



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

Present: Michael F. Curley, Mayor
Jo Meegan-Corrigan, Deputy 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

CALL TO ORDER

Mayor Curley called the meeting to order at 7:06 P.M. and led everyone in the Pledge of Allegiance and a moment of silence in memory of Dennis Dale. Mr. Dale was a local area resident, a retired New York City Firefighter, and raised his family in this area.

UPCOMING MEETINGS

A Regular Meeting is scheduled for Monday, October 2, 2023, at 7:00 P.M.
A Regular Meeting is scheduled for Monday, November 6, 2023, at 7:00 P.M.

APPROVAL OF MINUTES

MOTION To Approve August 7, 2023, Board of Trustees Meeting Minutes was moved by Trustee Meegan-Corrigan, seconded by Trustee Denis-Hogue, with all in favor.

GRANT PROGRAM

Mr. Fred Rella advised the Board that over the past 45 days, the Village has applied for more than \$4 million in Water Department grants. He stated that these grants will enhance the Water Department with state-of-the-art technologies. Mr. Rella listed the following projects for the Water Department: 1) Backup generator for Bon Aire area that would include Good Samaritan Hospital to deliver water to that area in an emergency situation, 2) Automated water meter system – Cloud-based system that reads the water meters from anywhere and at any time, 3) Additional Water Well – currently have four wells; this would be the fifth well for the Village, and 4) Lead service line replacement (from the road to the meter). This is required by the Environmental Protection Agency; New York State; and Rockland County Department of Health. Any lead service lines would need to be identified and replaced. The Village should be notified as to their acceptance by the end of the year 2023.

Mayor Curley explained that these projects would be done based on whether the Village receives these grants. The Mayor explained that the Village is trying to be proactive regarding the well.

Mayor Curley discussed the use of Well #4 and if it were to be deemed inoperable, the Village would have supply issues. Another well would help the Village maintain the water supply.

The Village applied and received a grant for the Village Hall heating system for \$235 thousand. Public Works received a bid for the heating system (\$123 thousand) and the Village will be going out to bid on the distribution system (radiators, pipes, etc.). We hope to have this done for the upcoming winter.

A grant for Parking Lot A, corner of Orange and Lafayette Avenues. This is \$200 thousand and DPW will start with the engineering.

The West Maple Avenue Sidewalk Project is now complete. The Village received \$300 thousand to do the sidewalks, curbs, and driveway aprons. Mr. Rella told the Board that the finished product is just beautiful. He said that the Village will be submitting the paperwork for reimbursement.

Mayor Curley explained how some grants work and how the grants are limited to certain areas of the Village based on household income; this includes the Community Development Block Grants.

PUBLIC HEARING

REGULATING RENTAL PROPERTIES

Mayor Curley explained the local law and how the Village welcomes rental properties. The number of rental properties in the Village has increased dramatically in recent times. The Village has found that we have several rental properties, and the applicable Village Department cannot contact the owner. Without the owner's contact information, it is difficult to enforce some of the Village rules and regulations. This registry will also assist not only the Building Department but, also for Police and Fire. The more information the Village has, the better.

MOTION To Open Public Hearing on Proposed Local Law Amending Chapter 215 of the Code of the Village of Suffern Regulating Rental Properties in the Village of Suffern, was moved by Trustee Alpert, seconded by Trustee Meegan-Corrigan, with all in favor.

Mayor Curley asked for the public to come forward and make comments. He stated that the proposed law adds owner-occupied and single-family homes. He told the public that if there were changes that they would like to make, the Board would be willing to add those changes.

Beth Copell, 30 West Malbie - Thanked the Board for the registry and that it is a fantastic idea. Ms. Copell mentioned the West Ward and the issues they have had with rental properties and their vehicles. She appreciates the registry so that we can get in touch with landlords (most are LLC's).

Ms. Copell asked if there will be something that addresses the number of occupants in a unit and limit the number of people that are "non-family."

Mayor Curley stated that there are laws based on square footage and the number of people within that area. He explained that without this registry and change in local law, we would not be allowed to inspect single-family homes. He stated that the Village may have push back, but he stated that we must try as a community to control situations. The Village is not against renters;

this is to protect renters. The Village is doing this for the few landlords who are not responsible. Most landlords are responsible. We need to protect the tenants and we can inspect. We can ensure that the landlords fix things that are not safe.

