



VILLAGE OF SUFFERN
BOARD OF TRUSTEES MEETING MINUTES
MONDAY, JUNE 5, 2023
7:00 P.M.

Present: Michael F. Curley, Mayor
Steven Alpert, Trustee
Angela Denis-Hogue, Trustee
Frank Hagen, Trustee
Terry Rice, Village Attorney
Melissa B. Reimer, Village Clerk
Michael A. Genito, Village Treasurer

Absent: Jo Meegan-Corrigan, Deputy Mayor

CALL TO ORDER

Mayor Curley called the meeting to order at 7:10 P.M. and led everyone in the Pledge of Allegiance and a moment of silence for all the soldiers that fought for our Country and fought for our freedom; let them live in infamy and God bless them all.

UPCOMING MEETINGS

A Regular Meeting, Monday, July 10, 2023, at 7:00 P.M.
A Regular Meeting, Monday, August 7, 2023, at 7:00 P.M.

APPROVAL OF MINUTES

MOTION To Approve May 1, 2023, Board of Trustees Meeting Minutes was moved by Trustee Alpert, seconded by Trustee Denis-Hogue, with all in favor, except Trustee Meegan-Corrigan who was absent.

PUBLIC HEARING

Mr. Charles Sawicki explained that the MS4 stands for Municipal Separate Stormwater System which is a U.S. Environmental Protection Agency program. It is regulated by the New York State Department of Environmental Conservation (“NYS DEC”). An annual report is submitted to the NYS DEC. MS4 report has six categories and Mr. Sawicki listed them. He explained that the Village is a member of the Rockland County Stormwater Consortium. The Stormwater Consortium has partnered with Cornell Cooperative Extension for the public outreach portion of the MS4 requirements. The Village has had NYS inspections of outfalls and all inspections of outfalls were non-suspect.

MOTION To Open Public Hearing on Proposed Acceptance of the Annual NYS MS4 Report was moved by Trustee Alpert, seconded by Trustee Denis-Hogue, with all in favor, except Trustee Meegan-Corrigan who was absent.

No Comment from the public

MOTION To Close Public Hearing on Proposed Acceptance of the Annual NYS MS4 Report was moved by Trustee Hagen, seconded by Trustee Alpert, with all in favor, except Trustee Meegan-Corrigan who was absent.

PARKING IN THE CENTRAL BUSINESS DISTRICT

Mayor Curley announced that the GML report was not back from Rockland County yet and it would not be fair to hold the public hearing without all of the information for the public. As a result, he would like to adjourn to the July 10th meeting.

MOTION To Adjourn the Public Hearing on Proposed Local Law Amending Section 266-38 of the Zoning Local Law of the Village of Suffern with respect to Special Parking Requirements in the CB District until July 10, 2023, was moved by Trustee Hagen, seconded by Trustee Denis-Hogue, with all in favor, except Trustee Meegan-Corrigan who was absent.

RESOLUTION NO. 077 OF 2023

AUTHORIZING THE MAYOR TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT WITH THE SUFFERN POLICEMEN'S BENEVOLENT ASSOCIATION

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

WHEREAS, the collective bargaining agreement with the Suffern Policemen's Benevolent Association ("PBA") expired on May 31, 2021; and

WHEREAS, the parties have negotiated the terms of a successor agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the Mayor is authorized to execute the Memorandum of Agreement and a new Collective Bargaining Agreement with the PBA in accordance with the Memorandum of Agreement executed by the PBA on May 17, 2023.

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

Adopted: June 5, 2023

RESOLUTION NO. 078 OF 2023

AUTHORIZING THE MAYOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND FOR THE USE OF HALLET PLACE, H LOT, AND CAPITAL IMPROVEMENTS AT VARIOUS PARK AND RIDE FACILITIES IN THE VILLAGE OF SUFFERN

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

WHEREAS, the County of Rockland has proposed an Inter-Municipal Agreement with the Village of Suffern for the use of Hallet Place, H Lot, and capital improvements on the same and at various other park and ride facilities in the Village of Suffern, the term of which is January 1, 2023, through December 31, 2025; and

WHEREAS, the agreement provides, among other things, for the payment of \$38,400 for the use of Hallet Place, H Lot and at various other park and ride facilities in the Village of Suffern and for the payment of \$30,000 in Capital funds for improvements to commuter lots in the Village of Suffern; and

WHEREAS, the Board of Trustees deems it in the best interests of the Village of Suffern to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the Mayor is authorized to execute the inter-Municipal Agreement with the County of Rockland for the use of Hallet Place, H Lot, and capital improvements on the same and at various other park and ride facilities in the Village of Suffern.

