

VILLAGE OF SUFFERN BOARD OF TRUSTEES MEETING MINUTES MONDAY, MARCH 6, 2023 7:00 P.M.

Present: Michael F. Curley, Mayor

Jo Meegan-Corrigan, Deputy Mayor

Steven Alpert, Trustee Frank Hagen, Trustee

Terry Rice, Village Attorney Melissa B. Reimer, Village Clerk Michael A. Genito, Village Treasurer

CALL TO ORDER

Mayor Curley called the meeting to order at 7:11 P.M. and led everyone in the Pledge of Allegiance and a moment of silence for those who perished in the earthquakes in Turkey and Syria.

UPCOMING MEETINGS

A Regular Meeting, Monday, April 3, 2023, at 7:00 P.M.

A Regular Meeting, Monday, May 1, 2023, at 7:00 P.M.

MOTION TO APPROVE MINUTES FROM FEBRUARY 6, 2023, VILLAGE OF SUFFERN BOARD MEETING.

A motion to approve the Board minutes was made by Trustee Meegan-Corrigan and seconded by Trustee Alpert, with all in favor.

MOTION TO SET PUBLIC HEARING ON APRIL 3, 2023, AT 7:05 P.M., FOR AMENDMENT OF THE VILLAGE OF SUFFERN STANDARD SCHEDULE OF FEES WITH RESPECT TO PARKING RATES AND VIOLATION SEARCH/INSPECTION FEES AND ESTABLISHING A FEE FOR BUILDING PERMITS SOUGHT AFTER WORK COMMENCES WITHOUT A BUILDING PERMIT

A motion to approve the foregoing was made by Trustee Alpert and seconded by Trustee Meegan-Corrigan, with all in favor.

RESOLUTION NO. 028 OF 2023

REFERRING A PROPOSED LOCAL LAW REGARDING LAND USES IN THE PO-40 ZONING DISTRICT TO THE VILLAGE OF SUFFERN PLANNING BOARD AND THE ROCKLAND COUNTY DEPARTMENT OF PLANNING AND TO SET PUBLIC HEARING FOR APRIL 3, 2023, AT 7:10 P.M.

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

WHEREAS, the Village is contemplating adjustments to the allowable uses within its various zoning districts, with the intent of bolstering its economic and tax ratable base over the mid- to long-term time period; and

WHEREAS, the Board of Trustees is considering an amendment to the permissible special permit uses in the PO-40 (Professional Office minimum lot size 40,000 square feet) zoning district to implement that goal; and

WHEREAS, § 266-67 of the Village of Suffern Zoning Law requires that such local law be referred to the Village Planning Board and the Village Attorney for their review and recommendation; and

WHEREAS, General Municipal Law § 239 requires that such local law and supporting documentation be provided to the Rockland County Department of Planning for its review and recommendation; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the proposed local law amending the uses permitted in the Professional Office-40 zoning district, the Environmental Assessment Form and the Nelson Pope memorandum reviewing the same, be referred to the Village Planning Board, the Village Attorney and the Rockland County Department of Planning for their review and recommendation.

A motion to approve the foregoing resolution was made by Trustee Alpert, and seconded by Trustee Hagen, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 029 OF 2023

AWARDING CONTRACT FOR WEST MAPLE AVENUE RIGHT-OF-WAY IMPROVEMENT PROJECT PROFESSIONAL SERVICES

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

WHEREAS, the Village solicited proposals pursuant to an RFP for professional engineering/design/documentation services for improvements to the West Maple Avenue right-of-way; and

WHEREAS, the RFP was returnable on March 3, 2023; and

WHEREAS, proposals were solicited from three engineering firms; and

WHEREAS, two proposals were received from: 1) Brooker Engineering in the amount of \$18,750; and 2) Pitingaro & Doetsch Consulting Engineers in the amount of \$29,760; and

WHEREAS, the prices submitted have been reviewed for their reasonableness and the professional competence of the firms.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that it awards the contract for engineering/design/document preparation services for the improvements to West Maple Avenue right-of-way in the amount of \$18,750 in accordance with the RFP, subject to approval of a contract in form and substance to the Village Attorney; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the contract with Brooker Engineering for the foregoing services.

