a lot more money that is essentially wasted. So what we have done over the past several months is to really take a look closely at what's needed to be done there. There was another option on the table. There is a brand new plant, the County Sewer District up in Hillburn. So what we did was that we looked at all options. The potential of hooking in there. While we are a full-service Village and we are all very proud of that and we want to maintain our status as a full-service Village, as Mayor he believes it was his responsibility to look at any and all alternatives to see what made the most sense for the Village. It turns out that economically and practically that is not really an option and the best option on all fronts is to fix our sewer plant. We have a plan laid out. Part of what is going to go on tonight is that at the meeting is authorization to borrow upwards of three million dollars. We believe it will cost about two and a half million dollars to completely revamp the sewer plant involving a new digester roof cover, which he thinks the original one that is in place was built in 1959. We also need a new centrifuge and other expenses. The borrowing is in place and the digester cover will be the first item to be fixed within the next several months. We are also, through our grantwriter, actively seeking funding for the improvements. So we are putting ourselves in the position where if we don't get outside funding that we are able to move forward but we are also actively

seeking grants and hopefully that two and a half million dollars we will be able to receive a large portion of that in grants so ultimately we won't need to borrow as much money. In addition, we had a consultant engineer who also served as our supervising operator. We recently replaced that firm. We felt that it was long overdue for a new direction. We approved and we are going to vote again tonight for some other agreements to bring in O'Brien and Gere. They are out of Syracuse, their particular office. But they are a firm that has offices all over the world and they focus exclusively on wastewater treatment and water facilities and they are going to serve as our four license in which they oversee the plant on a consultant basis and also are going to do work for us that we will talk about later in the evening consulting, helping us to determine what exactly we need to do and assisting himself, the Board and Director Superintendent of Public Works Sawicki as we go along in the plan. So they have really already come up with some phenomenal ideas. Something we discussed at the workshop is our plant is rated what is called a 4A plant. The point system where they score the plant based on the type of infrastructure of the plant. If you are rated a 4A that means that you need to have a 4A operator who supervises the plant. They are not here full-time, as he mentioned before, but they oversee the plant and it is a license that is really a very valuable commodity and as a result they command upwards of \$50,000 a year to essentially just be in charge of the plant. Not even as a hands-on everyday thing. He believes that O'Brien and Gere that in that money we are getting a lot more than somebody who is just signing off on paperwork. But it is our desire for this to be just a temporary fix. That we have enough people who work here full-time that are going to get the proper licenses and one amazing thing is that they looked at the plant and they said that this is the smallest 4A plant that they have ever seen. So what that means in looking over how we are going to pursue revamping the plant we can hopefully and are pretty confident, the Board and Director Sawicki and he and O'Brien and Gere, that we will be able to reduce the plant to a 3A. Now, this will not affect its capacity because we are not going to make the plant smaller which wouldn't help us and yet wouldn't have the capacity to handle the residents we have now and whatever future development we want. So the capacity of the plant, which is roughly a million and a half gallons a day will remain the same. But there are certain things, and again he is not an expert but he is quickly becoming an expert in how the sludge is moved across the plant. It uses a system that requires electricity and motors and such and that there is the potential to use a system that would just use gravity. If that is the case, it would reduce how the plant is scored. It will operate the plant more efficiently, more cost effectively, and then will enable us, hopefully, to not have to have a consultant who has a 4A license and have an on-site full-time 3A operate the plant which will have significant cost savings to the Village. One other thing which we are going to talk about tonight and approve is O'Brien and Gere is looking at the plant. We are able to get a grant from NYSERDA which is the New York State Energy Research and Development Authority. It is \$20,000. They kick in half the cost. The Village funds the other half. And what we do is in looking at this plant,

we are not just looking to fix it. But we are looking to fix it in a way that really takes advantage of energy efficiencies and new technology. So we are looking at it from all angles. It is a tremendous amount of work. The one thing that again overrides all of this is the smell that emanates in the west ward and our ballfields and it is truly unacceptable. And that is something that needs to be taken care of and he promises the residents of the west ward that the smell, to whatever degree and extent that is physically possible with technology, will be eliminated. That was an overriding factor even above and beyond the economics when talking to O'Brien and Gere. We were in a meeting and we said to them, look, even if it doesn't make sense, to do some other way we need to get rid of the smell. And they said, look, we can get rid of the smell to a point where we operate a sewer plant where they hold their farmers market in the parking lot of the wastewater treatment facility. So that is our promise to the residents of the west ward and to the Little Leaguers that it will no longer be something that we are embarrassed about but an asset that we are proud of and something that will make this Village stronger than ever. So with that we have to raise rates at this point 8.8%. And again it is unfortunate but these are the costs associated with fixing the plant and now he would like to open the public hearing for any comments on the sewer plant that anyone may have. He said sorry for that long-winded discussion there but he thinks it is important for everyone to be filled in because this is something which really is a large focus of our resources and energy.

Jack Rosenberg of 13 Somerset Drive asked what is the total amount of the sewer budget. The Mayor said 1.3 million dollars - 1,313,724. Mr. Rosenberg said 5% of that is how much? The Mayor said if his math is correct probably \$65,000. Mr. Rosenberg asked if we had that as a contingency - do you have \$65,000 in that budget. The Mayor said as a contingency? He said he does not believe that we do. Mr. Rosenberg said that he learned many years ago that the recommended level for contingency is anywhere from 5 to 10%. What is the percentage that it will be under this budget? The Mayor said that at this time obviously the condition of the plant - Mr. Rosenberg said he understands but it is a specific question. How much do you have in the budget for the contingency? Treasurer Tom Zordan said \$43,000. The Mayor said so it is 3 ½ %. Mr. Rosenberg said that it does not measure up to the recommended level. The Mayor said not at this time.

Jim DeStefano of 19 Prairie Avenue said he just had a couple of questions that he wanted to ask. On the level of the plant from going from a 4A to a 3A you are saying the only difference is with the equipment that is being used. That's what is going to change the level. It has nothing to do with any purification levels or anything else required by the EPA? The Mayor said nothing to do with the safety. Anything in terms of testing. It is just kind of like what they look at a car or something. They say you have this piece of equipment and they score it from zero and they add up points. The Mayor said he has his theories as to why it was scored a 4A and he does not believe it was scored a 4A for the best interest of the

Village at the time because when somebody comes in and says this is the smallest 4A plant that they have ever seen it doesn't make sense. And so if there are technologies that have become redundant and again without affecting the capacity, there is no downside for us to do that. It's not like you want to become a 4A. You want to do whatever you can to stay under because it adds a lot more costs. Mr. DeStefano said that his main concern here is that he doesn't want to see us go from a 4A to a 3A and then the EPA or some other organization, or the DEC or somebody, come in and say two or three years down the road to us that well, you cannot clean the sludge properly, you cannot purify the water to a certain standard so we are going to have to divert your waste to the County system. He said he would like to see us if it means to stay a 4A and be a little more expensive so we don't have to go to the County system, he would like to see that. There is money we can go out and get. We can ask Senator Morahan and Ellen Jaffee. They went and got a million and a half dollars for a chicken-plucking factory over in New Square. He said he is sure they can get us money to help repair our sewer plant. The Mayor said he assures him it has nothing to do. He assures him. This is very important. He believes that when discussing these issues that things have been neglected, that we need to really focus on the issues here and he assures him that it has nothing to do with safety or our ability to function properly. It simply has to do with what pieces of equipment you have and specifically how we move the sludge across. We can just eliminate something that makes it more passive that is more energy efficient. Remember, this is 29 years old since they have done anything. Mr. DeStefano said he realizes they are doing a great job in trying to get the sewer plant together. His concern is to look to the future. The Mayor said we would not do anything which affects the plant. He said he just wants to put this out there. And again he doesn't want to in any way question why it was done that way in the first place. He has his theories that it was in certain people's economic interests. So there are not many people with 4A licenses out there. So it really is just an issue of having to have a certain operator there. But again we will not do it if it has any impact at all. But he believes it is purely just eliminating a redundancy or two and it will save the Village a lot of money and actually operate more efficiently and safer. But he does appreciate those concerns.

Mr. DeStefano asked if we have any 3A operators now. Or do we have to hire a 3A? The Mayor said we presently have an operator who has been studying to take the 3A license, has the test in two weeks and hopefully will pass that test and then, if that is the case, we will have our operator as a full-time 3A. You are correct. Right now what we have is we have the 4A, as he said is our consultant and it was Riddick, and now it is O'Brien and Gere. We had a 3A full-time for years and that 3A retired, has been hired back as a consultant. So right now we have a 3A as a consultant. Presumably we should be able to eliminate the 4A, eliminate the consultant, as our 2 operator passes the test and becomes a 3 and then what would be the preference would be that a number of individuals who are either maintenance mechanics, essentially maintenance mechanics, are studying to become operators. So it would be great to be able to