Mr. Rice explained that the law defines a single family as a residence. This is beyond housing codes. The definition of single family had to be expanded because of case law regarding group homes, etc. The law does not allow, as a single-family, renting out bedrooms to individuals. Mr. Rice stated that the Village recently filed an injunction to stop this on a single-family residence. A single-family residence must be used for a single family.

Richard Evans, owns two properties in Suffern – He asked for the definition of a “property manager” that is mentioned in the proposed law. He stated that he does not live in Rockland County. He maintained that he could take care of the properties from Connecticut, New Jersey and not have a “property manager.”

Mr. Rice answered that there needs to be someone responsible in the County of Rockland. This way someone can respond to any problems on the property expeditiously. It is a reasonable provision in the law of this type.

Mr. Evans asked if it can be a licensed general contractor. He was told that yes, a licensed general contractor would suffice. It was made clear that it can also be someone that lives in the home.

Mr. Evans mentioned that he could be here faster from Mahwah, New Jersey than he could be from Nyack, which is in Rockland County. Trustee Alpert also appreciated Mr. Evans’ point about being in Mahwah and the timing of addressing concerns.

Mr. Rice explained that the law uses Rockland County as a definition. Mr. Rice explained that it could be changed to say, “within a certain number of miles.”

Jim Giannettino, 2 Memorial Drive – Asked about section 215-3 what would be acceptable proof for the owner’s proof of residency?

Mr. Rice said that proof is discretionary.

Mr. Giannettino asked about section 215-6, the number of persons intended – how will this be policed.

Mr. Rice answered that we are asking for the correct information. If someone is inaccurate – they are risking a violation. Mayor Curley added that part of this is an inspection. Mayor Curley added that the Village can inspect and the next day, someone else could move in as an additional person. They can be legal for the inspection and the next day be illegal. The Village is doing yearly inspections. If there is probable cause, through neighbors or code enforcers, the Village can obtain a search warrant to go into the house. The Mayor stated that it is not a perfect world, but the Village will use the tools it has.

Mr. Giannettino asked if the Village could obtain identification from all occupants of the rental. Mr. Rice stated that it was not constitutional. He explained that the Village does want to know how many are in each room. If someone was to misrepresent that number, and the Village found

out then We want the number of people living in the home, but if they misrepresent the information, the applicant is subject to fines and/or will not be allowed another permit for a year. If an applicant violates the provisions in the law, the law discusses the ramifications of misrepresenting the facts. A permit is required every year. An inspection is also required every year. Someone can say, "No you cannot come into my house." They will not get a permit. The Village will start legal proceedings (search warrant).

Geri Shappy, 42 Ramapo Avenue – Asked about the Community Task Force. Ms. Shappy was worried about neighbor against neighbor. She did not like the term, "Community Task Force."

Mayor Curley explained why the Village wants the Community involved. Community is the eyes and ears of the Village. He explained the idea of working as a community to make the community better. The Task Force is not in the law; it is separate and apart. No member of the Task Force will be policing the neighborhood.

Mayor Curley stated that there are task forces all over the County, for instance: the Health Department, Ed Day's office, etc. Under the guidance of the Village, the Task Force will help this law work. This is in addition to the Village.

Lois Tschudy, 558 Kensico Court – Tried to ask a question of the Mayor, not having to do with the public hearing. She was told to come back up during the Public Comment period.

Daren DeCosta, 52 Ramapo Avenue– He shared that he liked the concept of the local law and the registry. Mr. DeCosta added in reference to the location, that the law should read, "within 50 or 100 miles rather than within Rockland County." He stated that he was concerned with the use of search warrants.

Mayor Curley assured Mr. DeCosta that a search warrant is not the first step. A search warrant is a last resort. A search warrant is exercised because there is probable cause. This is about the safety of people and the tenants' rights. The rentals have become an issue; which was not years ago.

Mayor Curley explained that the Village cannot knowingly ignore overcrowding or unsafe conditions. It would be irresponsible on the part of the Village. If people know that the Village is enforcing this law, more people will be apt to abide by it. A search warrant is already in place in the Village law; probable cause is in the law.

Mr. Rice explained that there would be clear violations and there must be a court order for a search warrant. He assured the public that the 4th amendment applies in the Village of Suffern.