A motion to approve the foregoing resolution was made by Trustee Hagen, seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 030 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 18 TO PITINGARO & DOETSCH CONSULTING ENGINEERS FOR THE BACKUP POWER FOR CRITICAL FACILITIES PROJECT

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that payment of Application No. 18 to Pitingaro & Doetsch Consulting Engineers, P.C.

in the amount of \$430.26 for Project 2021-006 GOSR NYCR-0256 Backup Power for Critical Facilities is hereby authorized, subject to approval by the Governor's Office of Storm Recovery. A motion to approve the foregoing resolution was made by Trustee Hagen, seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 031 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 18 TO PITINGARO & DOETSCH CONSULTING ENGINEERS FOR THE HARDENING OF WATER TREATMENT PLANT PROJECT

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows: **NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Suffern that payment of Application No. 18 to Pitingaro & Doetsch Consulting Engineers, P.C. in the amount of \$6,677.76 for Project 2021-005 GOSR NYCR-0255 Hardening of Water Treatment Plant is hereby authorized., subject to approval by the Governor's Office of Storm Recovery.

A motion to approve the foregoing resolution was made by Trustee Hagen, seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 032 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 9 TO MEHL ELECTRIC COMPANY FOR THE HARDENING OF WATER TREATMENT PLANT PROJECT

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows: **NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Suffern that payment of Application No. 9 to Mehl Electric Company in the amount of \$40,090.00 for Project 2021-005 GOSR NYCR-0255 Hardening of Water Treatment Plant is hereby authorized, subject to approval by the Governor's Office of Storm Recovery. A motion to approve the foregoing resolution was made by Trustee Hagen, seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 033 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 12 TO TAM ENTERPRISES, INC. FOR THE HARDENING OF WATER TREATMENT PLANT PROJECT

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows: **NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Suffern that payment of Application No. 12 to TAM Enterprises, Inc. in the amount of \$130,506.25 for Project 2021-005 GOSR NYCR-0255 Hardening of Water Treatment Plant is hereby authorized, subject to approval by the Governor's Office of Storm Recovery. A motion to approve the foregoing resolution was made by Trustee Hagen, seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 034 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 5 TO HUSH ELECTRICAL COMPANY FOR THE BACKUP POWER FOR CRITICAL FACILITIES PROJECT

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows: **NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Suffern that payment of Application No. 5 to Hush Electrical Corp. in the amount of \$67, 022.50 for Project 2021-006 GOSR NYCR-0256 Backup Power for Critical Facilities Project is hereby authorized, subject to approval by the Governor's Office of Storm Recovery.

A motion to approve the foregoing resolution was made by Trustee Hagen and seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 035 OF 2023

TRANSFER FUNDS FROM GENERAL FUND TO DEBT SERVICE FUND

WHEREAS, the Village of Suffern's credit rating with Moody's Investors Service (Moody's) is currently Aa3; and

WHEREAS, Moody's Scorecard for the Village of Suffern published in November 2022, based on the financial position and results of the Village's fiscal year ended May 31, 2022, indicates that the Village's available fund balance is 32.5% of revenues; and

WHEREAS, Moody's available fund balance rating for a Aa rated village is between 25% and 35% of revenues; and

WHEREAS, it is sound financial practice and in accordance with the Village's adopted Comprehensive Financial Policies to appropriate available fund balance for the payment of debt service; and

WHEREAS, the Village's available fund balance rating will remain between 25% and 35% of revenues if \$600,000 of General Fund available (unassigned) fund balance is appropriated and transferred to the Debt Service Fund.