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

Adopted: June 5, 2023

RESOLUTION NO. 079 of 2023

AUTHORIZING THE VILLAGE ATTORNEY TO FILE A NOTICE OF CLAIM AND/OR INSTITUTE LITIGATION AGAINST THE ROCKLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AVON CAPITOL CORPORATION AND AVON PRODUCTS, INC.

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

WHEREAS, the Village of Suffern, the Rockland County Industrial Development Agency (“IDA”), Avon Capital Corporation, Avon Products, Inc. (collectively referred to as “Avon”) and other municipal entities entered in a Payment in Lieu of Taxes Agreement on or about September 12, 2003, for a term of 21 years; and

WHEREAS, the agreement provides for the recapture of a portion of the tax savings realized by Avon in the instance of a breach or early termination of the PILOT Agreement; and

WHEREAS, at Avon’s request, the IDA terminated the PILOT Agreement prior to its expiration; and

WHEREAS, the early termination constitutes a breach of the PILOT Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the Village Attorney is hereby authorized to file a Notice of Claim and/or institute litigation against the Rockland Industrial Development Agency, Avon Capital Corporation, Avon Products, Inc. and any other persons or entities that the Village Attorney deems advisable if and at such time that the Mayor deems it advisable and directs him to proceed with the same.

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

Adopted: June 5, 2023

RESOLUTION NO. 080 of 2023

A RESOLUTION AUTHORIZING PENFLEX TO CONDUCT AN ACTUARIAL STUDY TO ASSESS THE COST OF AMENDING THE SERVICE AWARD PROGRAM WITH RESPECT TO CERTAIN INCREASES IN THE MONTHLY AWARD AND CHANGES IN THE METHOD OF SERVICE CREDITS

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

WHEREAS, the Suffern Fire Department has requested that Penflex, Inc. conduct an actuarial study the cost of amending the Service Award Program with respect to certain increases in the monthly award and changes in the method of service credits in accordance with the letter from Jeremy Kaufer, dated February 27, 2023; and

WHEREAS, the cost of such a study, that is, \$500.00, will be paid by the Suffern Volunteer Firefighters Association Inc.; and

WHEREAS, Penflex requires authorization of the Board of Trustees to undertake such a study.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that Penflex is authorized to conduct an actuarial study the cost of amending the Service Award Program with respect to certain increases in the monthly award and changes in the method of service credits in accordance with the letter from Jeremy Kaufer, dated February 27, 2023, at no cost to the Village, with the cost thereof to be paid by the Suffern Volunteer Firefighters Association Inc.

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

Adopted: June 5, 2023

MOTION To approve Suffern Fire Department to Attend the 171st Port Jervis Annual Inspection Parade on July 8, 2023, was moved by Trustee Hagen, seconded by Trustee Alpert, with all in favor, except Trustee Meegan-Corrigan who was absent.

**RESOLUTION NO. 081 OF 2023
NOMINATING MICHAEL LEVITO AS A PROBATIONARY POLICE OFFICER IN
THE VILLAGE OF SUFFERN**

NOW, THEREFORE, BE IT RESOLVED that Michael Levito is nominated as a Probationary Police Officer with a salary of \$28.48 per hour, effective on and subject to clearance from the Rockland County Personnel Department, and further subject to a two-year probationary period, commencing upon clearance from the Rockland County Personnel Department.

A motion to approve the foregoing resolution was made by Trustee Denis-Hogue, and seconded by Trustee Alpert, yea voted by Trustee Hagen, except Trustee Meegan-Corrigan who was absent.

Adopted: June 5, 2023

**RESOLUTION NO. 082 OF 2023
NOMINATING CHRISTOPHER SCHUETZ AS A PROBATIONARY POLICE
OFFICER IN THE VILLAGE OF SUFFERN**

NOW, THEREFORE, BE IT RESOLVED that Christopher Schuetz is nominated as a Probationary Police Officer with a salary of \$28.48 per hour, effective on and subject to clearance from the Rockland County Personnel Department, and further subject to a two-year probationary period, commencing upon clearance from the Rockland County Personnel Department.