Mr. DeCosta asked if there will be a cost to the property owners. Mayor Curley answered that there is no cost to the property owner. It was decided by the Board that it was more important to have the registry information than to have a revenue stream.

Richard Evans, owns two properties in Suffern – Asked if the Building Inspector finds a violation, does the owner have a chance to fix the problems or is there an immediate fine. He also added that he believes that this law can cause the government to be overreaching.

The Mayor answered that there are always 30 days to correct any violation.

Mr. Rice stated that every municipality constantly deals with code and zoning violations. The aim, with municipalities, is to get compliance. It is not to harass people or make money for violations. The violation/inspection is a process; the whole purpose is to get compliance.

Jack Meehan, 16 Sagamore Avenue – He believes it is a great idea and has no criticism of the local law. He praised the leadership in the Village of Suffern.

Hannah Fenton, 11 Hillside Avenue – Spoke about the changes that she has seen in Suffern over the last 20 years. She is very happy that this local law is being passed.

MOTION To Close Public Hearing on Proposed Local Law Amending Chapter 215 of the Code of the Village of Suffern Regulating Rental Properties in the Village of Suffern, was moved by Trustee Hagen, seconded by Trustee Alpert, with all in favor.

Mayor Curley discussed two issues that were addressed by the public during the public hearing. He asked to change the radius of where the owner resides. He stated that it should not just include Rockland County. The Mayor discussed the Registry Task Force. He stated that it was not written in the local law. The Mayor stated that he always asks the community members to talk to him about issues in the community. He is looking for a community group to assist with the compliance with the local law; he is not looking to scare people with the term, “Task Force.”

Mr. Rice recommended an amendment to the local law section 215 3A10 from “residing in the County of Rockland.” Mayor Curley asked if everyone would be agreeable to changing the local law to read that the owner needs to reside within 30 miles of their rental property, or they would have to appoint a representative that does.

Trustee Alpert asked how the renter(s) will find out about this law and that it has taken effect. Mr. Rice answered that it is an enforcement type issue. The law requires that landlords must register within 60 days of the passing of the law and then every year then after. Mr. Rice also suggested that the law be publicized.

Mayor Curley said that he had spoken to the Treasurer about mailing a notice to every resident in this village. He said that they are looking for the best format to notify all residents (not just Facebook or email). The Treasurer is looking for the appropriate funds. When a home is sold, the Village will send a notice. This is a work in progress. People, he said, do have a responsibility to stay aware of the laws in the Village.

Mr. Alpert also asked if the Village would need to hire additional staff to handle the registry and inspections.

Mayor Curley stated that this is the most important situation right now in the Village of Suffern. If the Village needs to increase our Building Department personnel, then, he stated that, we will do it. Our newest Code Enforcer, Jordan, is specifically working on this project. Our Recreation Department will be sharing an employee part-time with the Building Department. In addition, the Parking Authority person, who is doing an excellent job, will be working a few hours a week in the Building Department. So, yes, the Village does need more employees in the Building Department.

This Village had, years ago, 29 full-time police officers. We now have 22 full-time police officers. Mayors and Boards in the past have cut the Police Department to make up their budgets. The Mayor said that he brought the Police Department up to 22 officers. He said that Chief Loughlin has assigned the part-time police officers to patrol downtown on foot. There are more people from the increase in rentals. Mayor Curley said that he has invited the County of Rockland Sherriff's Department to patrol downtown. Sherriff Falco sent his mounted officers to assist in the patrolling of downtown Suffern. The Mayor stated that we pay taxes to the County, and this should be provided to the Village residents.

Mayor Curley mentioned that the Department of Public Works purchased a cement cleaner to use on the sidewalks. The Mayor also stated that the Village purchased two new speeding signs, because that is an issue in the Village. These concerns are due to more people moving in and we want to ensure that the living conditions are adequate.

Trustee Alpert asked about the 30 days to correct any violation from an inspection. The Trustee asked about homes that are being rented that are not on the registry. He asked if there is a penalty for that and is it immediate.

Mr. Rice answered his questions by stating that it would be a violation of the law. The aim of the law is to get compliance.

Mayor Curley added that if they come into compliance, the Village does not have to do anything. Our mission is accomplished.

Trustee Alpert asked what if a landlord "thumbs his nose" at this new law; is there a penalty. The Mayor and Mr. Rice answered that yes, there is a penalty. The Building Department would issue the violation and it goes from there.