NOW THEREFORE BE IT RESOLVED that the Village of Suffern Board of Trustees authorizes the appropriation and transfer of available (unassigned) fund balance in the amount of \$600,000 from the General Fund to the Debt Service Fund for the payment of debt principal and interest.

A motion to approve the foregoing resolution was made by Trustee Meegan-Corrigan, and seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 036 OF 2023

AUTHORIZING A PUBLIC HEARING TO BE HELD ON APRIL 3, 2023 TO CONSIDER THE ADOPTION OF THE 2023-2024 TENTATIVE BUDGET

RESOLVED, that pursuant to Village Law Section 5-508 (3), a public hearing will be held by the Village of Suffern Board of Trustees at Village Hall, located at 61 Washington Avenue, Suffern, New York, to consider the adoption of the 2023-2024 Tentative Budget for the Village of Suffern for the fiscal year beginning June 1, 2023, and ending May 31, 2024.

A motion to approve the foregoing resolution was made by Trustee Meegan-Corrigan, and seconded by Trustee Hagen, with all in favor.

Adopted: March 6, 2023

RESOLUTION NO. 037 OF 2023

AUTHORIZING A PUBLIC HEARING TO BE HELD ON APRIL 3, 2023 TO CONSIDER THE ADOPTION OF THE 2023-2024 WATER AND SEWER RATES **RESOLVED**, that pursuant to Village Law Section 5-508 (3), a public hearing will be held by the Village of Suffern Board of Trustees at Village Hall, located at 61 Washington Avenue, Suffern, New York, to consider the water and sewer rates for the Village of Suffern for the fiscal year beginning June 1, 2023, and ending May 31, 2024.

A motion to approve the foregoing resolution was made by Trustee Hagen, and seconded by Trustee Alpert, with all in favor.

Adopted: March 6, 2023

ATTORNEY

Mr. Terry Rice explained that the Village Board was considering a proposed amendment to the PO-40 zoning district in the Village. The PO-40, PO-15 and the PLI zoning districts were intended to be industrial, office, and commercial space in the Village that generate real property taxes and preserve the real property tax base of the Village. When Novartis announced it was leaving several years ago, the Village changed its PLI zoning district to ensure that only real property tax generating entities would utilize the property. This was important both with the Novartis property and years earlier, the Tilcon Quarry property. On both of those occasions, bond rating agencies questioned the Village's financial status since entities were moving out and, as a result, affected the bond rating.

Mr. Rice explained that the process will take the rest of the year to revise the Village's Comprehensive Plan. In the interim, the Village has an issue with the PO-40 zoning district. PO-40 is the professional office district, and it is meant to have tax producing entities located there. The PO-40 district is located along Route 59 and primarily in the vicinity of Good Samaritan Hospital. Right now, the zoning law allows, with a special permit, private schools, colleges, seminaries, dormitories accessory to schools, and private clubs. The Local Law is intended to remove those uses and make the use so that the Village only has tax generating uses in that zoning district.

The Planner did a comprehensive study. She considered the above issues and the financial repercussions as well as the fact that we need to continue to support the tax generating uses in the Village. The Planner also contemplated the removal of the uses that we are proposing in that zoning district and to ensure that there are ample locations in the Village in which they can locate. The Village wants to ensure that we are not zoning out any of the not-for-profit uses that might locate in the PO-40 zoning district.

The Planner prepared a memo and an environmental assessment form. Mr. Rice prepared a resolution that refers the proposed local law, the Planner's memo, and the environmental assessment form to the Rockland County Department of Planning (for their General Municipal Review), the Village Attorney, and the Village Planning Board. A public hearing was set for April 3, 2023.