promote from within and have those people where we could have a 3 full-time and a 2 or a 1 full-time and not have the need to have any consultants. Mr. DeStefano asked how many operators are required now for the plant. The Mayor said that right now we are in compliance with having a 4A who is a consultant, a 3A who is a consultant, and a 2 who is on site full time. Mr. DeStefano said that if we go to a 3A, right now presently tomorrow, if we went to a 3A, we would still have to bring in Nick as the plant operator because we don't have anybody who has the license now to run the plant. Mr. DeStefano asked if we are going to need two 3A's. The Mayor said no, one. Mr. DeStefano asked what if the guy is on vacation. The Mayor said we would have another operator. We wouldn't need that. The Mayor said this isn't going to happen tomorrow but if everything works out we will be able to save the Village money, promote from within and just essentially eliminate someone that really wasn't doing any benefit to the Village. Just costing us more money. Mr. DeStefano asked if the report is going to be available to the public on the recommendations from this company. The Mayor said O'Brien and Gere? Mr. DeStefano said before this is voted on? The Mayor said we will make that public, of course. Mr. DeStefano said that everything is not going to be finalized tonight? The Mayor said that what we are doing is we came up with essentially what is needed. They have been helpful even before we hired them. They came in numerous times to look at the plant. These guys love this stuff. The people who work there that we're working with all tended to operate large plants for municipalities for years, retired and then now work for this company. So they came and looked at our plant and they find it fascinating. Because the size of it, the design of it, a lot of technologies were really cutting edge twenty-five years ago and only recently have been implemented. So they like it. It is a challenge. They have made the recommendations of what we need to do. We know the general pieces of equipment, like the digester roof, that we need a new centrifuge. So generally we know what we need so it is more just for assistance of when we go out to bid on specific items that we know which bid to accept. So one item tonight was O'Brien and Gere. We paid them to review the digester bid responses that we got and to recommend which one we should award it to. So that is the kind of stuff they are going to be doing. And again it is an ongoing process and we will get reports. But anything that is produced by them would be accessible. Mr. DeStefano said that what he is saying tonight is that you are going to vote tonight to spend 2 ½ million or 3 million to repair the plant and there is no report for the public as to specifically what is going to be done. He said he would like to see a report to the public - we're spending 3 million dollars of the taxpayer's money - and he would like to see what that is going to be spent on. Maybe another set of eyes looking at something - looking at this report there may be another piece of equipment out there. He said he recommended a piece of equipment to Charlie. He doesn't know if he was able to go over it with them and it has to do where it is a filtration system where it removes all the heavy metals, chromium, cadmium, mercury and stuff, from any water and stuff so your sludge doesn't get contaminated. So if you go to get rid of your sludge, you aren't getting rid of hazardous waste. You are getting rid of clean sludge. So he doesn't know if

any of that is in there. That is a new green piece of equipment that is out there and he thinks that is something that we should take a look at. He said he would like to just see what we are going to be spending our money on before we just go ahead. The Mayor said there are documents that the Board has reviewed that Charles has taken to O'Brien and Gere and other individuals and other engineers and you can discuss it with him. Mr. DeStefano said he understands that. He hasn't seen anything yet. The Mayor said you asked a question. Please let me answer the question. The Mayor said there is a document out there and we discussed it at the workshop specifically what items there are. There is a whole list. Charles can show it to you. It is available to the public. We have it here. It is available to look at. What we are doing tonight is that we are not spending 3 million dollars. We are authorizing borrowing up to that amount because you need to go out to bond and it takes a lot of time. It would not make economic sense and it would be destructive to the budget if we start spending money, spending money, spending money without having the financing in place. We can't legally do it. So what we have done is that we have a general idea - 2 ½ million dollars - so we are saying that's how much we likely will need. This is going to take a year and a half or so to get this project done. So we need to go out and get the financing in place. Specifically what we are doing now is spending a little under \$500,000 on the digester cover, which as you know coming to meetings, we have talked about it numerous times. We went out to bid twice and all those documents are public and anything that anybody wants is available at the Village Clerk's office. Mr. DeStefano said he is not saying that you are hiding anything. He is just asking that before the final plans - he knows the digester roof needs to be done - before anything is done in the future are the documents going to be available to the public so we can take a look at them. The Mayor said they are. Mr. DeStefano said that you have a lot of people in this community that are familiar with some of this equipment. The Mayor said we have a gentleman in the west ward who has been helping us out. Mr. DeStefano said that is what he would like to take a look at. The Mayor said they are available and you can speak to Charles or himself and he will show him the documents tonight, if you want. The Mayor said he appreciates his offer of help.

Mr. DeStefano said one more thing. Ellen Jaffee or Morahan or any of them. Have you approached them for money? The Mayor said yes, our grantwriter's number one focus right now is to seek financing and grants to help us with it. Specifically, reaching out to our various elected officials. Seeking unused funds that were previously awarded to other municipalities on the Community Development Block program that were unused. In addition, reaching out to the County Sewer District, which previously had offered the potential of giving us a centrifuge, because as he is sure he knows that when we are done processing our waste, it is in a solid form that needs to be delivered to the County to dispose of and our waste was being delivered too wet and so we need a new centrifuge and they had offered, essentially, because it makes their life more difficult, to pay for that. So he has reached out to Supervisor St. Lawrence who is the head of that County Sewer District potentially about

getting money from there. So yes we are moving forward because we need to and we are also moving forward on various tracks so that if we don't get financing we are not unable to move. And if we do we are helped in that we are able to do that. This is the number one focus in terms of projects in terms of our infrastructure. Mr. DeStefano said good. He said that hopefully our Assemblyperson Ellen Jaffee can get us the money.

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

The Mayor said we are not required to adopt this until the same time we adopt the budget. The Mayor said we got some public comments and why would we not want to wait two weeks. He asked if there is a reason why we should do it tonight. If we have more time, we got suggestions. The Mayor said we can close the public hearing and then put it on the 19th to vote on it and adopt it the same as the budget. The Mayor asked for a motion to put this on the April 19th meeting. He said another hearing to adopt it and if there is a change at that point, we have a public hearing on the 19th. And then we can do it then. Trustee Abato said the public hearing is closed. It is just the adoption of the new rate. The Mayor said he doesn't know - the rules that we looked into was that we don't need to keep the public hearing open. We can make changes even if we close the public hearing. Because according to the rules - his understanding is that if we don't close the public hearing we are required to meet every night. The Village Clerk said that is on the budget, not on this. Just on the budget. The Mayor said that is not the case anyway. A motion to bring the sewer rate up for adoption on April 19 at 7:15 p.m. was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

8:10 P.M. - PUBLIC HEARING - SET WATER RATES:

The Mayor said that as many may know, again the Water Department is separate - Suffern Water. We had been running in a deficit for a number of years. He said he believes we are now entering our third year of the deficit reduction plan which Mayor Keegan and some members of this Board had put in place. So again we are looking to continue that. The strange thing about the water fund is that everybody tells you that you want to conserve water. We are telling people in Suffern to use more water. The reason why we have a deficit is that we are not using enough water. If you can imagine certain costs - pretty much the people who work there, electricity, turning on the lights, all that - it sticks to a certain degree. And the more water usage we have the more amount of fees we bring in. Unfortunately we make a budget every year and the water usage keeps on falling short. So we have ample water, so please, water your lawns, use water. Because if you don't it goes downstream to somebody else. In all seriousness, the reason why we are running into this every year is that we are not hitting our target. People are not using enough water. So that is currently where we are. We are looking right now, before we open the public hearing, of a rate increase of 5.8%. Our water rates are still significantly half the

price of what United Water charges. And while nobody wants increased rates, we need to get out of deficit. One good thing about the water plant is that the physical plant is in excellent shape and that is a credit to Mr. Robert Conklin and his team there who do a phenomenal job there. The Mayor said he believes Mr. Meehan has a comment before we open it up for the public.

Trustee Meehan said one thing. A lot of people go and they buy this water and that water. None of that water is tested twice a day like our water. And our water is much safer than any bottled water that you can buy. So just open the tap and drink the water. Don't go buying water.

Mayor LaCorte said one other thing before we open it up and this is for Mr. Curley. We are looking into - we reached out and hopefully there will be discussions potentially selling bulk water to our neighbor in Hillburn. Hillburn sold their water years ago to United Water and he believes they had an agreement for thirty years in which their rates were kept very low. That agreement is up and from what he understands is now United Water says we are going to move up the rate significantly because essentially your low rates is what paid for what you got for you selling us the water. So what we would look to do is to sell our neighbor water in a bulk rate and then they would deliver to the individual homes and they meter it. So even if we get a very low bulk rate, just the usage of the water could be something that would help our budget. He said he has reached out to Mayor Bernard Jackson and we will continue to do so. And if that is the case before moving on it we will obviously have public hearings and we will make sure that it is cost effective so that everybody will know about but he just wants people to know that we are trying other ways other than raising rates to bring in more revenue and to keep the burden off of our taxpayers. And we do have again - a couple of years ago we instituted separate rates for commercial users and residential users on the amount of water. So we are trying to hit up those big corporations that we have here more than your average taxpayer.

Rich Karpp of Squires Gate said that to his recollection there is some sort of a clause that over the years when the water supply in Suffern was low and we were on restrictions, Mahwah was watering their lawns and washing their cars and they were getting water from us. Now the deal that you propose right now by selling the bulk water to Hillburn - what happens when our water goes down? You still have to supply Hillburn with x amount of gallons like you do with Mahwah. Right or wrong? The Mayor said that is a very valid question, a good question. The Mayor said this is just a proposal. Really it is more on our end so far than Hillburn so if you know anyone in Hillburn put pressure on them because it would be a good thing. He said that any agreement would obviously have in place that if there is an emergency that Suffern users would come first. The thing about Suffern is that from his understanding that anytime there has been a restriction either on a county or statewide level, there never actually has been a problem with Suffern water. Because again we don't use reservoirs. We use well water. And it has never

been an issue where we have not had sufficient water. But we were restricted not because of our own circumstances but because we are mandated to follow what the state and the county does. So our water situation, our wells, don't have a problem. He said that is what he understands and that is what we have been told. He said we followed those restrictions because we followed the state. He said just as an example we have the capacity to pump 4 million gallons a day. We on average use about 1 million. So even if capacity was cut in half, we still have twice as much water as we need. So we have a significant resource. He thinks it is a resource that we should preserve. We had numerous discussions two years ago potentially about selling water to United Water. Everybody expressed their concerns there. But that being said, we should look into helping a neighbor if they can help us too. Mr. Karpp said not at our expense. The Mayor said understood - 100%. And again he is just mentioning this. There is nothing formal. And if it does, then we will have a public hearing.