A motion to approve the foregoing resolution was made by Trustee Alpert, and seconded by Trustee Hagen, yea voted by Trustee Denis-Hogue, except Trustee Meegan-Corrigan who was absent.

Adopted: June 5, 2023

MOTION To Approve Police Chief to Attend the NYS Chief's Conference and Training Session at the Desmond Hotel in Albany, NY from July 16 – 19, 2023. Conference lodging costs not to exceed, \$159 per night, as well as the actual and necessary expenses for travel and meals not already included and in accordance with the Village's policy of reimbursement for such expenses.

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

Adopted: June 5, 2023

RESOLUTION NO. 083 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 20 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. 20 to Pitingaro & Doetsch Consulting Engineers, P.C. in the amount of \$5,008.32 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, and seconded by Trustee Alpert, with all in favor, except Trustee Meegan-Corrigan who was absent.

Adopted: June 5, 2023

RESOLUTION NO. 084 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 21 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. 21 to Pitingaro & Doetsch Consulting Engineers, P.C. in the amount of \$3,338.88 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, and seconded by Trustee Alpert, with all in favor, except Trustee Meegan-Corrigan who was absent.

Adopted: June 5, 2023

RESOLUTION NO. 085 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 11 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. 11 to Mehl Electric Company in the amount of \$59,565.00 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, and seconded by Trustee Alpert, with all in favor, except Trustee Meegan-Corrigan who was absent.

Adopted: June 5, 2023

RESOLUTION NO. 086 OF 2023

AUTHORIZING PAYMENT OF APPLICATION NO. 10 TO DEWBERRY ENGINEERS FOR THE BACKUP POWER FOR CRITICAL FACILITIES PROJECTS

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. 10 to Dewberry Engineers in the amount of \$3,127.65 for the Backup Power for Critical Facilities Project 2021-006 GOSR NYCR-0256 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, except Trustee Meegan-Corrigan who was absent.

Adopted: June 5, 2023

**RESOLUTION NO. 087 OF 2023
AUTHORIZING PAYMENT OF APPLICATION NO. 10 TO DEWBERRY 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. 10 to Dewberry Engineers in the amount of \$2,739.15 for the Hardening of Water Treatment Plant 2021-005 GOSR NYCR-0255. 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, except Trustee Meegan-Corrigan who was absent.

Adopted: June 5, 2023

**RESOLUTION NO. 088 OF 2023
AWARDING THE BID FOR THE WEST MAPLE AVENUE RIGHT OF WAY
IMPROVEMENTS TO DS MEYER**

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

WHEREAS, the Board of Trustees authorized the submission of competitive bids for the Project 2023-005 West Maple Avenue Right of Way Improvement Project; and

WHEREAS, the bids were returnable on May 24, 2023; and

WHEREAS, DS Meyer submitted the lowest bid; and

WHEREAS, the Superintendent of Public Works has investigated the qualifications, capacity, capability, and history of DS Meyer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the bid for Project 2023-005 West Maple Avenue Right of Way Improvement Project is awarded to DS Meyer, 2 North Street, Waldwick, New Jersey 07463 in the amount of \$226,180.00, subject to entering into a contract acceptable to the Village Attorney in form and substance.

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

Adopted: June 5, 2023

**RESOLUTION NO. 089 OF 2023
ACCEPTING THE NYSDEC ANNUAL MS4 REPORT**

WHEREAS, the Village of Suffern is required to file an Annual NYSDEC MS4 Report; and

WHEREAS, the Report has been completed by the Director of Public Works for the year ending March 2023.

WHEREAS, this is a Type 2 Action requiring no further action under SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees accepts the Annual NYSDEC MS4 Report for the year ending March 2023, Nunc Pro Tunc.