GRANT PROGRAM

Mr. Fred Rella explained that he worked with Mayor Curley, Michael Genito, and Charles Sawicki for Parking Lot B, located on Chestnut Street across from the Post Office, and that the Village made a partial payment to Tilcon for \$200,000 so that the Village could seek reimbursement from the County for the Community Development Block Grant (CDBG) portion of the project. Mr. Rella was pleased to report that the County of Rockland has reimbursed the Village \$170,250 through the CDBG. Mayor Curley noted that some of the work was not done to the Village's satisfaction so part of the payment was withheld until the parking lot is fixed.

POLICE DEPARTMENT

Chief Loughlin presented the Police Department statistics for the month of February 2023. The Chief briefed the Board regarding catalytic converter thefts. Catalytic Converters are part of the exhaust system in vehicles. They contain precious metals including platinum and rhodium. These metals make the value of these parts anywhere between \$800 to \$1200. The Village of Suffern has received 19 reports between mid-2022 to present day. Thirteen of those thefts occurred on 2003 – 2008 model year Hondas and Acuras. Mayor Curley and several police personnel met to discuss ways to deter these thefts. Suffern PD posted tips on their social media platform, deployed more police personnel to shifts and patrol areas where these thefts are likely to occur.

Mayor Curley added that the Village will be buying a movable camera system. He also noted that these theft rings are like pit stop crews that you watch during races – it takes them only one to two minutes to remove a catalytic converter using battery operated saws. Please leave tips on the Police Facebook site or call the Police Department if you see any suspicious activity.

RECREATION

Ms. Cathy Mills commented about the fundraiser for Turkey and Syria Earthquakes. She thanked all the Village Departments for working together. Ms. Mills reported that there are several upcoming events, including showing the movie "Lightyear," Not Just Battery Saturday, a Police Dare Dance, the Egg Hunt and Easter Bunny, Little League Opening Day and Parade, Keep Rockland Beautiful, and the Back to Broadway Program. The Back to Broadway show is "New York, New York." Ms. Mills asked for everyone to take part in these Village events.

Mayor Curley mentioned that Lt. Giannettino is coordinating the Dare Dance and DARE Hockey registration. Mayor Curley mentioned that he met with Jim Hart of Little League. Mayor Curley wanted all children involved in various sports to take part in the Little League parade as a Parade of Heroes. The Mayor felt that Covid 19 was very hard on children. Wearing masks was hard for adults, but for children it was very difficult. He wants all children to be celebrated. Mayor Curley asked that the parade be as big as possible. He said, "Go Big or Go Home. Let's have a Parade and a Barbeque!"

PUBLIC COMMENT (limited to 4 minutes per speaker)

A motion to open the public comment was made by Trustee Meegan-Corrigan and seconded by Trustee Hagen, with all in favor.

Mr. Giannettino, 2 Memorial Drive, asked two questions:

1. Why was the agenda so late coming out?

Mayor Curley, "I wasn't feeling good, Jim, I apologize, it was late because of me."

Mr. Giannettino, "Yeah, but I'm sure you didn't work on it last night."

Mayor Curley, "Jim, I gave you my reason. Thank you."

2. What is the reason for eliminating workshop meetings? We have had them here for 50 years. You are the first mayor that eliminated them other than Covid. The workshop meetings, as I understood it, were like a trial run for the trustees and any of the public that was interested in what was coming up in the regular meeting. Of course, the public could not speak. The

minutes don't come out until 4 o'clock, the day of the meeting. I don't know what the goal is here. Is the goal to tell the people what's going on or is it for them not to come? Look around, nobody's here, I mean it's relatively peaceful in the Village, I'll give you that, so why wouldn't you want them to know what's going on?

Mr. Giannettino, "No, comments?"

Mayor Curley responded, "I will comment. This is your comment period. When you are done, I will comment."

Mr. Giannettino, "No, no, usually when somebody brings something up, you answer it." Mayor Curley responded, "With all due respect, I will choose how I run my meetings. Thank you."

Mr. Giannettino, "I'd like you to run it so that the public gets information. That's why I'm up here speaking. That's it for now, I'll wait for your answer."