Adam DeStefano of 19 Prairie Avenue said that he does remember the discussion with United Water where a lot of people's concerns came up with what would happen if we sold the water to United Water. And if he remembers, it was 100,000 gallons in total for each day. The Mayor said it was a million gallons a day during the summer months. Mr. DeStefano said oh, yes, during the summer months. He said the things that he does remember doing the research back on that was that the most that our Village ever went through in one day, he wants to say, was 2.8 million gallons. Trustee Abato said it was less than that. The Mayor said it was 1.8. Mr. DeStefano said okay, 1.8. The Mayor said we used a million during the fire, the Conserv fire. That was almost a million gallons just on that one night. Mr. DeStefano said yes, everybody's concern would be about during an emergency, and during an emergency we would have to put ourselves first but he does recommend that we should look into this for the possibility of helping to relieve the debt and lower the rates once again back to what they used to be.

Al D'Ambrosio of 4 Cross Street said that he doesn't know what he is talking about either but he will give it a shot. He said he is always perplexed why we are in a crisis, we are trying to save money, and everyone is telling us how to spend money. It just beats the tar out of him. He said he can't understand why our rates should be higher if we are trying to conserve and then we are told, hey, use more of this and that and at the same time using it you will save. He said he is not sure what we will be saving but he is sure of one thing. Rates shouldn't be going up. He said he's not sure how it's worked by the constituents here and abroad but he doesn't understand why rates keep going up. He said he remembers United wanted to buy our water and we were scared to death that if we lose control of it once they got it then they are going to charge us whatever they want. And they'll run as much water as they want or don't want. And we would be held hostage. So here we have a group of people telling us don't use the water, we have tons of it, but at the same time now they are saying do use it because we have to be able to make money. He said he is curious as to how you are

justifying the rates going up and we are going to save. He asked to have that explained to him.

Mayor LaCorte said that the reason why he is saying to people use more is because the more water we use whatever extra revenue we have pretty much goes to the bottom line so what is hurting us is the fact that our usage continues to go down. If we use half as much water we bring in half as much revenue but we still have to turn on the lights, we still have to have people running the plant. So essentially we don't want to raise rates but we also cannot legally operate our water fund in a deficit for an undetermined amount of time. So what we need to do is what we did two years ago is to enter into a deficit reduction program to rid ourselves of the water deficit and again look for other sources. There are people here that wanted to sell water and he was somebody who looked at both things. In the end he was against selling water to United Water because (1) people who wanted to sell it said like you're saying - let's sell it because we'll get money and we won't have to raise rates and we'll get out of deficit. People who didn't want to sell the main reason was that water is an asset, we don't want to help United Water fund their overdevelopment of Rockland County and we shouldn't be selling our assets. And those are two very valid points. The problem was we weren't going to make anybody happy. If we sold water the people who didn't want us to sell the water weren't going to be happy and we weren't going to sell enough to get out of deficit because they weren't giving us enough money for it. So ultimately we really wouldn't have achieved anything. Now again to sell it to Hillburn it is a neighbor who is using it for themselves. So he just mentioned that. It is not something that is imminent. And if it does become so we will have public hearings and inform people. But again the reason why we are raising water rates is the fact that we have costs and we need to bring in revenue to pay for those costs and we are not using enough water. Water is sales. Mr. D'Ambrosio asked if we used more water than we would maintain the status quo of what we are paying for water. The Mayor said yes, what you as an individual if you used more water you would be paying more but you would be getting more water. Or if someone came along who is a new user who put up 100 units or a large industrial, they would use a lot of water which would again enable us. We are not looking to make money. We are just looking to cover our costs. If they used more water and we had more usage we would not have to raise rates. Unfortunately, our usage is going down and our costs are staying the same or going up. We are looking to save on energy costs to the credit of our Treasurer. We locked in energy prices - natural gas for two years at rates that are historically low. Same thing with electricity. So we are looking to do that. But again health care costs of the employees that work there, pension costs, salaries. Those types of things are fixed costs which again with all that being said our rates are far lower than anybody who is using United Water. He believes - he asked the Treasurer if it was less than half. He said he knows they just went to a huge increase. Treasurer Zordan said the winter rate is double ours. The summer rate is more than ours - about \$1.00 more a gallon. The Mayor said it is a 21% increase this year. Mr. Zordan said just as an example. We budget 625,000

units of water. In a perfect world we use 625,000 units and there are no changes in the costs - nobody gets a raise, electricity stays the same. Everything is beautiful. And the next year comes and we say okay, everybody is going to use the same 625,000 units of water. Things we can't control like the pension - everybody keeps seeing that in New York the pensions are going crazy. They keep raising it. Electricity goes up. The medical insurance goes up. These things we have to account for. If we use 625,000 units of water, just like we did this year, and we have no increase, what happens is the costs of the pensions that went up, the electric, things we can't control, they may go up in total \$62,500. If we use the same amount of water, for us to break even we have to raise the rate 10 cents. We can't control it. But if you use 650,000 units, he doesn't have to change the rate because you are going to use more water so you are going to give him extra money but he doesn't have to change the rate. So they go hand in hand. He needs more money. So either you use more water so he gets more money or he raises the rate and you use the same amount of water but you just pay more for it. These are things we can't control. And he is saying this without giving anybody a raise. With things we can't control. We have to buy purifiers and all sorts of things to keep the water pure. And if they raise the price, somebody has to pay for it. And if you turn around and say, well, you know, I personally use 50 units of water and I'm only going to use 40 - I'm only going to shower once a week - that's your choice. But somehow we have to make up the difference. Maybe your neighbor will spray down your house with water because you don't shower and he'll use more water and things will work out fine. But otherwise we have to increase the rates. And like everybody else, he lives here so it affects him and he has to pay and he feels bad. He really does. He said it kills him to have to say that he has to raise this, and raise that. He doesn't mind doing all the bookkeeping and all the accounting, but when it comes to figuring out that he has to increase water, sewer taxes, he doesn't like it. And he has to pay out of his pocket too. He said he doesn't get a discount because he works here. And then one last thing. The thing about Hillburn. It is only about 80,000 gallons a day. They only have 900 people there. They don't use a lot of water and it would benefit us because he thinks they pay about \$60,000 or \$70,000 for their water for United Water and that would come to us. So say we got \$60,000, it might cost us an incremental cost of 25,000. We would make a \$35,000 profit on that water in which we do have excess. And as the Mayor was alluding to, the water runs under the ground into the aquifer and they run along the river underneath and they come into our aquifer but when those aquifers reach a certain level, that water just keeps rolling down to New Jersey and eventually to the Raritan Bay and it keeps rolling down the hill and goes to the ocean. So if we capture the water and use it and sell it to somebody else and we can make a few extra dollars that is where we can help ourselves. Because if we can collect a \$35,000 profit that is like 5 cents off each unit. If you have any questions, and you would like to talk to Mr. Zordan after the meeting, they can.

Sheila Cohen of 94 Lonergan Drive said she used less water because

she cannot afford the bills. She said that she is a senior citizen and on social security and they told them they would not be getting an increase for the next two years. She said that she has to pay her bills. It is time for you people to cut back on these things and there can be cutbacks with salaries and different things. You have to go into negotiations. We just cannot keep paying and paying and paying. The well is dry.

Michael Curley of 84 Orange Avenue said that he heard people talk about the water usage years ago. Well, a couple of years ago he was an advocate of selling our water. We were in a deficit of \$600,000, the Village was, and what he didn't want to see was rate increases and at the same time he didn't want to see people having to use more water to make up for it. Years ago, if you look back about 10 or 12 years in our budget, you will see that we had an overage. We actually used to use that money in the general fund and the general budget to keep the taxes down. Unfortunately now because we have learned conservation or maybe because like the young lady said that she is trying to save on the bills, we have conserved. But what we have the ability to do here is that we do have the ability to sell water. If we don't, as Tom mentioned, if we don't use that water, it keeps flowing and we lose it. We have an asset in this Village of a great water supply company and he thinks that we should use it instead of letting it just flow and using it. We at that time had to do an increase of approximately 13% in the Village. Not because anyone did anything wrong. Because they didn't give us increases maybe because they were trying to help us. But unfortunately now we have to still pay for it. But if we understand that we can sell the water that is flowing away from us. At the time United Water offered us for the summer months \$200,000. He then went on his own because he had a friend who did things with water and the cost of that was about \$80,000. So our profit, before we even hit a hard negotiation with United Water, was \$120,000. Over five years we could have paid off that \$600,000 debt. The problem was that we did an open hearing and a lot of people, not just in Suffern but from other communities, came and said "oh, you're throwing away, you're giving it away." Without even understanding the true situation. He said that he thinks if we can get \$150,000 or even \$35,000 from Hillburn, or whatever the number is to keep our rates down, we should consider it in an open way. Because it is just money that we wasted. This was two or three years ago that he got up here and talked every month on it. He said take it. We just lost that approximately \$300,000 because we didn't do that move. Now with the United Water deal we had a right to shut it off right if it hit us at a dangerous low level. And that was something that they were going to accept. We should have taken it and we still should consider doing it. Remember, that water flows. We lose it. Use it or lose it. He said you have heard these terms in other ways in America before and that is what exists. And you can have your opinion but you go back and look at the gallons everyday for the last two and a half/three years and you would have seen that we would have made anywhere from \$240,000 to \$360,000 in our budget and we would not be looking at an increase today.