Mayor Curley stated that this will not be completed in 30 days, but we must start. He thanked everyone for their questions and comments.

**RESOLUTION NO. 135 OF 2023
INTRODUCTORY LOCAL LAW AMENDING CHAPTER 215 OF THE CODE OF THE
VILLAGE OF SUFFERN REGULATING RENTAL PROPERTIES IN THE VILLAGE
OF SUFFERN**

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

WHEREAS, a public hearing was held on September 5, 2023, on an introductory local law amending Chapter 215 of the Code of the Village of Suffern; and

WHEREAS, members of the public and Board of Trustees were concerned that the restrictive of the location of an authorized agent to residence in Rockland County was too burdensome and restrictive; and

WHEREAS, it was determined by the Board of Trustees that requiring an authorized agent of the owner of rental property to reside within 30 miles of a rental property would adequately serve the purposes of the law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the introductory local law amending Chapter 215 of the Code of the Village of Suffern is amended as follows:

Section 6 of said introductory local law is amended to provide that Section 215-3(A)(8) of the Code of the Village of Suffern be amended to provide as follows:

(8) Designation of a managing agent. In the event the owner does not reside within 30 miles of the property, then the owner must designate a managing agent. If a managing agent is required, then the owner shall provide the following information to the Building Department: the name, residence, business and e-mail address and residence, business and fax telephone numbers of a natural person, 18 years of age or over, who actually resides within 30 miles of the property, and who shall be designated by such owner as a managing agent responsible for and in control of the maintenance and operation of such dwelling, and who shall be designated as the person upon whom process may be served on behalf of the owner. The managing agent and/or owner shall keep a current record of all the tenants, and their names and addresses, who are renting, leasing or living in the premises. There shall be endorsed upon such statements a written consent to such designation signed by such managing agent. An owner who is a natural person and who meets the requirements of this subsection as to the location of the residence or place of transacting business of a managing agent may designate himself/herself as such managing agent.

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

Adopted: September 5, 2023

**RESOLUTION NO. 136 OF 2023
ADOPTING LOCAL LAW NO. 8 OF 2023, AMENDING CHAPTER 215 OF THE CODE
OF THE VILLAGE OF SUFFERN REGULATING RENTAL PROPERTIES IN THE
VILLAGE OF SUFFERN**

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

WHEREAS, the Board of Trustees is desirous of ensuring that all premises in the Village of Suffern which are let for rental purposes are safe and comply with all requirements of the Code of the Village of Suffern; and

WHEREAS, the existing provisions of Chapter 215 of the Village Code have been reviewed to ascertain if they can be strengthened in any respect to ensure the protection of renters and compliance with all laws; and

WHEREAS, the Board of Trustees deems it advisable to adopt certain amendments to Chapter 215 to achieve the aforementioned goals; and

WHEREAS, a notice of the public hearing on said local to be held on September 5, 2023 was timely published in the Journal News on August 14, 2023 and posted in six public places; and

WHEREAS, the action is a Type II action pursuant to the State Environmental Quality Review Act; and

WHEREAS, a public hearing was held on September 5, 2023, at which time the public had an opportunity to comment on the proposed local law and the hearing was closed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the Board of Trustees hereby declares itself to be lead agency and determines that that the adoption of the proposed local law is a Type II action pursuant to the State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED, that the Board of Trustees finds that all procedural requirements for the adoption of said local law have been satisfied; and

BE IT FURTHER RESOLVED that it is in the overall public interest of the Village of Suffern to adopt said local law; and

BE IT FURTHER RESOLVED that Local Law No. 8 of 2023, “A Local Law Amending Chapter 215 of the Code of the Village of Suffern Regulating Rental Properties in the Village of Suffern, as amended by Resolution No. 134 of 2023 is hereby adopted.

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

Adopted: September 5, 2023

**RESOLUTION NO. 137 OF 2023
AUTHORIZING THE RETENTION OF ALL DIGITALLY CREATED RECORDS IN THEIR NATIVE FORMAT**

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

BE IT FURTHER RESOLVED, that the Village of Suffern shall maintain all digital records adhering to the guidelines set forth in the Regulations of the Commissioner of Education Part 185.8 and that copies of records in other formats, including paper, shall be deemed convenience copies and disposed of when no longer needed for reference or other administrative purposes.