Mayor Curley responded, "I'll answer it in my Mayor's Section. Thank you."

Mr. Giannettino, "I figured you didn't want to answer it."

Mayor Curley responded, "Thank you for your comment, Sir."

Mr. Giannettino, "You're more than welcome."

Ms. Olga Westin, 35 Park Place Condo had questions about litter in the Village. She said that she walks the downtown area and there is a lot of litter next to certain businesses. She mentioned the Post Office parking lot which you can see is next to Java Coffee. She said that the Java Coffee parking lot is very littered. In general there is a lot of litter when she walks. She was asking if there are regulations? Are the businesses required to clean up? How does it work? She stated that she participates in the "Keep Rockland Beautiful," and when she walks she uses a garbage bag and picks up a lot of litter. How can things be improved and what can she do to help?

Ms. Westin's second concern was about the general parking situation in the Village. She understands that there are regulations to prevent commuter parking (that is what she heard) and the parking signs say "No Parking 7am-9am for Street Cleaning." She said that she was not sure if it was really for street cleaning. When people visit her, they need to wake up at 7am to move their cars. Are there any other options for visitors? Snow situations are worse, there is no place to park at all. She said she called, and they told her that she needed to park somewhere else. She did not know where to park.

Anthony DeVanzo, 6 Crestwood Drive. Congratulated the Mayor on winning the election in 2021. He said that he heard good things about him.

The Mayor thanked him.

Mr. DeVanzo's concern was about the homes that were purchased in the Village over the last several years that have now become rentals. He wanted to know if the Village can control the owners of the rentals or if the Village will end up like much of Rockland County such as Ramapo, Spring Valley, etc. Mr. Devanzo said that he spoke to the code enforcer, and he was told that the Village's hands

were tied and there was not much that they could do. The Code Enforcer can only make sure that the homes are not modified to house too many people, which can mean a loss of life in a fire.

Mayor Curley told Mr. DeVanzo to continue with his comments and that he will answer during his Mayor Comment section.

Mr. DeVanzo agreed. "Can you do anything or are we just stuck with this? Does the Village work with the Fire Department? History only repeats itself."

A motion to close the public comment was made by Trustee Alpert and seconded by Trustee Meegan-Corrigan, with all in favor.

Mayor Curley told the public that he would address all of these concerns during his Mayor's Comment section and thanked the public.

FIRE DEPARTMENT

Chief Jeremy Kaufer explained that there were no items for the agenda.

Mayor Curley thanked the Fire Department for the work they do day in and day out. Mayor Curley told the Chief that he sees the calls he gets all night, and he appreciates the job they do.

TRUSTEES

Nothing was discussed.

MAYOR

Mayor Curley presented the 2023-2024 Tentative Budget to the Village Clerk earlier in the day. Mayor Curley asked the Village Clerk to please present the 2023-2024 Tentative Budget to the Village Board, which she did.

Mayor Curley spoke about zoning and code enforcement. He said that they are very important to him. Parking is also very important to him. Mayor Curley told the public that he added another fire inspector and another code enforcer to his budget. He also added another parking person. The tax increase for the new fiscal year is zero percent. The public hearing will be next month, and we have Mr. Genito, who is the top expert in the State. The Village is lucky and proud to have him.

The Mayor told the public that the Board will be going into executive session with the Police Chief, but he wanted to go over some of the issues that were just brought up in public comment session.

The Mayor stated that at the reorganization meeting the Village Board decided that it would not hold Workshop Meetings. He stated that he is one of the most open Mayors that the Village has had in years. The Mayor is in his office every single day and communicates probably as good as any mayor ever has, if not better. Mayor Curley stated that he is in the office at least 60 hours per week and the Board decided that there was no reason to have workshop meetings. Workshop meetings are for the Board and the Mayor. Mayor Curley stated that he is so open that there has been a 5-0 or 4-0 vote on every item because the Mayor communicates with the Board. Even if something happens at night, the Mayor has woken the Trustees up, because they have a right to know what is going on in the Village.