Michael Trimiello of 2 Beechwood Road said that either way, the way he understands it, is that the people of Suffern are going to pay for this whether they use more water or they don't. Taxes we are paying. Why is it that it always comes from our pockets and not from the government doing the budget - negotiating pensions, salaries, whatever they have to do. If we have to sell water - if it is only beneficial to us, then we need to come with a different option. We are tired of taxes. Tired, tired, tired.

The Mayor said he completely understands. He said he is a taxpayer and we are all taxpayers and we are trying. A lot of this stuff is not in our control. Most of our employees already pay into healthcare. We have a hiring freeze. We have spent a significant amount of time working on this budget. Ten years ago people were making more and with the cost of doing business. It is very frustrating. It is very difficult. We went through the budget and we eliminated as much as we could. We could always do better. But a lot of these issues are negotiated contracts. We do not control the pension costs. We cannot just sit there and say we are going to renegotiate the pension. It is easy to say and believe him, he shares the same frustrations as he does but we don't have the ability to do that. New York State sends us a bill. Mr. Trimiello said New Jersey is. The Mayor said that is because the governor is doing it. He said he is not trying to pass the buck. We can always do better. We are working at it. But a lot of this stuff needs to be addressed by like what the governor is doing in New Jersey. And it is unfortunate and it hurts people but at a certain point, people at some point are just going to say enough is enough. And what we are trying to do here is - Orange Avenue - redevelop Orange Avenue. Bring in more ratables. And when he says more water, there is a way that we don't get affected. If we have more ratables coming and more people who bring in more rates then it brings in more money and it doesn't affect us. You could use the same water but if we have industry or somebody come in who is a new user who uses 20% of our total water, then we don't have to raise rates. So we have Orange Avenue which we are hoping to build 100 units on. We are working tireless to do. We have Cross Street which has sold half the units. They are moving along very quickly as they drop the prices. That will be 57 units which people will start using water, start using the sewer and will also have ratables. As they come on line, we are going to bring in tax revenue. We are hoping a third building up on Pavilion Road - they are proposing to build some more units there. So again, we want to develop the Village smartly to bring in more ratables. He said he is frustrated. He has answered probably a dozen e-mails from residents who are saying exactly what you said. We put the budget on-line. We went through an open process. For the first time we are having this hearing tonight and we are not voting on the budget. Every other year, you come and you pick up the budget. You make great comments. We sit here and we say thank you very much and we vote to pass it anyway. The budget has been on-line for three weeks. We posted a timeline saying exactly what goes on the entire process. We said please make suggestions. He has talked to people in this room - former Mayor of the Village who is in a different party and he knows that he cares about the Village and he has good

ideas. And we are open to any suggestions. But again, our employees pay into healthcare and it is easy to say but it is very difficult to do. We have cut out so many lines but it is just small drops. There was a line - we were giving and you have a right to know. We were giving \$5000 a year to the library - the Suffern Public Library. And we looked at it and said, wait a minute, they can tax us and we pay a tax. And that tax applies to everybody who is in the Ramapo Central school district. So if they need that \$5000, let them get it by raising their taxes across everyone - Montebello, Airmont, Sloatsburg, Hillburn. Not just the Village of Suffern. And we zeroed that out. We zeroed out any line items for the Trustees. Any expenses there. The problem is those things pale in comparison to the cost of healthcare, the cost of pension, and the cost of salaries. And again we have a hiring freeze. And he does believe that we are going to be able to eliminate certain positions through attrition. We are not looking to fire anybody now. That is not what we want to do. Plus we need the people here. But we are looking to do things to save money and get more ratables, grow the downtown, and the one thing that he always tells people - the light at the end of the tunnel for us is the train tunnel that is coming. 2017 that tunnel is going to make Suffern a one-seat ride. And he thinks regardless of the economic environment, that is going to be very supportive of our property values. And if your taxes went up 5% this year but your house went up \$50,000, he doesn't think people would mind as much. So what we want to do is help the Village by increasing ratables, by increasing property values, by making the downtown more desirable. And making Suffern stronger. And again he looks forward to more discussion about this. He is open to any suggestions. And again he shares their frustrations. He pays the same taxes as you do. It is difficult.

Jim Giannettino of 2 Memorial Drive said he agrees with a lot of what the Mayor just said. It is nickels and dimes. But the root of the problem had to be addressed last year during contract negotiations when everyone up there sitting there, except for Bruce, knew that pensions were going to go up 30 or 40%. The horse is out of the barn. Why we agreed to the contracts that we agreed to is beyond him. Everybody knew we were in a deep recession. People are entitled to a raise and nobody wants to say that they are not. But 3% or whatever it was - 3 ½% - when social security is getting nothing for two years, government pensions are getting nothing for two years, if they get it after two years. Health insurance has gone up for everybody in this room that pays for it except for certain people that work for municipalities and local governments. We cannot afford - he says he pays \$6000 a year for health insurance. He cannot afford to pay anybody else's health insurance. He said he wants to pay his and not anybody else's.

The Mayor said he appreciates everybody's comments but he just wants to keep this about the water and then we can close that out and then have the budget public hearing.

Mel Berkowitz of 52 Milford Lane said regarding the sewers. He said just a brief note. He said he knows this page was just passed out.

One of the things that concerns him is the fact that there are a lot of non-numbers. When we talk about a project of 3 million dollars, does it end there? He said he just caught a sheet, looking at a sheet of paper. We are talking about things that we don't even know about. And he knows this 3 million dollar project can't be just 3 million dollars. A vice-president of a company might get \$185 an hour all the way down to technical and staff engineers and everybody else. This company is out of Syracuse, he believes, and they have to come here. They have to come and send people here. They have to live here. That has got to be in the hundreds of thousands of dollars - maybe even a million dollars by the time we turn around. Unless that is all part of the 3 million dollars. The Mayor asked him if he was talking about O'Brien and Gere. Mr. Berkowitz said yes. The Mayor said the agreements that they are giving us are all going to be up to a dollar amount so there is a cap on everything they are doing. They are giving us a price, if you look at that, based on a project. So their rates are what they are and we said what would it cost to do this and that is the price. So this is not an endless pit of money. We are, again, they are consultants to help us out. We are doing most of the work here. And again the 3 million dollars - closer to 2 and ½ - and that is if we don't get any funding. And he is confident that we are working hard to get funding. We have absolutely no choice in fixing the sewer plant. We brought in these consultants because we felt that who was doing the work for us was not giving us value and was really hurting the Village financially. These people - they put in hours of work in helping us come up with that plan without getting a penny. They came to this plant four times before we ever gave them a penny. So again, yes, they need to make money. Everybody is in it. But we spoke to them. We spoke to other companies and we believe that their expertise and their approach is going to deliver us the best bang for our buck.

Mr. Berkowitz said it just sounds good. But he just wants to indicate that even when you build a ballpark. There are always overrides, there is always something else. So we have to make sure that we are looking at these numbers and really analyzing 100%. And this project that is 2 ½ million or 3 million dollars and hopefully not a lot more than we are looking at.

A motion to close the public hearing was made by Trustee Simon, seconded by Trustee Abato. Upon vote, the motion was carried.

A motion to adopt the water rate on April 19 at 7:25 p.m. was made by Trustee Simon, seconded by Trustee Abato. Upon vote, the motion was carried.

The Mayor said we have one more. We have a public hearing that was set for New Rock Bar and Grill live entertainment permit but he believes - he asked the Chief - he believes that has been withdrawn. The Chief said he withdrew it for a month. He will come back next month.

8:30 P.M. - PUBLIC HEARING - 2010-2011 BUDGET:

The Mayor said now we get to, and he is sorry it is a little late, the public hearing on the 2010-2011 budget. He said there are copies available if they want them. As he said, it has been posted on line for three weeks. In addition, about a month and a half ago the budget timeline - the entire process - was set out, which very quickly begins with the Treasurer handing out worksheets to each department head. They then go through and come up with their own budget. That is given back to the Treasurer who then inputs the information, takes a look at it, then the Treasurer came to the Mayor and we then look at the budget, work on it, look at the department head's various budgets. And then we sat down with each individual department head - including the fire department. Every department went through their budget. We then completed a preliminary budget which was presented to the Board of Trustees. The Board of Trustees was then given the opportunity to go through the same exercise - speak with the Treasurer, speak with the Mayor, speak with individual department heads, give their input. Once that was completed, we posted the budget on-line for the public. He said he believes at the time it was a couple of points higher. Obviously, we are still working on it. We still were working on it and we are still working on it now. We received comments from the public and again the process has changed where now the budget has been on-line for three weeks, open to public comment. We are having a public hearing tonight and again, for the first time, we are not going to adopt the budget tonight. So he looks forward to whatever comments they have and suggestions. He said he just asks that they keep it as productive as possible because again we are trying to get something accomplished. Trustee Meehan said a fast point of word. An individual said that there would be no increase in social security after this year. Actually this year the increase in social security is determined by the consumer price index. There was no social security increase this year for calendar 2010. But the amount to be determined for calendar 2011 hasn't been determined and will be based on experience during this calendar years. Someone said there will be no increase in 2010 and 2011. That is incorrect. Sheila Cohen said that President Obama mentioned it for two years. Trustee Meehan said that what he mentioned was that there would be a stimulus package for two years.