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

Adopted: September 5, 2023

**RESOLUTION NO. 138 OF 2023
ACCEPTING ROBERT CONDON AS NEW MEMBER IN VOLUNTEER HOSE CO. 1**

RESOLVED, the Village Board of Trustees accepts Robert Condon (over 18 years of age), as a new member in the Volunteer Hose Co. 1.

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

Adopted: September 5, 2023

**RESOLUTION NO. 139 OF 2023
ACCEPTING ROBERT UNG AS NEW MEMBER IN VOLUNTEER HOSE CO. 1**

RESOLVED, the Village Board of Trustees accepts Robert Ung (over 18 years of age), as a new member in the Volunteer Hose Co. 1.

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

Adopted: September 5, 2023

**RESOLUTION NO. 140 OF 2023
DECLARING POLICE VEHICLE AS SURPLUS**

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

WHEREAS, the Chief of Police has advised that Police Department Vehicle Ford Explorer VIN #1FM5K8AR9DGA51470, is no longer needed for any municipal purpose.

NOW, THEREFORE BE IT RESOLVED, that the Village Board hereby declares the Vehicles to be surplus and authorizes the Village Treasurer to sell or dispose of the Vehicles as he deems in the best interests of the Village.

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

Adopted: September 5, 2023

**RESOLUTION NO. 141 OF 2023
AUTHORIZING PAYMENT OF APPLICATION NO. 23 TO PITINGARO & DOETSCH
CONSULTING ENGINEERS FOR THE GOSR 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. 23 to Pitingaro & Doetsch Consulting Engineers, P.C. in the amount of \$1,669.44 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 Alpert, and seconded by Trustee Meegan-Corrigan, with all in favor.

Adopted: September 5, 2023

**RESOLUTION NO. 142 OF 2023
AUTHORIZING PAYMENT OF APPLICATION NO. 14 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. 14 to Mehl Electric Company in the amount of \$7,780.50 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 Alpert, and seconded by Trustee Meegan-Corrigan, with all in favor.

Adopted: September 5, 2023

**RESOLUTION NO. 143 OF 2023
AUTHORIZING PAYMENT OF APPLICATION NO. 11 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. 11 to Dewberry Engineers in the amount of \$5,469.00 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 Alpert, and seconded by Trustee Meegan-Corrigan, with all in favor.

Adopted: September 5, 2023

**RESOLUTION NO. 144 OF 2023
AUTHORIZING PAYMENT OF APPLICATION NO. 11 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. 11 to Dewberry Engineers in the amount of \$4,537.45 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 Alpert, and seconded by Trustee Meegan-Corrigan, with all in favor.

Adopted: September 5, 2023

RESOLUTION NO. 145 OF 2023

AUTHORIZING ERIC ANDERSEN TO ATTEND THE GRADE B WATER DISTRIBUTION LICENSE COURSE SEPTEMBER 11-15, 2023, IN CORTLAND, NEW YORK

BE IT RESOLVED, the Village of Suffern Board of Trustees hereby authorizes Eric Andersen to attend the Grade B Water Distribution License Course, September 11-15, 2023, in Cortland, New York at a cost of \$600, plus hotels, meals, and transportation to the Village.

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

Adopted: September 5, 2023

RESOLUTION NO. 146 OF 2023

AWARDING THE CONTRACT FOR THE VILLAGE HALL BOILERS REPLACEMENT PROJECT TO S&L PLUMBING & HEATING CORP.

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 Village Hall Boilers Replacement Project; and

WHEREAS, the bids were returnable on August 29, 2023; and

WHEREAS, the lowest bid was submitted by S&L Plumbing & Heating Corp., 145 Bedford Road, Suite 201, Armonk, New York 10504, in the amount of \$123,000.00; and

WHEREAS, the prices submitted have been reviewed for their reasonableness and the responsibility and ability of S&L Plumbing & Heating Corp. have been investigated and found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the contract for the Village Hall Boilers Replacement Project is awarded to S&L Plumbing & Heating Corp., 145 Bedford Road, Suite 201, Armonk, New York 10504, in the amount of \$123,000.00, subject and contingent upon execution of a contract in a form and substance acceptable to the Village Attorney and the provision of all required documentation and insurance.