Mr. Giannettino started to shout from the audience. Mayor Curley reminded him that public session was over and asked that he not interrupt him.

Mayor Curley went on to speak about the parking issue in the Village. Mayor Curley mentioned the B-Lot and how parking was given to one or two companies in the Village. These companies were given as many as 70 to 80 parking spots just in the B-lot. This went on for years. In addition, the Mayor discovered that the fee to park in each spot was 27 cents a day for the B-Lot. He stated that was not fair to the taxpayers of this Village. The Mayor spoke about the public hearing scheduled for next month for schedules and fees, because certain things have not been done.

The Mayor also expressed frustration that they sold parking and people parked in the white spots meant for shoppers. He said that if you were parking there and your car was right outside the door, you would be more likely to leave and drive somewhere else for lunch. If your car was parked a few blocks away, you would be more likely to stay in the village for lunch. We need to uplift this Village and that is the Mayor's vision and goal.

Mayor Curley said that if we sell parking now, we do in the D or F Lots. We cannot sell parking in lots that we do not have spots available. Before the Mayor was elected, when there was new construction, the builder was required to have "one point something parking spots per unit." Now, the Mayor requires "two spots per unit."

The Mayor told the public that he had gone with the Building Inspector and shut down illegal construction jobs. All we could do is stop the job and make them get a building permit. Within the Mayor's proposed schedule of fees, the Village will charge a penalty of \$1,000, \$2,000, \$5,000, or whatever is appropriate for not obtaining a building permit. The Mayor stated that he doesn't believe that there have been many mayors that have shut down construction jobs. He vowed that he would continue to do it.

The Mayor explained that when you buy a house in Suffern, you are allowed to turn the garage into living space (bedrooms). The Mayor told the public that every week he asks the public to alert him about suspicious activity. If you see something, say something. He stated that he is getting pictures of how people are putting out their garbage cans, how they are not bringing them in. The Mayor is always in touch with DPW, and he added garbage cans to the downtown area right away to reduce litter. Mayor Curley noted that people will dispose of litter in a garbage can if the garbage cans are not too far apart. If they are further apart, people tend to litter the sidewalk or street. The Mayor also organized a "Clean Up Saturday" and asked for Ms. Westin's number to sign her up for the next "Clean Up Saturday."

Mayor Curley stated that he gave his word that he would give his blood, heart and soul for this job. He said he will continue to give his blood, heart and soul because that is called honor, and his honor is not for sale.

Mayor Curley stated that the 2023-2024 Tentative Budget will be online as of March 7, 2023. A public hearing on the Tentative Budget will be held on April 3, 2023. This budget is the Mayor's budget and the Village Board will be reviewing and working on it.

Mayor Curley stated, "When I talk about Building Code and Zone, my Board stands with me also. We recognize it is a big concern, but when I have that code book in my hand, I tell everyone that code book is the same for everyone equally. That's the only way you're going to enforce it. It has to be for everyone equally, whatever that book says and if we need to change that book, which I'm doing with certain things and certain fees, we'll change it."

EXECUTIVE SESSION

MOTION TO ENTER INTO EXECUTIVE SESSION FOR A PERSONNEL MATTER

A motion to enter executive session for a personnel matter was made by Trustee Alpert and seconded by Trustee Meegan-Corrigan, with all in favor.

Mayor Curley announced that there will be no further resolutions passed and no votes will be cast after executive session.

A motion to close executive session was made by Trustee Meegan-Corrigan and seconded by Trustee Hagen, with all in favor.

ADJOURNMENT

A motion to adjourn the meeting at 8:33 P.M. was made by Trustee Alpert, seconded by Trustee Meegan-Corrigan, with all in favor.

Respectfully,

Melissa B. Reimer, CPA Village Clerk