Bob Morris of 24 Terrace Avenue said he had a couple of questions. Healthcare makes up a fairly sizeable portion of the budget in this town. He said he filed three FOIL requests with this Village asking for the number of part-time employees that receive healthcare benefits and what the prerequisites are for them to receive it. Now based on what he is seeing that went on in Port Chester, he guesses he had to amend it or file another one and ask how many past part-time employees are still getting health benefits from this Village that we are paying for. Past employees - whether elected or hired employees are still receiving full health benefits. The Mayor said no past elected. Mr. Morris said that work part-time. He asked how many again - three FOIL requests and he hasn't even gotten the courtesy of somebody sending him a letter. The Village Attorney, he assumes, telling him to drop dead, mind your own business. Which he

can understand. But three requests and the entire thing has been ignored. The Mayor asked Virginia. She asked which one was it. Mr. Morris said he sent three FOIL requests - September, October and December. The Village Clerk asked what the request was. Mr. Morris said the request was the number of part-time employees who receive medical benefits - whether elected or hired. The number of hours required that they have to work to receive these benefits. So three requests for this information. He is having a hard time understanding why it is not forthcoming. The Mayor said he is not aware of this. The Village Clerk said she is pretty sure it was answered. The Treasurer said he is pretty sure it is one part-time. Mr. Morris said again, six months later, with all due respect, Tom, he thinks - was it one in September? Was it November, December? He said he finds a hard time understanding as to why he can't get a response. He asked if he could have it sent in writing and he will have that satisfied. But three FOIL requests and totally ignored.

Mr. Morris said that you approved a bond to buy a fire truck - \$950,000-\$1,000,000. He said his understanding is that these fire trucks are tested. They have to be certified to be used. Given the present economic conditions was it necessary that we purchase a \$1,000,000 fire truck now and float a bond for it. The other one was perfectly usable and serviceable. It had been tested and certified. It is his understanding that they are certified every three years. Chief Dan McInerney said every year and the truck failed the test. Mr. Morris said fine, then he stands corrected. If it failed the test, he has no argument with it.

The other question - \$133,000 for various equipment. The Mayor said under what department. Mr. Morris said the fire department. What does that mean. The Mayor said if you want a list of what specific equipment like we put on line, you can e-mail the Treasurer and he will give you exactly what the equipment is. Mr. Morris said okay, he will do that. And then he sees that one dispatcher is scheduled to get a 10% raise. Is there a reason? And one sanitation worker also getting 10%. Chief Osborn said it is the midnight officer. It is the differential. Mr. Morris said the 10% raise is the night differential. And the sanitation worker? It is \$33,000 to \$42,151 - a raise of \$8,000. Treasurer Zordan said he would check it out.

Jo Corrigan of 46 Park Avenue said she actually had it written down this time. She said she would like to commend the new administration on the efforts it has made to open up the budget process for public scrutiny. She said that being said she realizes that it is easy for those of us who are not responsible for working on and recommending the budget to criticize it. However, in the present economy, with an extremely cloudy financial future a 5.8% increase is too much to ask the residents of the Village of Suffern to shoulder. She said that she would be happy to volunteer, as an interested citizen, to meet with the Village Board and department heads and other concerned citizens to see if there is anyway to trim these expenses and reduce the tax burden. Sometimes good ideas come from looking at things from outside of the box.

The Mayor said that once again, the budget is on-line and anyone can reach out to any department head. Everybody is available to discuss this and we welcome whatever suggestions you may have or any input. That is why again we have two more weeks until we plan on voting on this budget.

Jim Giannettino said he had a couple of questions. The Mayor said he has been waiting for this moment. Bring it on. Mr. Giannettino said it is not an "I gotcha. It's questions." The Mayor said he was just kidding around. He understands. Mr. Giannettino said that he sees on the preliminary budget somehow or another we left off Proceeds of Obligation which comes to \$186,963 and they were included in the revised tentative. The Mayor said yes. Mr. Giannettino said also State and Federal Aid somehow went up \$30,000. He said let's round it. That comes to \$187,000 and \$30,000. If we knock that off the original 7.73 which would take off about 2.79% that would have brought us down to a 4.94 increase. But he also sees that we added Appropriation for about \$63,000 or \$64,000. He asked if he could tell him. The Mayor said on that one he can blame Tom. He said he carried a number over that he shouldn't. Mr. Giannettino said you always get blamed. The Mayor said this one for \$60,000 he was excited that we had that but there was a \$60,000 revenue that was accidentally carried over. The Mayor said there are a lot of numbers. Mr. Giannettino said there are a lot of numbers. The Mayor said it ruined the whole day. The Mayor asked Tom if he wanted him to touch upon the amount that we moved over into 120 Orange Avenue. Treasurer Tom Zordan said that what those items are is that we came up and we decided that we were going to float a bond for the improvements at the sewer plant. So what we said was let's take/let's try and reduce next year's BAN payments which are short-term borrowings and what we did was that we financed it, we are planning on refinancing them, into the bond. So we won't have an immediate impact of principal payments. So we wound up reducing our BAN but we have an additional bond interest payment. So our debt service and budget transfers went up \$99,000 but we then took the proceeds, the additional proceeds, that we are going to get to pay down our debt which is the \$186,000. We now get to include that into our revenue. So that is why all of a sudden from one last month to this month there is a big change. We sat down and we discussed various options, how we can help reduce the budget, and this borrowing is what we came up with to reduce the budget. The Mayor said one point was, and he knows this was brought up before, but people may not know that we purchased a piece of property three or four years ago at 120 Orange Avenue. Ultimately, the hope is that that property will become part of the Orange Avenue development. But in the meantime what we did working with the Parking Authority was to purchase that property and lease it back to the Parking Authority and they use it and they have spots available there. So it is like anything else. It is like renting out a piece of property. You buy the piece of property. You're paying off the mortgage but you have a tenant. What happened was at the time, and again he knows that Mr. Rosenberg had concerns about this, we were paying off the money, paying off the mortgage at a faster rate then the money we were taking in. It was our choice. If you have a lease for thirty years

and you decide hey I'm going to pay it off in 15 years, then what happens is that you are paying a lot more upfront but on those second 15 years you have no mortgage and all you have is revenue. So what we decided at this point was by borrowing it out over a longer period of time, we still have the revenue because we have a lease agreement for thirty years but also the revenue is more in line with the mortgage. It didn't make sense financially to pay it off as quick as we were based on the current tax situation. So again it is no change. It is just that obviously if we don't ultimately sell the property just down the line at some point we are not going to have that benefit maybe ten years from now where the land would be completely paid off and all we would have is the revenue. It is going to be more in line where, what our bond payment is is going to be more in line with what the revenue is. Which again under the current economic situation it seemed to make more sense.

Mr. Zordan said to put a number to it. Next year we were scheduled to pay \$100,000 on this BAN payment for the purchase of 120 Orange Avenue. The Mayor said which cost \$350,000, by the way. Mr. Zordan said and we are only going to collect \$27,000. So we were laying out money in advance. So now by putting it into a bond we will be paying \$27,000 and collecting \$27,000 so it will be a wash. Ultimately we are getting the property. And then the other item that you talked about was the \$30,000. When we had our friends from the County Sewer Department dig up our streets there was a clause which said you had to be done by a certain date. So they went past that date and we did a calculation as to how much they would owe us. Then we realized that they were working on weekends so we should count Saturdays. So there was 30 extra days there and it comes out to \$30,000 extra. So we increased that line item by \$30,000. Mr. Giannettino asked if we collected it or is it still owed to us. The Mayor said we sent a letter demanding it. We first had to send a letter of demand to the sewer district and he thinks Mr. Giannettino knows as much as anybody that they didn't do a very good job. Mr. Giannettino said they can just ride by his house. The Mayor said we are not going to let them off the hook. We are going to get every penny the Village is owed.

Mr. Giannettino said he had another question and Tom may have to answer this one also. Miscellaneous State Aid in 2010 was \$30,000. We are projecting \$190,000? That is \$160,000 increase. Mr. Zordan said it is from the Sewer District. Mr. Giannettino said they better write that check quick. The Mayor said just so you know, we believe that we are owed \$229,000 but we put in \$180,000 just in case. Mr. Giannettino said unfortunately you are going to be chasing these people for years. He said he doesn't mean for the money but for the junky work that they did. The Mayor said just so everyone knows there was work done and it is a significant amount of money that we are due. The County Sewer District had to do work through the Village and they did it over the last two years - a lot of it on Memorial Drive, on Washington Avenue, under the B lot on Lafayette Avenue and it is one of these things where, like the sewer, we are going to have to spend a lot of money and do a lot of work and it is an inconvenience but ultimately we are getting the benefit. We

are going to have a new sewer plant - a refurbished sewer plant. Here all this work was done and we had no benefit. Obviously, you can't stop it because they have the power of eminent domain and they can go through and put in a sewer line. But we made sure that when we negotiated the agreement that they paid for whatever police we had to use to make sure that the construction site was safe. We made sure that they paid for somebody in our Village to be a construction project manager to oversee their work. And we also had a provision where if they weren't done by April 2009 they would pay the Village \$1000 a day in liquidated damages. They ultimately finished around December 9 or December 10. So calculating it out, depending on how you calculate it, they owe us about \$220,000. That money is owed to us by the contractor. Like in any situation it seems like a lot of money. It is a lot of money for the Village but it represents a very small percentage of what that project was. That portion was 35 million dollars. So you are talking about 2/3 of 1%. So there is money that obviously was set aside that the County Sewer District had to pay. They obviously had some problems also with the contractor so ultimately we don't have to go after the contractor. We said to the Sewer District, look, these are the problems, this was the contract, pay us the money. Our Village Attorney had made a demand and we have every intention of collecting every penny of that. We put in an amount less than just to be safe if for some reason the date or whatever. But again, we wanted to be conservative on revenue. There is another item which someone may talk about allocating some of the fund balance. We have a fund balance and typically is the case you are supposed to maintain a 5% fund balance. Last year, the previous administration allocated 2% of the fund balance. We could allocate 2% today which would reduce our taxes by a full 1% but he thinks what is smarter is that we felt that it made more sense to allocate 1% to reduce the taxes by 1% because we don't want to deplete our fund balance because he doesn't think the world is going to turn it around tomorrow and things are going to be much different. So he thinks it is more important for people to know what is a reasonable budget then to try to keep the budget artificially low and then be deprived next year. So we wanted to be prudent, keep taxes as low as possible, but also not put us in a position where if something happens next year we don't have the ability to try to have the cushion as well. So again he knows that people are frustrated but we tried to be as prudent as possible. We could project numbers - numbers in the past maybe have been used that were projected because the budget is just that. We all make budgets. We stick by them hopefully but sometimes we don't. But we try to have a budget that is reasonable and is conservative and not something that is just presented so taxpayers will be happy but later down the line we fall short and it costs us a lot of money. So none of us want to raise taxes. But we also have to be honest about it.