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

Adopted: June 5, 2023

**RESOLUTION NO. 090 OF 2023
DECLARING CERTAIN COMPUTER EQUIPMENT AS SURPLUS**

WHEREAS, the Village Treasurer has advised the Village Board that the following Village-owned computer equipment is no longer necessary or useful to the Village and should be declared surplus:

<u>Make</u>	<u>Description</u>	<u>Model</u>	<u>Serial Number</u>
Dell	Desktop	Optiplex 9010	F1T2FX1
HP	Laptop	Pavilion g6t-2000	5CD3294MXK
HP	Laptop	Pavilion g7-1150us	CNF1192BHS

NOW, THEREFORE BE IT RESOLVED that the foregoing described computer equipment is declared surplus; and

FURTHER BE IT RESOLVED that the Village Treasurer is hereby authorized and directed to dispose of the foregoing described computer equipment in a manner that is in the best interest of the Village of Suffern.

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

Adopted: June 5, 2023

**RESOLUTION NO. 091 OF 2023
APPOINTING JORDAN TANNENBAUM AS CODE ENFORCER PART TIME
EFFECTIVE JUNE 12, 2023**

RESOLVED, that Mayor Michael F. Curley does hereby appoint Jordan Tannenbaum as Code Enforcer Part Time, at an hourly rate of \$22.00, effective June 12, 2023, and said appointment is hereby confirmed by the Board of Trustees of the Village of Suffern.

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

Adopted: June 5, 2023

**RESOLUTION NO. 092 OF 2023
AUTHORIZING THE VILLAGE ATTORNEY TO INSTITUTE LITIGATION FOR
INJUNCTIVE AND OTHER RELIEF AGAINST CHIEF MEMSCHE 5 LLC,
DANINA REALTY LLC, AND ZUNIGA CORP., DOING BUSINESS AS DANINA
ITALIAN RESTAURANT**

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

WHEREAS, the real property located at 5 and 9 Lafayette is owned by Chief Memsche 5 LLC; and

WHEREAS, Chief Memsche 5 LLC has leased or otherwise permitted and Danina Realty LLC and Zuniga Corp, doing business as Danina Italian Restaurant (hereinafter collectively referred to as “Danina”) to utilize the property for dining; and

WHEREAS, Danina has erected a tent without obtaining approvals pursuant to the Village of Suffern Zoning Law, without having obtained a building permit or certificate of occupancy and in violation of the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, without obtaining approvals pursuant to the Village of Suffern Zoning Law, without having obtained a building permit or certificate of occupancy and in violation of the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, the Fire Inspector and Code Enforcement Officer deems that the foregoing use, in addition to being in violation of the Zoning Law and New York State Uniform Fire Prevention and Building Code, a threat to the safety of the public.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the Village Attorney is hereby authorized to institute an action for injunctive relief and such additional relief as the Village Attorney deems applicable against Chief Memsche 5 LLC, Danina Realty LLC and Zuniga Corp, doing business as Danina Italian Restaurant and any other persons or entities that the Village Attorney deems advisable.

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

Adopted: June 5, 2023

ATTORNEY

Mr. Terry Rice explained that the PBA collective bargaining agreement had expired about a year ago. The PBA and the Village had come to a fair agreement between the parties.

Mayor Curley added that he found that PBA to be very realistic, very fair, and very caring about this community. They understood that we were a smaller Village. He said that he believes that the contract is fair for the residents, fair for the PBA, and we did not have to hire outside legal counsel. Not hiring outside legal counsel saves the Village hundreds of thousands of dollars. This is money that was spent previously. This is money that can be spent in other ways. Mayor Curley stated that this contract is fair for everybody. He also stated that the entire contract will be updated; it will not just be a memorandum of agreement.

Mayor Curley mentioned that he negotiated with Rockland County for Hallet Place lot and other lots. It is the most the Village ever received for the parking lot repairs.

Mr. Rice stated that approximately 21 years ago the Village entered into a payment in lieu of taxes agreement (“PILOT”) with Avon. Avon paid a much lower amount of property taxes than they would have if not for the PILOT agreement. The term of the agreement was 21 years. The Rockland County Industrial Development Agency (“IDA”) terminated the agreement short of the end of the agreement. There are factual and legal issues.

Mr. Rice stated that he and the Mayor had a conference call with the IDA and their attorney. It did not go well as far as getting rational responses from them. Mr. Rice stated that in order to move forward in the best direction for the Village, the following resolution is to authorize Mr. Rice to file a notice of claim (required for tort claim) and/or institute litigation against the IDA and the various Avon Corporations. There are a number of parties to this agreement (County, Town, School District).