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

Adopted: September 5, 2023

RESOLUTION NO. 147 OF 2023

AWARDING THE BID FOR PROJECT 2024-002 ROAD IMPROVEMENTS PHASE 13 RIGHT OF WAY IMPROVEMENTS TO MFD QUALITY CONSTRUCTION

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 Project 2024-002 Road Improvements Phase 13 Right of Way Improvements; and

WHEREAS, the bids were returnable on August 30, 2023; and

WHEREAS, MFD Quality Construction submitted the lowest bid; and

WHEREAS, the Superintendent of Public Works has investigated the qualifications, capacity, capability, and history of MFD Quality Construction.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the bid for the Project 2024-002 Road Improvements Phase 13 Right of Way Improvements is awarded to MFD Quality Construction, 173 Old Route 304, New City, NY

10956 in the amount of \$55,425.00, subject to entering into a contract acceptable to the Village Attorney.

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

Adopted: September 5, 2023

RESOLUTION NO. 148 OF 2023

AWARDING THE BID FOR PROJECT 2024-002 ROAD IMPROVEMENTS PHASE 13 RECONSTRUCTION AND RESURFACING TO TILCON NEW YORK INC.

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 2024-002 Road Improvements Phase 13 reconstruction and resurfacing; and

WHEREAS, the bids were returnable on August 30, 2023; and

WHEREAS, Tilcon New York Inc. submitted the only bid; and

WHEREAS, the price submitted has been reviewed for its reasonableness and found to be reasonable; and

WHEREAS, the Superintendent of Public Works has investigated the qualifications, capacity, capability, and history of Tilcon New York Inc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the base bid for the Project 2024-002 Road Improvements Phase 13 reconstruction and resurfacing is awarded to Tilcon New York Inc., 9 Entin Road, Parsippany, New Jersey 07054 in the amount of \$589,092.50.00, subject to entering into a contract acceptable to the Village Attorney; and

BE IT FURTHER RESOLVED, that the bid for the Project 2024-002 Road Improvements Phase 13 reconstruction and resurfacing. Alternate No. 1 is awarded to Tilcon New York Inc., 9 Entin Road, Parsippany, New Jersey 07054 in the amount of \$89,200.00, subject to entering into a contract acceptable to the Village Attorney.

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

Adopted: September 5, 2023

RESOLUTION NO. 149 OF 2023

AWARDING THE CONTRACT FOR PROFESSIONAL SERVICES FOR THE PREPARATION OF THE REQUIRED BID PACKAGE FOR THE CBDG GRANT FOR MUNICIPAL PARKING LOT "A" PAVEMENT RESURFACING PROJECT

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

WHEREAS, the Board of Trustees authorized the submission of proposals for professional services for the preparation of the required bid package for the CBDG grant for the municipal parking Lot "A" pavement resurfacing project; and

WHEREAS, the proposals were returnable on August 31, 2023; and

WHEREAS, the prices submitted have been reviewed for their reasonableness and the responsibility and ability of the bidders have been investigated.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the contract for professional services for the preparation of the required bid package of the CBDG grant for the municipal parking Lot "A" pavement resurfacing project is hereby award to Brooker Engineering, in the amount of \$15,380, subject and contingent upon execution of a contract in a form and substance acceptable to the Village Attorney and the provision of all required documentation and insurance.

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

Adopted: September 5, 2023

**RESOLUTION NO. 150 OF 2023
AUTHORIZING SOLICITATION OF FORMAL BIDS FOR THE VILLAGE HALL
HEATING COMPONENTS PROJECT**

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

BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the solicitation of formal bids for the Village Hall Heating Components Project is hereby authorized, with bids to be returnable on September 26, 2023, at 3:00 P.M.

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

Adopted: September 5, 2023

**RESOLUTION NO. 151 OF 2023
AUTHORIZING PREPARATION OF REQUEST FOR QUALIFICATIONS FOR LEAD
SERVICE INVENTORY**

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

WHEREAS, the Environmental Protection Agency, New York State and Rockland County Health Departments require the preparation of a Lead Service Inventory.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that Preparation of Request for Qualifications for Lead Service Inventory is hereby authorized, with a due date of September 27, 2023, at 3:00 P.M.

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

Adopted: September 5, 2023

FIRE DEPARTMENT

Mayor Curley thanked the Chief for the Fire Department's service.