Mr. Giannettino said he sees a contingent for \$120,000. What fund balance is that in. Mr. Zordan said the water fund. Mr. Giannettino said it was a big number that stood out. He said he also saw some small numbers which he commends him on cutting the contract numbers for the Board of Trustees from \$2600 down to \$1000. Village Clerk

staff. He said he sees a reduction of \$1251. Did we cut someone out? The Mayor said no, was that moving over to the Court. The Mayor said we moved someone out of the front office to work in the Court because we are trying to recapture outstanding parking tickets so we felt it was a better use - Mr. Giannettino said how you allocate the money. The Mayor said exactly. So we think we can get the revenue to offset that so it made more sense. So again we want to maintain our staff as much as possible but we also recognize that we need to save money so we felt that there is an opportunity. The head of our Court came in and said look, if you give me some extra help, we have some outstanding parking tickets and we can generate a significant amount of revenue by just actively pursuing it. Send out letters and maybe some people will pay. And we did that by not hiring someone but by taking somebody out of the clerk's office who is already on the payroll and moving them into the Court room. So it doesn't cost us more money but hopefully it will get us more revenue.

Mr. Giannettino said two more and he is done. Street administration. He said he noticed an increase from \$17,480 to \$18,983. That is a 1500 increase. Mr. Zordan said that is an allocation. Mr. Giannettino said from part of someone's salary. Why did it increase? Mr. Zordan said you had allocations. Mr. Giannettino said that is part of his salary and Danny's salary. Mr. Zordan said and Danielle. Mr. Giannettino said the three of them. It makes sense.

Mr. Giannettino said his big question is. You increased your projection on fines in the Court by \$40,000. He said he doesn't know if that is a good idea. The Mayor said we already, and again we want it to slow down, because we want the money in this budget but in just the small efforts that we have had it yielded, in the current budget, \$7,000 more in one month. Mr. Giannettino said that must be old fines then. The Mayor said yes. Mr. Giannettino said old ones. Mr. Giannettino said very old ones. These guys can't write that fast. The Mayor said that is a very good point. We are not saying go out there and write. This is just collecting unpaid fines. Mr. Giannettino said okay. The Mayor said and that is why we moved the person over.

Jack Rosenberg of 13 Somerset Drive said that everybody in the room heard the Mayor mention his name in connection with 120 Orange which was purchased in January 2007 by the Village. They borrowed \$375,000 and it was financed on a five year basis and we heard the Treasurer say that it is being changed from a BAN to a bond. Mr. Rosenberg said that is a brand new development because he has paperwork which shows differently and that goes back a few months. He said he doesn't want to go into a question about 120 Orange Avenue and about the wisdom of buying it. It is not germane in the budget for the future. So he is not going to go into it. But he can tell everybody in the room that he has been living with this for more than three years and he thinks he has a lot of information which would show just how bad a particular action was when we bought that piece of property for 19 parking spaces and that is all there are. He has gone over there a half dozen times and he has counted the spaces and

there are only 19. The diagram that was given out at the beginning said that it was going to be 28 parking spaces. The Mayor asked if he could address that point. Mr. Rosenberg said no. The Mayor said he will choose to because he has information. Mr. Rosenberg said he is not going into it. The Mayor said you brought it up and he is going to take liberty here. He said the reason is one there was a debate in the beginning as to whether to remove the structure on the property which would create more parking spots and it was determined that it made more sense to keep the tenant there who was paying rent and that would yield more money on a monthly basis. So Mr. Rosenberg, yes, there are only 19 spots but there are 19 spots and a building and he believes, the Parking Authority is a separate entity, and yes, the board is appointed by the Village Board, but they have their own budget, they govern themselves, they bring in money by parking fees to residents and non-residents and when the Parking Authority said we can purchase a piece of property for \$350,000 and we will pay your mortgage on the property for you and then at the end you get to keep the property - the Village of Suffern taxpayers - because the Parking Authority cannot hold title to the property. So they are coming in and all we had to do is finance it. They are paying us \$27,000 a year on a thirty year lease. So anybody who has a thirty year piece of property - the rule of thumb is essentially double the purchase price. So \$700,000 is what it is going to cost. And they are giving us 30 x 27 is \$710,000. So they are going to pay for the property. It doesn't cost us anything. And at the end of the day we are going to have the property free and clear. And all we did, and news to you, yes, we decided to refinance it because it seemed more prudent that instead of BANning it and spending \$100,000 and paying it off very quickly that anybody here if you said I am going to pay off my mortgage in three years would be difficult. That is why we have 30 year mortgages. So he believes that quite contrary to what Mr. Rosenberg said it is an excellent acquisition for the Village at no cost to the taxpayers and we are securing a key piece of property which ultimately we hope will be developed into something that is great for the downtown. So he would do that every day of the week and twice on Sunday if given the opportunity. Mr. Rosenberg said that you just made a very, very strong powerful statement. He said he doesn't want to answer what he just said because it is not within the purview of a public hearing on a future budget. The Mayor said you brought it up. Mr. Rosenberg said you mentioned my name and you mentioned a change in the finances which goes directly contrary to the written document that the Village gave. Mr. Rosenberg said one point. The total amount of money that the Parking Authority will pay to the Village over 30 years is \$610,000. That is not \$27,000 a year which would be \$810,000 because the payment will go down. Now that is a written document that the Village gave him. The Mayor said okay. Mr. Rosenberg said there are 19 spaces for which they will pay \$610,000. Do you know how little money 19 spaces produces for a year? The Mayor asked if this was about the budget. The Mayor said he told him that he answered his question. Mr. Rosenberg said no, you have a habit of answering him and then shutting him up when he has the proof that your statements are erroneous. The Mayor said that is not true. They have 19 spots and a building on the piece of

the property. Mr. Rosenberg said the building was not demolished for a very, very salient reason. If you go from the street - Orange Avenue - between two concrete buildings which are not more than ten feet wide and traffic is going in two directions, how the hell can you have cars going on a ten foot right of way - two cars going in opposite directions. The building was supposed to be destroyed. The Mayor said we had an agreement with the land owner. Mr. Rosenberg said please, please. You could not possibly allow people to back out onto Orange Avenue. The Mayor asked if we could talk about this at another time. We are having a budget hearing. Mr. Rosenberg said fine, he wanted to ask a specific question. The Mayor said well ask it. Mr. Rosenberg said that he has heard in recent days three statements that he would like him to verify. A policemen retired sometime ago and has not been replaced. There is a vacancy for a part-time dispatcher which will not be replaced. And there are two patrolmen - one retiring and somebody else who will resign or be fired - and only one will be replaced. Now obviously that means three less people in the police department. Obviously that is how you were able to reduce what was on the internet for the month of March from 7.73 down to 5. The Mayor said that is not accurate. Mr. Rosenberg said it is accurate. 7.73 was the proposed tax rate. 7.73 was the amount that was proposed and now it is 5.7. It is \$151,000 less in taxes because you have eliminated expenses. Is it wise to have three less policemen on the force. The Mayor said he will answer his first question. His statement is inaccurate. The reason the budget was reduced were for the reasons pointed out by Mr. Giannettino. Those items that you brought up were in the budget that was posted in March. They have been in there for over a month. The hundred thousand dollars and change was due to those items which Mr. Zordan discussed with former Mayor Giannettino. And that answers his question.

Eva Nordhauser of 116 Bon Aire West said she would like to bring up an issue which she knows is the third rail of Suffern politics however in looking at this budget she believes it should be on the table for future examination and future consideration. Clearly not in this budget. And that is - is it time to examine our need for our own Village police department. She said she knows and she is very appreciative of our own police but that is an emotional response. That is not necessarily a logical study of what our future tax position and our future needs might be. So what she would like to suggest or propose and she knows it has been done. Other village police departments have been disbanded and absorbed by larger departments - Nyack, Sloatsburg, Haverstraw, etc. And it certainly has been done in other municipalities and what she would propose is that there at least be a study of the issue. Perhaps by someone who is not from Suffern who could examine all the contingencies and perhaps report back to this Board in the future just so you have a basis of consideration and comparison. As she says she realizes that this statement is very unpopular however she does believe that you have a duty to look at and to examine the cost of the police department for the future.

Jim Giannettino said it was discussed at the workshop about BANning

money instead of bonding money for this new round of loans. What is the difference in the rates now. Treasurer Zordan said right now it is 4.25% for a bond. But the money that has been borrowed for the sewer we may be able to get through the state a lower rate. Mr. Giannettino said that is what he was going to suggest. Getting a bond through the state for less. He said you might just want to bite the bullet for a year or so and just bond the whole thing out.

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

The Mayor said we are scheduled to adopt the budget on April 19 at 7:00 p.m. He said in the meantime he would like to thank everybody for a spirited discussion that we had this evening - more spirited with some than others and that is the way it tends to work. He said to please continue to reach out to him or any Board members or department heads. We will continue to post the budget if there are any changes and he thanked everybody and said we are going to continue to work hard to reduce it and to lessen the burden on taxpayers. He said we are all cognizant of the crushing burden that everybody faces.

