

**VILLAGE BOARD MEETING MINUTES**

**MONDAY, DECEMBER 7, 2020**

**(IMMEDIATELY FOLLOWING THE VILLAGE OF SUFFERN REORGANIZATION MEETING)**

A Regular Meeting of the Village Board of Trustees was held on Monday, December 7, 2020. Due to the COVID-19 Pandemic, the meeting was held by teleconference.

Present: Edward Markunas, Mayor

Steven Alpert, Trustee

Charles Barone, Trustee

Jo Meegan-Corrigan, Trustee

Fred Sauberman, Trustee

Robert Magrino, Attorney

Richard Glickel, Attorney

Amy Paffenroth, Village Clerk

1. **CALL TO ORDER**:

Mayor Markunas called the meeting to order at 7:34 p.m.

1. **UPCOMING MEETINGS**:

A Workshop Meeting is scheduled for Monday, December 28, 2020. The next Regular Meeting of the Village Board of Trustees will be held Monday, January 4, 2020.

1. **SWEARING IN OF WILLIAM SIMURRA AS POLICE SERGEANT**:

Chief Andrew Loughlin made the following statement about the promotion of William Simurra: “It is my great pleasure to request that the Village Board appoints Police officer William Simurra to the position of Police Sergeant, effective December 7th, 2020. This promotion will fill a vacancy created by the promotion of Sgt Martinez to the position of Lt in November of this year. Officer Simurra is a lifelong resident of the Village of Suffern and currently resides here with his wife and two children. Officer Simurra joined the Suffern Police Department in 2014 and has been assigned to patrol ever since. In addition to his duties as a patrol officer, Officer Simurra also serves a one of the departments field training officers, a police general topics instructor, the PBA president, and acts as the department’s assistant accreditation manager for the NYS law enforcement accreditation program. Prior to becoming a Suffern Police officer, Officer Simurra served the Suffern community as a volunteer with the Ramapo Valley Ambulance Core and later as a paramedic with the Rockland Paramedics Service. He is also currently an active member of the Suffern Fire Department in the Hook and Ladder Company. Lastly, in addition to his dedication to emergency services within the village of Suffern, Officer Simurra is a member of the United States Air Force Reserves, where he served our country since 2007, and is currently a Master Sergeant. He is currently assigned as a first sergeant and acts as his squadron commanders’ principal advisor on enlisted matters. Officer Simurra has been deployed overseas to combat zones for multiple tours of duties since joining the air force and despite this, has been able to manage his work, family and volunteer responsibilities, which is a true testament to his character. Officer Simurra has consistently gone above and beyond what is required as a patrol officer, and in my opinion is very deserving of this promotion.”

**RESOLUTION NO. 232 OF 2020 - NOMINATING AND APPOINTING WILLIAM SIMURRA TO THE POSITION OF POLICE SERGEANT**

The Village Board of Trustees in their capacity as police commissioners have determined to provisionally nominate and promote a member of the police department to the Sergeant’s position that is now vacated by Jose Martinez’ appointment to Police Lieutenant. The Board of Trustees in their capacity as police commissioners hereby nominates and appoints Suffern Police Officer William Simurra to the provisional rank of Police Sergeant effective December 7, 2020. The starting salary for William Simurra as provisional Police Sergeant is $159,982.00, and his compensation and benefits shall be in accordance with the existing Collective Bargaining Agreement with the Suffern Policemen’s Benevolent Association, Inc. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Charles Barone, and passed unanimously by the Board.

1. **PRESENTATION OF THE VILLAGE OF SUFFERN AUDIT FINANCIAL REPORT – FYE MAY 31, 2020**:

The Village of Suffern fiscal year runs from June 1 to May 31. As required by law, a financial audit, conducted by the accounting firm Berard and Associates, was completed for the fiscal year ending May 31, 2020. Donna Lee Berard of Berard and Associates presented a summarized report of the audit findings to the Board of Trustees.

1. **FIRE DEPARTMENT**

A Motion to Accept Edison Chicaiza, as an over 18 member, for the Volunteer Hose Company No. 1 was made by Jo Meegan-Corrigan, seconded by Steven Alpert, and passed unanimously by the Board.