POLICE DEPARTMENT

Chief Loughlin presented the Police Department statistics for the month of August 2023. The Chief updated the Board and said that they are continuing the 3 P.M.- 11 P.M. shifts for downtown enforcement. Chief Loughlin spoke about the Sherriff's mounted unit coming to Suffern on a rotating basis. The police have made numerous arrests and summonses since implementing the shift and patrol changes in downtown Suffern. The Police Department has also cracked down on double parking and illegal U-turns in the downtown area. The Chief spoke about the new speed enforcement equipment including the radar signs and speed enforcement trailer. They will be deployed throughout the Village.

RECREATION

Ms. Cathy Mills reported the following:

September Events

- Monday, September 4 – Labor Day – Pool Closed for the season
- Saturday, September 9 – Mayor Fun Day at the Pool – Activities 12 noon to 3pm
- Monday, September 11 – 9-11 Ceremony & BBQ – 7pm

- Saturday, September 30 – Suffern Day
Daytime Activities – 11 to 3 and evening entertainment starting at 6:30pm

October Events

- Friday, October 6 Bonfire at the Ballfields – time tbd
- Saturday, October 21 – Window Painting at Village shops 10am
- Sunday, October 29- Halloween Parade and Trunk or Treat – 2pm

Ms. Mills also spoke about a Broadway show for November 2023.

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.

Lois Tschudy, 558 Kensico Court – addressed the Mayor and stated that she does not feel safe in the downtown area “as a woman.” She stated that by the Dunkin Donuts there is a wall and there are always single men sitting there. Across the street, where Provident Bank was, there are men sitting there. She asked when the police will start patrolling the downtown area on foot.

Mayor Curley said that “men sitting” is not a crime. Also, he mentioned that the patrol on foot has started, and he would let the Chief of Police address her questions.

Chief Loughlin informed Ms. Tschudy that both of those locations are private property. To prevent trespassing, the property owner must call it into the police.

Mayor Curley gave a history of the property and the previous owner’s plans for the use. Unfortunately, his plan was rejected by the County Health Department. He said that the gentleman wanted to put \$2 million investment in the building. This man saw people always sitting on his property and he did not mind.

Ms. Tschudy complained about the garbage in the area as well. The Mayor agreed and said that he even saw the new owner cleaning garbage in the front of the building. Mayor Curley said that it was an enforcement issue. He said that with the New York State Bail Reform Act made it very hard to enforce certain laws. He told Ms. Tschudy that he agreed with her concerns and the Chief recognized and addressed it.

Jim Giannettino, 2 Memorial Drive – that piece of property has “No Trespassing” signs. Chief Loughlin told Mr. Giannettino that the owner would have to call the police. The police cannot enforce the “No Trespass” signs.

Lance Weinstein, 4 Valley View Terrace – Mr. Weinstein praised the Police, Fire and DPW Departments. He then started to ask the Mayor questions about a specific property in the Village. He asked about the building permit. He then accused the Building Department of backdating a permit. He asked about an extra fee when property owners are doing work without a permit. He asked about the cost of the permit. He claims that the property owner was doing work with a stop work order (i.e., painting). He asked about the installation of equipment within the property. He asked if there were any violations issued to the property owner.

He stated that he sent several e-mails to the Village with no response.

Beth Copell, 30 West Malbie – asked about the Wastewater Treatment Plant and the odor. Charles Sawicki was called to answer Ms. Copell’s question. Mr. Sawicki said that he did not receive any complaints about the Wastewater Treatment Plant in quite a while. He will see if anything else can be done. He will investigate it.

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

DEPARTMENT OF PUBLIC WORKS

Trustee Hagen asked about the Lead Service Inventory and who is responsible for requesting that this project be done.

Mr. Sawicki said that it was the County of Rockland Health Department, and it is for all buildings within the County.

Mayor Curley reiterated that the Village applied for grants for this project. The Water Department had already started working on the project.

Trustee Alpert asked which streets will be paved during the year. Mr. Sawicki answered him.

TRUSTEES

Trustee Alpert – He told the public that he spoke to Dr. Gundersen/Suffern Central School District regarding changing the schools. Trustee Alpert stated that it does not affect them as a Board, but he is concerned about the ramifications of changing schools from Kindergarten through 5th grade. He stated that the school district is looking to have a set of schools from Kindergarten through 2nd grade and a set of schools from 3rd to 5th grades. It would mean two schools for every elementary school student with a much further commute to school. Trustee Alpert said that he is afraid that this will speed up the exodus out of the Village of Suffern. He also stated that if they close a school, they should pass the savings to the taxpayers in the form of lower taxes. Trustee Alpert said that the district should leave four (4) schools open for every grade level and not make the commute that much longer for the children.