DEPARTMENT OF PUBLIC WORKS:

A) Requesting Authorization to Accept O'Brien & Gere's Proposals:

Mr. Charles Sawicki said he was requesting authorization to accept O'Brien & Gere's proposals for Engineering and Operations Support Professional Services. Operation & Operator support in the amount of \$3916.67 per month, digester cover bid evaluation in the amount of \$1050, digester cover commissioning/construction observation in the amount of \$13,500 and WWTP operational evaluation in the amount of \$21,000 (\$10,500 funded by Village of Suffern and \$10,500 funded by NYSERDA).

The Mayor said we need the amount. He said it is \$3916.67 per month. That is a provision of a 4A operator and other supervisor services discussed earlier. The digester bid evaluation suggesting which bid we accept. We have to wait one more month to accept that bid. That is \$1050. The commissioning and construction observation of said digester cover for \$13,500 and the final proposal is mentioned also and that is the operational evaluation in the amount of \$21,000, half of which is funded by the Village of Suffern and the other half is funded by NYSERDA which is a NYS Energy Development Authority. A motion authorizing the acceptance was made by Trustee Abato, seconded by Trustee Simon.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

B) Requesting Authorization to Prepare the Required Bid Packages for Road Resurfacing and New Concrete:

Mr. Sawicki said he was requesting authorization to prepare the required bid packages for road resurfacing and new concrete curbing utilizing Vanderbeek Engineering for professional services not to exceed \$50,000:

The Mayor said just to touch upon that very quickly. We are looking to do about \$700,000 of road work. What is great about that is that there is not going to be any need for borrowing associated with that. There is money from the state and also money left over from past projects and that is all going to come together and we are going to be able to do a number of Village streets. We are very excited about that so we are ready to move forward on it and what Charles is requesting here is money to do engineering associated with that and we believe that even though we are going to, where we discussed in the workshop, that we are looking to authorize it upwards of \$50,000 that we are not going to spend close to that and even if we were too, and again he doesn't think we will, we are talking about at most spending, let's say if we spend \$35,000 it should be half of the total project figure. The large road project that we did about three years ago which was 2 ½ million dollars and the engineering that was associated with it was a flat fee of 10% which is typical or, he guesses, in some ways it is considered standard. Looking at it and a huge credit to Charles that would be somewhere upwards if we are spending \$700,000 and as Charles just said hey look let's go out and hire somebody and give them their 10% to engineer it and it would cost us \$70,000 or \$75,000 depending on how much we are going to spend. He is coming in and doing a lot of the work himself and at most we are spending \$50,000 and probably will be significantly less than that. So we are saving about half as much. It is costing about half as much as it did last time and that is because our engineer and head of the Department of Public Works is shouldering a lot of the burden and he just wanted to note that for the public. A motion authorizing the preparing of the bid packages was made by Trustee Abato, seconded by Trustee Simon.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

C) Requesting a Public Hearing to be Placed on the May Board Meeting Agenda to Address Tree Removal Permit Fees - May 3, 2010 - 8:00 p.m.:

Mr. Sawicki said this was to request a public hearing to be placed on the May Board meeting agenda to address tree removal permit fees. Trustee Simon said he just wanted to address that for a minute. He has been working on coming up with plans for the trees in the

Village, especially the trees in the right of way. One of the things that we are going to need at some point is professional help from a professional arborist. John Wickes from Ira Wickes Arborist has offered us his time at a greatly reduced price from what he normally charges his regular customers. What we want to do with the tree removal permit fees is not generate money for the Village - not boost up the bottom line of the budget - but they would like to offset those few times in the year when we might need him. So this money is basically just going to be - it is not revenue generating - it is a zero. It is a wash but it should cover his costs. That is all we are trying to do. A motion to set the public hearing was made by Trustee Abato, seconded by Trustee Simon. Upon vote, the motion was carried.

D) Requesting Authorization to Allow Mr. Scott Brown and Mr. Joe Hunt, DPW Safety Trainers, to Attend a Work Zone Trainer Refresher Course Held by the CSEA in Lake Placid, NY:

Mr. Sawicki said he was requesting authorization to allow Mr. Scott Brown and Mr. Joe Hunt, DPW Safety Trainers, to attend a work zone trainer refresher course held by the CSEA in Lake Placid, NY. This course will be held on April 28, 29 and 30. There will be no cost to the Village of Suffern other than Mr. Brown's and Mr. Hunt's pay. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

E) Requesting Authorization to Accept Vanderbeek Engineering Proposal for the Amount of \$3,500:

Mr. Sawicki said he was requesting authorization to accept Vanderbeek Engineering proposal in the amount of \$3,500. Trustee Meehan asked in reference to what? In the other places you reference it so it should be referenced to something. The Mayor said the special project that we discussed in terms of consulting associated with evaluating certain property and whether that property has certain natural resources that the Village can exploit. Trustee Abato said we discussed it in the workshop. Trustee Meehan said he doesn't remember that but okay, it is fine. A motion authorizing the request was made by Trustee Simon, seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

The Mayor thanked him again and said great job.

VILLAGE CLERK:

A) Approval of Minutes of Regular Village Board Meeting of February 1, 2010:

Village Clerk Virginia Menschner said we have the approval of the regular Board meeting of February 1, 2010. A motion approving the minutes was made by Trustee Abato, seconded by Trustee Meehan. Upon vote, the motion was carried.

B) Approval of Minutes of Regular Board Meeting of March 8, 2010:

Ms. Menschner said we have the approval of the Board meeting of March 8, 2010. A motion approving the minutes was made by Trustee Simon. Trustee Meehan said that neither Mrs. Abato nor himself were at that meeting. We will have to wait until Mr. Haggerty comes. The Mayor said we will have to set that aside. Trustee Simon said he withdraws it.

C) \$94,900 Serial Bonds for Water Towers:

The Village Clerk said she needs a resolution for the bonds and then a motion for the Village Clerk to advertise. Trustee Abato said that Terry said we could do them all together in one motion. The Village Clerk said she doesn't think they should. A motion approving the resolution and a motion to advertise was made by Trustee Abato, seconded by Trustee Meehan.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

D) \$40,300 Serial Bonds for Department Equipment:

Ms. Menschner said this next one is the \$40,300 serial bond for the department equipment. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Simon.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

E) \$950,000 Serial Bonds for Fire Truck:

The Village Clerk this one is for the \$950,000 bond for the fire truck. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Simon.

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

Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

F) \$2,400,000 Serial Bond for Sewer Plant:

Ms. Menschner said this last one is for the \$2,400,000 serial bond for the sewer plant. A motion authorizing the request was made by Trustee Meehan, seconded by Trustee Abato.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

G) Request for Table and Chairs:

The Mayor said we have three requests - Il Villagio Pizza and the Raider Bookshop. Unfortunately, while we want to have people to have outdoor dining outside because it is inviting, that part of Lafayette is very narrow. The Code Enforcer went there and unfortunately said that there was no room. It would impede the pedestrian's right of way. So the answer is no unfortunately. The final one is the Shamrock Hotel and we have a letter here dated today - "I have reviewed the request for 10 tables and 40 chairs outside the Shamrock Hotel. I found that there is sufficient room to accommodate the request for the amount of table and chairs." A motion to grant permission for the Shamrock Hotel for one season was made by Trustee Meehan, seconded by Trustee Simon. Upon vote, the motion was carried.

AUDIENCE PARTICIPATION:

Jack Rosenberg of 13 Somerset Drive said there was a meeting of the fourteen member urban renewal agency committee on July 22, 2009. There has not been one since and he would like to know when it's going to meet again. The Mayor said we will let you know when the next meeting is and when there is a reason to meet. Mr. Rosenberg asked when he thought it would be. The Mayor said he would inform him as soon as that meeting is scheduled. Mr. Rosenberg asked shortly? The Mayor said he would inform him as soon as that meeting is scheduled.

James DeStefano of 19 Prairie Avenue said he had two things. The one is on the revitalization project that we have been trying to get off the ground here on Orange Avenue. The Mayor keeps on saying that in 2017 this project is going to be completed. Mr. DeStefano said he tends to think we shouldn't put all our eggs in a basket waiting for

a municipality to complete a project on time. It will be the first one in New York State history that has ever been completed on time. He said he doesn't think that thing is going to be done until well after that. You are looking at probably five years. So if we are going to make plans to do something on Orange Avenue, let's not wait around for them to shovel their dirt. Let's get our own going.

Mr. DeStefano said the second thing is that he lives on Prairie Avenue and he received a notification that they have a Level III sex offender who moved into their neighborhood. This guy spent six months in jail for raping a six year old and a nine year old girl. Mr. DeStefano said he has been in bar fights where people have gotten more jail time than six months for being in a fight. He said he finds it utterly irresponsible by the state to allow this to continue in our neighborhood. We are talking about putting muzzles on dogs to identify dogs that could be potentially dangerous and we let a sex offender in a neighborhood with children. He said he drove by the house the other day and there were two little girls sitting on the front stoop of that house. Mr. DeStefano said he could stand on that property and hit a day care school with a rock - a stones throw away. So he went and he looked and he said what are the laws. He thought the laws were you couldn't be near school. There are several schools within 1000 feet of that house. He said he checked the NYS website and evidently the NYS website says the rules vary from jurisdiction to jurisdiction. So what he is proposing to do and what he would like to do is to sit down with Chief Osborn and the Village Attorney and sit down. It says the jurisdiction we can override the minimum state standard then we need to set our own standard in the Village of Suffern for where these sex offenders can go before they go and harm somebody else. And we need to do that now. This is something that he has - he said he has several young girls - his next door neighbor is totally frightened to come home to her house. That should not be going on in the Village of Suffern. So he recommends that we do that starting tomorrow. Let's see what we can do to change the rule and we should contact this landlord - this guy has a house up there. There has to be eight mailboxes on there. He said he doesn't know of any houses in the Village of Suffern that you are allowed to have eight mailboxes on it. So if there are eight mailboxes on it evidently there are eight different people living there. So maybe we should have the Code Enforcer go over and see what is going on in this place, first of all. But he thinks we really need to act on this immediately. And he would be willing to volunteer his time to help pursue this - to rid this guy of our neighborhood and any other neighborhood in the Village of Suffern and hopefully in the County. The guy was put in jail because he failed to notify his parole officer that he was moving from jurisdiction to another. So this guy is not actually following the rules. He is a very dangerous individual that we have here and he is right up the street from them.