1. **CULTURE AND RECREATION**:

Cathy Mills provided the Board with an update of scheduled recreation activities.

1. **COMMUNITY FOUNDATION**:

Bruce Simon advised the Board of community service programs that have been planned by the Community Foundation. The Foundation assisted Sacred Heart Church with feeding 75 families and working to address hunger in the community with a Christmas food drive at Sacred Heart Church. In the new year, the Foundation is sponsoring a virtual 26-mile marathon to help raise money to be used to help families in need by providing culture and recreation opportunities. More information is available at suffernmarathon.com.

1. **POLICE DEPARTMENT**:

Chief Loughlin provided an update on police activities of the past month. During the month of November 2020, the Police Department responded to 651 calls for service. The call types varied from routine in nature, to emergency calls. The Police made several arrests, charging multiple individuals with menacing, Criminal Possession of a weapon, Harassment and aggravated harassment, Criminal possession of a controlled substance, Unlawful possession of marijuana, Breach of Peace, Aggravated operation of a motor vehicle in the 2nd and third degrees, larceny, Criminal possession of stolen property, aggravated assault, and criminal contempt. They also conducted several warrant investigations, resulting in multiple arrest and bench warrant arrests. On the community policing side of things, the police department and PBA holiday toy drive has begun and is in full swing. The Police run a very large and successful toy drive that assists some of our less fortunate families in obtaining toys for their children, who otherwise may not receive anything during the holiday season. This year’s drive will be a little different and more challenging due to the safety restrictions in place for COVID-19. Sgt’s Giannettino and Kiernan have taken the lead on this year’s toy drive and have done an excellent job in planning and getting the drive started, while making accommodations to keep our members and the public safe and healthy. They have already held a few events to accept toy donations from the public. One was held one at Wal Mart, and they also held a contactless drop off for seniors to donate at the community center. So far, the public has been very generous in their donations to the drive, and the Police would like to thank them for that. The Police would also like to recognize the Ramapo Saints 10-U hockey team for their large donation to the drive. And, they also like to thank Cathy Mills and the recreation department, as well as Joe Hunt and the DPW for all of their help with the drive, as they couldn’t have done what they have done so far without their help. Having said that, the Police encourage anyone that is in a position to donate to do so, as we anticipate this year’s recipient list to be larger than usual due to families hit especially hard by the COVID-19 pandemic. The PD have some more events planned in the future where the public can donate toys to the drive, including during this year’s fire department Santa Claus drive by, which is scheduled for next Saturday December 5th. They will have some police department members participating in the event and families can approach them as they drive by the residences to donate toys. In addition, they are considering setting up an amazon wish list for residents who are not comfortable dropping toys off in person. Through the wish list residents can send toys directly to the Police Department. As always, the public can also drop new unwrapped toys off at the police department from now until the holidays, they just ask that they wear their face coverings when entering building.

**RESOLUTION NO. 233 OF 2020 - AUTHORIZING THE NOMINATION OF JULIO VERAS TO THE POSITION OF POLICE OFFICER FULL-TIME**

The Board of Trustees nominated Julia Veras to the position of Police Officer Full-Time pending final certification of qualifications by Rockland County Personnel. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

**RESOLUTION NO. 234 OF 2020 - AUTHORIZING THE NOMINATING OF PETER BARBA TO THE POSITION OF DISPATCHER PART TIME**

The Board of Trustees nominated Peter Barba to the position of Dispatcher Part Time pending final certification of qualifications by Rockland County Personnel. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Charles Barone, and passed unanimously by the Board.

**RESOLUTION NO. 235 OF 2020 - AUTHORIZING AN INCREASE IN POLICE OFFICER PART-TIME STARTING SALARY**

The Board of Trustees authorizes an increase in Police Officer Part-Time starting salary to $32.00 per hour effective December 14, 2020. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

1. **TREASURER**:

**RESOLUTION NO. 236 OF 2020 - AMENDING 2020-2021 BUDGET FOR GARBAGE TRUCK REPAIRS**

The Village of Suffern DPW Supervisor has advised that approximately $23,000 will be needed to repair the Village’s garbage trucks. The 2020-2021 General Fund Solid Waste Curbside District budget does not have the necessary appropriations to pay for such repairs. The 2020-2021 General Fund budgets for Street Maintenance and Snow Removal do have sufficient funds for such repairs. TheVillage Board authorized the Village Treasurer to amend the 2020-2021 General Fund adopted budget by transferring $8,000 from Street Maintenance Contractual Expenditures plus $15,000 from Snow Removal Contractual Expenditures to Solid Waste Curbside District Contractual Expenditures. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Fred Sauberman, and passed unanimously by the Board.