Trustee Hagen – “Was there any news on the IDA reimbursing Suffern for the taxes on Avon?”

Mayor Curley answered that no, there was not. The Village filed a notice of claim to the IDA to preserve our rights. He explained that there will be legal proceedings for the case.

Trustee Hagen – “Anything back on the swatting incident?”

Chief Loughlin addressed the Board stating that the second swatting incident is still under investigation. The first swatting incident, they are working with Orange County Sheriff in Florida. Also, they are working with the Department of Probation to charge the individual here in cooperation with Florida.

Trustee Hagen – “The property 166 Wayne Avenue, I believe, is there anything further on that?”

Mr. Rice stated that he investigated the background of this property. The zone change was approved years ago, and it was subject to a condition that no more than 24 units to be built on the property. The present owner has requested to build significantly more units than 24. They have made an application with site plan approval to the Planning Board. The Planning Board is in the process of reacting to that application. No site plan can be approved unless it complies with the zoning law, and it does not at this point. The applicant cannot build what is being proposed because it's lack of compliance with the condition of the zoning amendment.

Mayor Curley explained that this property had come before the Village Board. The property was re-zoned allowable for 24 units. The owner, at that time, applied for only 21 units. That owner sold the property and since then, the new owner applied for 40-something units. It was limited to 24 units and this Board is going to stand with 24 units.

Mr. Hagen asked about flooding on that property. Mr. Rice stated that all those issues were addressed, at that time. Regardless, he stated that it was a completely new project.

MAYOR

Mayor Curley spoke about 23 Wayne Avenue. He stated that 23 Wayne Avenue has been an auto body shop. Around July 20th, the Mayor was contacted by the resident who lives next door to it. She happens to be the person who is running for election against the Mayor.

Mayor Curley said that he and the Building Inspector went to the body shop to tell the owner that a permit was needed to do any construction. The Mayor said that they did not see any construction work while they were there and therefore no violation was issued.

The owner came in on that same day, July 21st, and applied for a building permit. The Building Department clerk issued the permit on July 25th. The clerk is a long-standing employee of the Village and, he stated, that this person would never backdate a permit. The clerk is the only person in Village Hall that issues permits.

The Mayor stated that he and the Building Inspector were back on the property on August 25th. That was the first time since July 21st. Mayor Curley said that the Village got notice that the owner had done more work. The Building Inspector alerted the Code Enforcer, who came to the site and issued a violation and a stop-work order. These both were issued on August 25, 2023.

The owner asked if he could paint his property. The Mayor stated that you do not need a permit to paint. In addition, the Building Inspector was under advisement from the Village Attorney, Robert Magrino, that it was okay for the owner to paint.

On August 29th, the owner asked if he could install his painting machine inside the building. The Building Inspector asked him to get the electrical permit, plumbing permits, the Certificate of Insurance, and all the insurance needed to get the permit. The applicant/owner did just that and received the permit on August 29th. The owner had a permit to do the installation and he was legally installing it.

Mayor Curley explained that the second permit is separate and apart from the first permit issued. Again, that was under advisement from Village Attorneys Robert Magrino and Terry Rice. Both attorneys approved that with the Building Inspector.

Mayor Curley stated that the owner was advised that he will have to go to the Planning Board and possibly the Zoning Board of Appeals. Both boards will advise the owner what he must do.

Mayor Curley said that the owner is now before Judge Ernest Buonocore in Village Court. He will have to settle the Notice of Violation there.

Mayor Curley stated, "I do not accept allegations of corruption against this Village, employees of the Building Department, or anyone else." He reiterated that the above are the facts not what the individual was claiming. He told the public that it is a disgrace that someone would accuse fine Village CSEA employees of corruption. Allegations of corruption were unacceptable. Mayor Curley stated that he will not accept these insults against PBA or CSEA members because they are good employees.

ADJOURNMENT

A motion to adjourn the meeting at 8:52 P.M. was made by Trustee Alpert, seconded by Trustee Meegan-Corrigan, with all in favor.

Respectfully,

Melissa B. Reimer, CPA
Village Clerk