Mayor Curley stated that he was the individual who found that the IDA had a meeting and voted to let Avon out of the PILOT program early. He stated that there is a claw back charge of 10% of the entire contract. Other County leaders are watching where Suffern is going with this legal action and may join the fight. Mayor Curley stated that he did get his “Irish up” during the conversation with the IDA. It was unacceptable and asked the public to go online and watch the IDA meeting. The Village is the municipality that caught what was going on and the Mayor stated that he is fighting for the Village taxpayers, fighting for the School District, the Town residents, and the County of Rockland as well.

“Avon received,” Mayor Curley stated, “a great tax deal years ago. Now, Avon is listed for sale and under contract. They are ready to leave Suffern.” The Mayor stated that Avon will walk away with \$40-50 million. Mayor Curley believes that the taxpayers should get their fair share. Lastly, the Mayor requested an emergency meeting with the IDA, and it has not been granted.

GRANT PROGRAM

Mr. Fred Rella explained the grant that the Village of Suffern received for West Maple Avenue for \$300 thousand. Project will begin at the end of June 2023.

Mr. Rella said that the Dormitory Authority of the State of New York has fully executed the grant for \$325 thousand for the Village of Suffern municipal building boiler. We can begin the bidding process.

EFC Grants – Backup generators for the Wells and Bon Aire – to help pump water through the distribution system.

FIRE DEPARTMENT

Mr. Jeremy Kaufer, Fire Chief, presented the items for the Board. Trustee Hagen asked about the Penflex item and if it was more beneficial to the members. Mr. Dan McInerney was called up to answer the question. He stated that the study was asking for a cost estimate to be completed. For instance, outlining the increase from 30 years to 35 years maximum. He explained that the resolution was just to ask permission just to have the study done. The Fire Department will pay for the study. A letter needs to be sent by the Mayor instructing Penflex to do the study.

Mayor Curley stated that we have volunteer firefighters, and we want to have them. We want to give them a better retirement system. Penflex is the retirement system for volunteers.

POLICE DEPARTMENT

Chief Loughlin presented the Police Department statistics for the month of May 2023. The Chief spoke about the Rockland County Sheriff’s Department agreeing to deploy its mounted unit on horseback to our downtown areas on select weekends. The mounted unit was in Suffern during the last weekend. The Chief stated that the response from the residents was extremely positive. Mayor Curley and the Chief thanked Sheriff Falco, the Department, and the Officers for coming to the Village.

RECREATION

Ms. Cathy Mills reported the following:

- a. Calendar delivered
- b. Yoga in the Park - Mondays in June (5, 12, 26) – 6:30pm
- c. Fishing Derby – Saturday, June 10 –Foxwood Pond - 9:30 Registration, 10:00 Fishing, 11:00 BBQ
- d. Pool Registration Begins - Wednesday, June 14 (all dates in calendar) 9 A.M. – 9 P.M.
- e. Pool Opens – Saturday, June 24 - 11am Meet & Greet for Board Members to meet the lifeguards
- f. Swim Lessons begin – June 26 & 27
- g. Clifford Theater Begins – July 5
- h. Clifford Theater Performances on July 28 & 29
- i. Kickball game at Horton Field -Friday, July 7 – 7pm
- j. Family Day at the Pool – Saturday, July 15
- k. Concerts in the Park – Thursdays in July

Mayor Curley commented that the Memorial Day Ceremony and barbeque was excellent.

PUBLIC COMMENT (limited to 4 minutes per speaker)

A MOTION to open the public comment period was made by Trustee Hagen and seconded by Trustee Alpert, with all in favor.

Jim Giannettino, 2 Memorial Drive, stated that he was very happy that Avon was finally getting their due. He was very happy to see the crowd for Memorial Day.

Mr. Giannettino asked Mr. Sawicki if a list of roads was finalized for paving. Mr. Sawicki said that it has not been finalized. Mr. Giannettino requested that Memorial Drive be paved this year. He stated that it has been 12 years or more since Memorial Drive was paved.

Mr. Giannettino asked what the parking situation was for this year. Mayor Curley answered his question. Mayor Curley reviewed the pricing for parking. He explained that merchant parking is now the same price as a resident parking permit. The Mayor is now not overselling the lots as they did in the past. White spots are for shoppers not for permits. He said that we also increased the ticket prices. Mr. Giannettino agreed with the Mayor.