**RESOLUTION NO. 237 OF 2020 - ACCEPTING A DONATION FROM BETH HAVERIM SHIR SHALOM OF MAHWAH FOR USE BY THE POLICE DEPARTMENT AND FIRE DEPARTMENT**

The Village Board accepted the donation from Beth Haverim Shir Shalom of Mahwah in the amount of $2,350 to be equally divided and used by the Police Department and Fire Department. The Village Treasurer is authorized to amend the 2020-2021 General Fund budget by increasing Estimated Revenues – Gifts and Donations in the amount of $2,350; increasing Appropriations – Police Department Contractual in the amount of $1,175 and increasing Appropriations – Fire Department Contractual in the amount of $1,175. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Fred Sauberman, and passed unanimously by the Board.

**RESOLUTION NO. 238 OF 2020 - APPOINTMENT OF INDUSTRIAL U.I. SERVICES AS UNEMPLOYMENT REPRESENTATIVES**

Upon recommendation of the Village Treasurer, the appointment of Industrial U.I. Services was approved as unemployment representatives specializing in unemployment insurance cost control, effective January 1, 2020 at the rate of $2,000 per annum to be billed quarterly at the rate of $500 per quarter as presented in the proposal (“Proposal”) from Industrial U.I. Services to the Village of Suffern dated December 3, 2020. The Village Treasurer was authorized to sign acceptance of the Proposal, subject to review and approval of the Village Attorney. A motion to approve the foregoing resolution was made by Trustee Fred Sauberman, seconded by Trustee Charles Barone, and passed unanimously by the Board.

1. **PUBIC PARTICIPATION**:

Joe Hunt, DPW Supervisor spoke about establishing a 911 emergency address for the DPW Garage in the event of an emergency. Catherine Fermatt asked the Treasurer about the recent Capital Projects and financing through Bonds. Gertrude Szyferblatt spoke about campaign signs that were placed on the right of way near her home. She requested clarification of the Code establishing where signs could be placed and about the procedure for sign removal. Bruce Simons will be working Sacred Heart to gather food items for the Food Pantry. Michael Curley stated he was disappointed in the status of Novartis and believes the Village should focus attention on a comprehensive zoning plan.

1. **DEPARTMENT OF PUBLIC WORKS**:

**RESOLUTION NO. 239 OF 2020 - AUTHORIZING SUPERINTENDENT OF PUBLIC WORKS** **TO SOLICIT BIDS FOR THE WWTP UPGRADES AND MODIFICATIONS PROJECT – CONTRACT 1**

The Board of Trustees consulted with the Superintendent of Public Works with respect to the required Waste-Water Treatment Plant (WWTP) Upgrades and Modifications Project. An assessment and recommendation for the most efficient and cost-effective upgrades have been identified as required activities. The Superintendent of Public Works is hereby directed to ensure that the plans, specifications, documents and procedures for required activities are developed. The Board of Trustees authorized Charles Sawicki to solicit competitive, sealed bids for the WWTP Upgrades and Modifications Project – Contract 1 with a due date of January 21, 2021, subject to the review of all required documents by the Village Attorney. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Charles Barone, and passed unanimously by the Board.

**RESOLUTION NO. 240 OF 2020 - APPOINTING TRAVIS JENNINGS AS LABORER EFFECTIVE DECEMBER 9, 2020**

Travis Jennings was hereby appointed to the vacant position of Laborer in the Street and Refuse Department, effective December 9, 2020, at a pay rate of $18.39 per hour. A motion to approve the foregoing resolution was made by Trustee Fred Sauberman, seconded by Trustee Charles Barone, and passed unanimously by the Board.