Adam Selvianni who said he owns the Raider Bookshop that just opened down the street and he applied for the table and chairs - the outdoor seating. And he is not sure if they understand but they would be removing in the lot in the area that is right next to the

99 Lafayette building - the movie theater. Where all the shrubs are and there is a tree there as well. He said they would be removing them and putting in chairs there. It is not on the sidewalk. The Mayor said oh, not on the sidewalk. Mr. Selvianni said it is behind it. He said that is what the map - the plan that he submitted. The Mayor said he stopped by and if he has a minute we can touch base and take a look at that again. He said believe him, they want him to have them. Mr. Selvianni said he thinks it would be a great asset not just to them but to the movie theater as well. The Mayor said he thinks it is great that they are here and he said they do some publishing also. Mr. Selvianni said yes they do. The Mayor said it is a great place that they have there. Mr. Selvianni said thanks very much. The Mayor said we want to help him out but we have to make sure that the safety is there and if that is the case, we will take another look at it. Mr. Selvianni said thank you. The Mayor said he will talk to him after.

Adam DeStefano of 19 Prairie Avenue said that first of all he would like to thank this Board for starting the process to get the sewer plant fixed. It is a very valuable asset to this Village. When you look at every other village around us, we are the only self-sufficient Village and that is a commodity. That is a rarity in these times especially with the economy. And to keep that, even in these hard economic times, it may be a little difficult now but when the economy starts booming again it is going to make it very valuable and he thanks the Board for taking the steps to start the repairs. To not only make our town still self-sufficient but to also lower the operating costs for the future.

He said that also one other topic that he wants to speak on is the Orange Avenue project. He asked if they knew when the next meeting would be on that for any level. The Mayor said again we are in touch with the developer and they are still very much interested in moving forward with the project. When they are ready to move to the next step he thinks it would be appropriate to have a meeting and he will look to schedule that as soon as there is something to meet about. Mr. DeStefano said along with something his father said earlier on involving the access to the regions train. In doing some research on that he wants to make sure. It appears at the moment that they are slightly behind the schedule because they are supposed to have four bids done by 2009 and they were able to get one done. Two of them are in the final process. They have them narrowed down. They just have to do the final approval. And the last bid they have narrowed down to, he thinks, five or six builders for it. He asked if we knew if the project is running slightly behind right now and if it might pick up because of the economy. The Mayor said they have all the funding and they are moving forward. He said he guesses he is a little confused as what it is like - we want to have it as quickly as possible. We obviously want to develop the downtown in anticipation of that. So we are not waiting for it. That is the whole point. Mr. DeStefano said he definitely agrees with that. The Mayor said well if it is going to take longer then we have to go faster. But we are going as fast as we can. We want it to happen as quick as possible. He said he speaks to residents every day and

everyone he speaks to he tells them about this tunnel because it is a great thing for the Village. It is a huge catalyst. We are not putting all our eggs in one basket but it is going to happen and it is a huge thing for this Village. It is a way to attract businesses so he thinks it is in our interest to sell this thing as strong as we can. Mr. DeStefano said he definitely agrees with him on that. This is a very valuable project. The Mayor said the great website that they have and they keep on updating information and he knows that it is the largest mass transit infrastructure project in the country right now. Mr. DeStefano said he thinks that within the past fifty years nothing has come out equal to the project which is good.

Mr. DeStefano said just one other thing with the Orange Avenue project. He said he does remember - he said the plan does call for one hundred units. His personal preference is he would rather condominiums. And he knows the question was are condominiums able to sell in this economy and by the firehouse once the guy dropped the price on that we have seen that they started to sell. So he is hoping that with that it might allow some developers to say maybe we don't have to build apartments. As a Village maybe we can push them to build condos that way it would be more beneficial for us in the long-run. The Mayor said yes, and that he thinks is everybody's preference.

FINANCE DEPARTMENT:

Treasurer Tom Zordan said that all he had was obviously just going to talk about the budget and that was his only update information. But we do have the approval of the MuniTrax contract or agreement or whatever you would like to call it so that we can post our taxes on-line where the residents can pay their tax bills on line or they can just check to see what their tax bills are and check to see if they came in on Thursday and on Monday morning they looked it up to see if their tax bill had been credited and showed that it is paid. They can look it all up. That kind of stuff. He said he knows we have gone over this a couple of meetings and he wanted to know if they were ready to approve this. He said he made the adjustments in accordance with Terry's wishes that the contract would basically be until the current Board's expiration date. Trustee Abato said she was going to move it but since Terry is not here tonight she is going to include it in her motion that it is subject to his approval. The Mayor said we can do it. Trustee Abato said she is just going to put it in there just because he is not here tonight - and subject to Terry's approval, she is going to move it. Trustee Meehan seconded it. The Mayor said it is no cost to the Village. The taxpayer pays - he said he thinks it is the greater of 2.8% or five dollars. Upon vote, the motion was carried.

MAYOR:

A) James Osborne Landscaping:

The Mayor said he had just one item on the agenda that he has for new business is that we have a proposal here from James Osborne

Landscaping (no relation to Clarke Osborn) and what they want to do is to spruce up the park at the corner of Orange Avenue and Lafayette and what they propose to do is just that we pay the cost of installing the various plants which will be perennials. Perennials are the ones that come up every year. Annuals you have to plant every year. The total cost will be \$397 and again that is their cost for materials and they will do the labor for free. And they just want a little plaque to put in front. He said he thinks it is a good deal and then our guys will obviously maintain it. But normally we haven't done any real additional planting there and it would be nice to have a landscaper do that at really very little cost to the Village. A motion authorizing the landscaping was made by Trustee Abato, seconded by Trustee Simon.

AYES: Mayor Dagan LaCorte
Trustee Patricia Abato, Trustee John Meehan
Trustee Bruce Simon

NOES: None

ABSENT: Trustee Andrew Haggerty

The Village Clerk said this is from the VFW. "Following up on our talk the other day, the Post together with the American Legion Post respectfully requests a permit to conduct a Memorial Day Parade on Monday, May 31. Also respectfully request the use of the Village public address system and the availability of one person to install." The Mayor said sure, he thinks it is a great time honored tradition for the Village. A motion authorizing the request was made by Trustee Abato, seconded by Trustee Simon. Upon vote, the motion was carried.

NEW BUSINESS:

Trustee Meehan said that he would be brief. He said this is a resolution that he proposes.

WHEREAS, in 2006 the Town of Ramapo acquired 65 acre Tilcon property for one dollar, effectively taking the property off the tax roles and depriving the Village of Suffern of approximately \$35,000 in annual revenue; and

WHEREAS, in *The Journal News* story covering the event, Supervisor St. Lawrence was quoted as saying that the quarry could be used to siphon water from the river during storms, in times of drought, water could be pumped back into the river. Even then he said the quarry couldn't fully prevent flooding but it would take a couple of feet of water. And he also said that quarry woods would be developed for recreational use and could include ballfields and a band shell. Town residents would be invited to offer ideas regarding what should be done there; and

WHEREAS, in June 2008 the Town Board of Ramapo approved the sale of 65 acres to Quarry Ridge Corporation which sale was contingent upon

the approval by the Village of Suffern for the construction of 440 condominiums, according to *The Journal News* story of June 17, 2008; and

WHEREAS, in the Community View in *The Journal News* dated July 8, 2008, Sheldon Goldstein a principal of the Quarry Ridge Corporation stated "under our plan the 65 acre parcel would likely generate one million annually in Village, town, county and school taxes for every 200 units that we build. Tilcon NY previously paid \$35,000 in annual taxes to the Village of Suffern before selling the land to the town. Being that the town now owns the land this tax revenue has ended. I have agreed once again to continue the payment of this tax to the Village during our contract and due diligence period."

NOW THEREFORE BE RESOLVED that the Village Board of the Village of Suffern remind Quarry Ridge Corporation of this pledge and expect to receive \$35,000 payment in June 2010 at the start of the next fiscal year.

Trustee Meehan said he moves this. The Mayor asked if there was any discussion. Trustee Meehan said there can't be a discussion unless there is a motion on the floor. Trustee Abato said she would second it but she has a question. She asked if we could vote on a resolution that wasn't prepared by our Village Attorney. Trustee Abato said that she hasn't seen this resolution and she wishes he would have given it to them before tonight so they could have at least looked at it. Trustee Meehan said he just wrote it this afternoon. Trustee Abato said he should have e-mailed them. She asked him if they could do it on the 19th so they could look it over. Trustee Meehan said that would be fine with him and he would withdraw the motion.

Trustee Abato said that the Suffern Water Department employees - three gentlemen from the Water Department - have won the Municipal Bowling League at Hi-Tor Bowling Alley in Haverstraw. They came in first place and she would like to request that we recognize them at the next meeting. They worked very hard. And in that victory, Stan Dobrinski shot a 300. It was quite impressive and she thinks it is great morale for our Village employees to get together to participate in this municipal league.

A motion to adjourn the meeting at 10:31 p.m. was made by Trustee Abato, seconded by Trustee Simon. Upon vote, the motion was carried.