Mayor Curley complemented Mr. Giannettino by stating that he comes to many Suffern events and attends the Board meetings. The Mayor thanked Mr. Giannettino for his participation. The Mayor stated that Mr. Giannettino fights for what he believes in, and he respects that and that is true democracy. He said that is what we need, and the Mayor thanked him for that.

Patsy Wooters, 19 Mansfield Place, attended the ceremony on Memorial Day, it was excellent. She stated that she is very impressed with Brookfield. She has been in contact with Justin Drysdale. She is very interested in them providing additional sustainability measures for the project, which Mr. Drysdale has agreed to. She also asked for them to use heat reflective material for all paved surfaces.

Asked for an update for the well project. The Mayor gave an update and said that he would.

Tal Simhoni, 27 Wayne Avenue, stated that she does not know what is in her water. She stated that it looked like rust in her water. Can the water be used for bathing, brushing teeth, etc.

Mayor Curley stated that Ms. Simhoni called him on a Sunday at about 8 A.M., about two weeks ago. He and Mr. Stan Dobrinski, Chief Water Operator, went to your house. When they saw it, there was a tint of brown in the water. Which Ms. Simhoni explained was going on for months. It was not just from the well project. It may be something that is going on with your house.

Ms. Simhoni asked, "Is it my house only?" The Mayor answered that so far it had only been her house. She had told the Mayor that it was on and off for months. That is longer than the well project has been occurring. The Mayor stated that the kitchen sink was fine, but the bathroom had a slight tint of brown.

Again, Ms. Simhoni asked, “Is it only my house or is it only me complaining? The Mayor answered, “So far, it is only you, but you did have a problem. I agree with you 100%.” The Mayor also said, but as we ran the water there was a lot less. Ms. Simhoni stated that today she had to run the water and it was making her late. The Mayor stated that he is not an expert, but it may have to do with piping and different factors. So far, Ms. Simhoni was the only house that they had to go to...so far. That is not to say that no one else had issues; they just did not call the Village. Ms. Simhoni stated that this has been going on for the past couple of months. The Mayor stated that the well project started on May 15th.

The Mayor stated that he is asking the Water Department to go back out to Ms. Simhoni’s home and look to see if we can find the cause of the issues. Mayor Curley stated that we care about everyone in the Village.

Ms. Simhoni stated that she is running for the position of Mayor. She would like to discuss issues that she approached while running for office. Mayor Curley told her that he has an open-door policy. She can come any time to discuss anything.

Mr. Gianntinno returned to the podium to ask about a business on Wayne Avenue. It has several cars in the parking lot that do not belong there. They were notified back in July.

Mayor Curley answered that Robert Magrino, the Village’s other attorney is handling that, and they are in court. They will be having a trial later this month. The Village does not agree that you have a use, and you are not using it for that particular use. You have to have permits; you cannot go against State Fire Codes. Mayor Curley stated that it is not an immediate danger, so it is going through the process.

Mr. Gianntinno thanked the Mayor for his answer. He did not know that it was in court. He stated that if he knew that he would have never even asked the question.

A MOTION to close the public comment was made by Trustee Hagen and seconded by Trustee Denis-Hogue, with all in favor.

PUBLIC WORKS

Mr. Charles Sawicki explained that they went to bid for the right-of-way improvements for the West Maple Avenue project. The Mayor explained that the bid came back much lower than the others. Mr. Sawicki wanted to ensure that the bid was valid, and Charles did his due diligence. The Company gave a price from prior to Covid.

EXECUTIVE SESSION

A motion to go into Executive Session for litigation at 8:08 P.M., was made by Trustee Denis-Hogue, seconded by Trustee Hagen, passed by the Board.

Absent: Jo Meegan-Corrigan

Mayor Curley stated that they may take a vote when they come out of Executive Session.

A motion to exit Executive Session at 8:23 P.M., was made by Trustee Alpert, seconded by Trustee Hagen, passed by the Board.

Absent: Jo Meegan-Corrigan

Subsequent to Executive Session:

DaNina's Restaurant, Mr. Rice explained to the Board, and the owner of the adjoining parking lot has been operating a restaurant. There is a tent and a structure that were erected that are not allowed under the zoning law because there have been no approvals. He stated that the tent, the electrical, and the way it is constructed, violate many provisions of the New York State Fire Prevention and Building Code, the Fire Code in particular.