1. **ATTORNEY**:

**RESOLUTION 241 OF 2020 - AUTHORIZING MODIFICATIONS TO THE VILLAGE OF SUFFERN TABLE AND CHAIRS PROGRAM TO ASSIST LOCAL RESTAURANTS REOPEN IN ACCORDANCE WITH NYS EXECUTIVE ORDERS ISSUED BY THE GOVERNOR OF THE STATE OF NEW YORK**

On March 7, 2020, the Governor of the State of New York issued Executive Order No. 202 and declared a State disaster emergency for the entire State of New York with respect to the COVID-19 pandemic and to date has issued thirty-three Executive Orders as part of the State of Emergency. On March 16, 2020, the County Executive of Rockland County issued a Local State of Emergency for the County of Rockland with respect to the COVID-19 pandemic/ On March 23, 2020, the Mayor of the Village of Suffern issued a Local State of Emergency for the Village with respect to the COVID-19 pandemic, which was continued pursuant to a declaration on April 23, 2020. The Governor of the State of New York has, through the issuance of Executive Orders, authorized the opening and continued operation of businesses in the State, in Phases, depending upon the nature of the business, metrics related to infections, hospitalizations and deaths related to the pandemic. Businesses, employees and residents in the Village of Suffern, as around the State, have incurred financial hardship as a result of the pandemic and the necessity to close certain businesses and limit the workforce. The Village of Suffern would like to assist local businesses in their efforts to re-open in accordance with directives from the Federal and State authorities in a safe and responsible manner, which would provide an economic benefit to the Village and its residents.The Village Board, authorized the Building Inspector, as a matter of prosecutorial discretion and enforcement, to waive, modify or adjust certain requirements of the zoning requirement or land use restrictions to obtain a Temporary Outdoor Dining Permit for Expansion of Tables and Chairs into Adjacent Restaurant Owner Property and maintain required off-street parking for outdoor dining at a lawful restaurant and food establishment, and to issue a Temporary Outdoor Dining Permit for Expansion of Tables and Chairs into Adjacent Restaurant Owner Property subject to the following conditions:

1. Previously authorized restaurants may continue to provide outdoor dining within the boundaries of their property in accordance with the previously approved plans submitted by the restaurant owner to the Suffern Building Department.
2. Outdoor dining on Village Sidewalks is no longer authorized.
3. Temporary structures, such as tents, awnings, umbrellas and other structures, must be authorized by the Village for use during the extension period. An onsite inspection may be required by the Building Inspector and the Fire Inspector to evaluate temporary structures.
4. Permits will be valid through 12:01 a.m. April 5, 2021, or until seven days after the Governor permits restaurants to re-open to 100% capacity pursuant to Executive Order.
5. All compulsory social distancing, and other applicable COVID-19 requirements for the opening and operation of any business under the Governor’s phased re-opening plan shall be observed.
6. Permitees must adhere to all other applicable Federal, State, and County statutes, laws, codes, rules and regulations with respect to business operations, including but not limited to State and County Health Department and State Liquor Authority regulations.
7. Any permits issued pursuant hereto, shall be revocable at the discretion of the Building Inspector or his or her designee, upon a finding that the permit holder has violated the terms of its permit or that the Outdoor Dining as may be authorized herein at a particular location constitutes a nuisance, or otherwise adversely impacts upon the health, safety and welfare of the community, and that upon such revocation, the applicant and any other interested parties may be given an opportunity to be heard by the Village Board in an effort to have such permit reinstated upon such conditions as the Village Board shall deem just and appropriate under the circumstances.
8. The possession or consumption of an alcoholic beverage while a patron at an establishment with a Temporary Outdoor Dining Permit issued pursuant to this resolution, while within the confines of the permitted outdoor dining area, shall not be construed as a violation of Chapter 193-4 of the Village Code regarding open containers.
9. There shall be no fee to extend a permit of Temporary Outdoor Dining.

The Village shall have the right to suspend or terminate any Administrative Permit issued pursuant hereto in the event of a weather-related emergency, other emergency, or other event as determined by the Village to protect health and safety. Administrative permits for Outdoor Dining on Village Sidewalks issued pursuant to this Resolution shall expire at 12:01 a.m. on April 5, 2021, or seven days after the State of New York authorizes restaurants to operate at 100% occupancy. Any permit issued pursuant to this Resolution shall be revocable at the discretion of the Building Inspector or his/her designee, upon a finding that the permit holder has violated the terms of its permit or that the Outdoor Dining on sidewalks as may be authorized herein at a particular location constitutes a nuisance, or otherwise adversely impacts upon the health, safety and welfare of the community, and that upon such revocation, the applicant and any other interested parties may be given an opportunity to be heard by the Village Board in an effort to have such permit reinstated upon such conditions as the Village Board shall deem just and appropriate under the circumstances. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

1. **MAYOR**:

**RESOLUTION NO. 242 OF 2020 - AUTHORIZING THE MODIFICATION TO THE AGREEMENT WITH CHRISTINE ANDERSEN TO PERFORM CONSULTING SERVICES FOR THE SUFFERN JUSTICE COURT**

On November 9, 2020 the Board of Trustees authorized the Agreement with Christine Andersen to perform consulting services for the Suffern Justice Court for a period of four weeks commencing November 10, 2020. The Village of Suffern Justice Court Clerk has indicated that the Justice Court will required additional assistance until the position of Assistant Court Clerk or Data Entry Operator II is filled. The cost of the Agreement shall be financed by decreasing Suffern Justice Court Personnel Services and increasing Suffern Justice Court Contractual. The Board of Trustees authorized the modification to the Agreement with Christine Andersen to perform consulting services for the Suffern Justice court until the position of Assistant Court Clerk or Data Entry Operator II is filled. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Charles Barone, and passed unanimously by the Board.

**RESOLUTION NO. 243 OF 2020 - RESOLUTION ACCEPTING THE RESIGNATION OF ANNE RIZZO, ASSISTANT COURT CLERK, EFFECTIVE DECEMBER 18, 2020**

TheBoard of Trustees accepted the resignation of Anne Rizzo, Assistant Court Clerk, Effective December 18, 2020. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Fred Sauberman, and passed unanimously by the Board.

**RESOLUTION NO. 244 OF 2020 - CONTINUING THE RETENTION OF RICHARD A. GLICKEL AS THE VILLAGE’S LEGAL COUNSEL FOR LABOR AND EMPLOYMENT MATTERS AND FOR OTHER OR DIFFERENT NON-EMPLOYMENT OR LABOR RELATED MATTERS**

By Resolution No. 77 of 2020, duly adopted on April 6, 2020, the Board of Trustees authorized the retainer of Attorney Richard A. Glickel to provide professional legal services and render advice and counsel to the Village throughout the current COVID-19 pandemic. Pursuant to Resolution No. 77 of 2020, the Village did retain Attorney Glickel in accordance with an engagement letter dated April 9, 2020 which, as amended, provided for Attorney Glickel’s retention to provide advice and legal counsel as requested by the Village regarding employment agreements and labor contracts, personnel, civil service and other related labor issues and such other or different non-employment or labor- related municipal matters to the extent requested by the Village through “the end of 2020 or until the next Village re-organizational meeting”. The retainer of Richard A. Glickel for his professional services and rendering advice and legal counsel to the Village of Suffern shall continue *sine die* under the same terms and conditions as set forth in the engagement letter dated April 9, 2020 and as amended on or about July 6, 2020. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Fred Sauberman, and passed unanimously by the Board.

1. **EXECUTIVE SESSION**:

At 8:56 p.m. Mayor Markunas requested a motion for the Board to enter into Executive Session to receive legal counsel regarding pending claims. A motion to enter into Executive Session was made by Jo Meegan-Corrigan, seconded by Charles Barone, a passed unanimously by the Board. A motion to close the Executive Session and return the regular meeting was made at 9:24 p.m. by Charles Barone, seconded by Jo Meegan-Corrigan, and passed unanimously by the Board.

1. **ADJOURNMENT**:

A motion to adjourn the meeting at 9:25 p.m. was made by Trustee Steven Alpert, seconded by Trustee Charles Barone and passed unanimously by the Board.