Mr. Rice stated that he met with the Fire Inspector and the Code Enforcement Officer today and spoke to them over the weekend. It is a situation in which, the Village, in all good conscience, cannot allow to continue because it is a potential fire hazard. Mr. Rice said that there are no exit signs, inadequate exits, a tent that was never inspected, it may not be compliant as to not being combustible. There are heaters hanging from the ceiling; there is a whole litany of items that the fire inspector is very concerned with. The Village was trying to work with them, but now that the weather is nice again, they opened up and the Village is left with no alternative, but to seek injunctive relief in State Supreme Court to try to stop this because the Fire Inspector believes, very strongly, that there is a safety threat.

Mayor Curley stated that other people, while he has been mayor, have had tents in their driveways, etc. The Village has had these tents taken down. Suffern has a law for tents called an Event Tent Law. You are allowed to have a tent for 14 days. The Mayor stated that he met with the people from DaNina and after he did, he received a letter from their attorney stating to stay away from their client. He stated that he cannot negotiate with them even if he wanted to. He also said that they went to the Planning Board for one meeting and never went back.

The Mayor discussed the following points: Anyone that has tables and chairs in this Village has applied for a permit and has been approved. The Fire Inspector and Code Enforcer have explained to DaNina's what they need to do. DaNina's decided on their own, to just open without making any necessary changes. They just defied State fire codes, local codes, fire codes, building codes, etc.

Mayor Curley stated that he must treat everyone the same. He stated that approximately two months ago, a gentleman was interested in purchasing the HSBC Bank building. This is the building that is next to Dunkin Donuts. The man told the Mayor that he owned a kosher restaurant in the Monsey area. He wanted to open a kosher catering/restaurant in the Village. He said that he wanted to add to the space of the bank building by adding a tent to the outside in the front of the property. The Mayor stated that he could not. The gentleman mentioned a couple of event tents and the Mayor explained the concept of event tents. Then the gentleman mentioned DaNina's and their tent. The Mayor told him that the tent at DaNina's needs to be removed; that it is not legal. The Mayor said that he represented to this gentleman of what existed in this Village and the man probably did not buy the building based on what the Mayor told him. Mayor Curley stated that he cannot treat one person one way and another person another. All people must be treated equally. If he does not, the Village will have a lot of liability. "If the Fire Inspector, the Code Enforcer, the Building Inspector tells me it's dangerous," said Mayor Curley, "I trust their expertise and they are all telling me it's dangerous."

The Mayor stated that if DaNina takes down their tent and structure, fills out a table and chair application, he will have the Clerk and Building Inspector approve the application, and have DaNina open in minutes.

Mayor Curley stated that DaNina received a grant from Rockland County for \$23 thousand for chairs, tables, and umbrellas. Diddy's also received a grant of approximately \$10-\$12 thousand from Rockland County. These grants were not for tents or structures.

The Mayor stated that he wants everyone to do well in this Village, but he'd rather lose votes than lose lives. The Board and Mayor were moving ahead with the Board resolution and bring it to court. The Village Building Department feel that they must protect the residents and non-residents that visit DaNina's.

TRUSTEES

Mr. Hagen asked about the police issue from Saturday night, is that still being worked on? He received phone calls.

Mayor Curley asked for the Police Chief to come up and answer Mr. Hagen's question.

Chief Loughlin answered the questions about the incident that happened at the train station on Saturday night. It is still under investigation. There are several leads, and the Suffern Police Department posted some information on our social media account just to make the public aware. Chief Loughlin said that they do not believe that there is any threat to the public whatsoever. This was an incident between two people who knew each other. At least two of the parties had taken the train to Suffern and gotten off the train. The case should be closed within the next couple of days. The Police must be careful about what they put on social media because the suspects read social media as well.

Mayor Curley added that criminals also read Facebook.

ADJOURNMENT

A motion to adjourn the meeting at 8:34 P.M. was made by Trustee Hagen, seconded by Trustee Alpert, with all in favor, except Jo Meegan-Corrigan was absent.

Respectfully,

Melissa B. Reimer, CPA
Village Clerk