



VILLAGE OF SUFFERN
BOARD OF TRUSTEES MEETING MINUTES
MONDAY, OCTOBER 2, 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 7:04 P.M. and led the Pledge of Allegiance and a moment of silence for our service people stationed all over the world and those who perished protecting our freedoms.

UPCOMING MEETINGS

A Regular Meeting is scheduled for Monday, November 6, 2023, at 7:00 P.M.
A Regular Meeting is scheduled for Monday, December 4, 2023, at 7:00 P.M.

APPROVAL OF MINUTES

MOTION To Approve September 5, 2023, Board of Trustees Meeting Minutes was moved by Trustee Meegan-Corrigan, seconded by Trustee Denis-Hogue, with all in favor.

SET PUBLIC HEARING

MOTION To Set Public Hearing for Monday, December 4, 2023, at 7:03 P.M. to Consider the 2024 Community Development Block Grant (CDBG), was moved by Trustee Hagen, seconded by Trustee Alpert, with all in favor.

RESOLUTION NO. 152 OF 2023

ACCEPTING THE RESIGNATION OF JEFFREY DELUCA

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

NOW, THEREFORE BE IT RESOLVED, the Village of Suffern Board of Trustees hereby accepts the resignation of Jeffrey DeLuca, Part Time Police Officer, effective September 29, 2023, with thanks for his service to the Village.

A motion to approve the foregoing resolution was made by Trustee Alpert and seconded by Trustee Hagen and passed by the Board.

Adopted: October 2, 2023

Trustee Hagen asked will this position be replaced. The Chief and Mayor answered that this position will be advertised.

**RESOLUTION NO. 153 OF 2023
AUTHORIZING PAYMENT OF APPLICATION NO. 15 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. 15 to Mehl Electric Company in the amount of \$9,168.45 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 Meeghan-Corrigan, and seconded by Trustee Alpert, with all in favor.

Adopted: October 2, 2023

**RESOLUTION NO. 154 OF 2023
AUTHORIZING PAYMENT OF APPLICATION NO. 16 TO TAM ENTERPRISES, INC.
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. 16 to TAM Enterprises, Inc. in the amount of \$11,162.50 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 Meegan-Corrigan and seconded by Trustee Hagen, with all in favor.

Adopted: October 2, 2023

**RESOLUTION NO. 155 OF 2023
DISCHARGE S&L PLUMBING & HEATING CORP. FROM ITS OBLIGATIONS
PURSUANT TO ITS BID ON THE VILLAGE HALL BOILERS REPLACEMENT
PROJECT AND AWARDED THE CONTRACT FOR THE VILLAGE HALL BOILERS
REPLACEMENT PROJECT TO JOE LOMBARDO PLUMBING & HEATING OF
ROCKLAND, 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 Village Hall Boilers Replacement Project; and

WHEREAS, the bids were returnable on August 15, 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 Board of Trustees awarded said bid to S&L Plumbing & Heating Corp. on September 5, 2023; and

WHEREAS, by letter dated September 7, 2023, S&L Plumbing & Heating Corp. informed the Village that there were “discrepancies” with its bid and that S&L Plumbing & Heating Corp declined to proceed with the project; and

WHEREAS the second lowest bid was submitted by Joe Lombardo Plumbing and Heating of Rockland, Inc. in the amount of \$249,967.43; and

WHEREAS, the prices submitted have been reviewed for their reasonableness and the responsibility and ability of Joe Lombardo Plumbing and Heating of Rockland, Inc. have been investigated and found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that S&L Plumbing & Heating Corp. is relieved of its obligation to perform such work, subject to and contingent upon payment of the proceeds of the bid bond in the amount of \$6,150.00; and

BE IT FURTHER RESOLVED that the contract for the Village Hall Boilers Replacement Project is awarded to Joe Lombardo Plumbing and Heating of Rockland, Inc., 321 Spook Rock Road Suffern, N.Y. 10901, in the amount of \$249,967.43, 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: October 2, 2023

RESOLUTION NO. 156 OF 2023

RETURN UNSPENT PROJECT 2019-006 DPW BACKHOE FUNDS

WHEREAS on April 1, 2019, the Village Board adopted Resolution 80 of 2019 authorizing Project 2019-006 DPW Backhoe (“Project”) with a Project budget of \$150,000 to be funded by a grant from the Dormitory Authority of the State of New York (“DASNY”) in the amount of \$125,000 and the remaining \$25,000 was transferred from the General Fund to the Capital Projects fund; and

WHEREAS on June 8, 2022, the Village paid \$128,528 for the Project; and

WHEREAS on August 16, 2022, the \$125,000 of grant funds were received from DASNY.

NOW THEREFORE BE IT RESOLVED that effective May 31, 2023, the Village Treasurer is authorized to transfer \$21,472 representing unspent Project funds from the Capital Projects Fund to the General Fund, and to amend the Project and General Fund budgets accordingly.

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

Adopted: October 2, 2023

RESOLUTION NO. 157 OF 2023

ESTABLISHING PROJECT 2024-004 PARKING LOT A REPAVING

WHEREAS on March 7, 2022, the Village Board of Trustees adopted Resolution 44 of 2022 accepting the recommendation of the Village of Suffern Citizen Advisory Committee to seek Community Development Block Grant (Grant) funding for the Parking Lot A Repaving Project (Project) at the estimated Project cost of \$220,000 to be funded by the Grant in the amount of \$200,000 and a ten percent (\$20,000) contribution from Village funds; and

WHEREAS on June 21, 2023, the Village and the County of Rockland executed a Subrecipient Agreement for the Project.

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Suffern establishes Project 2024-004 Parking Lot A Repaving in the amount of \$220,000 to be funded by the Grant in the amount of \$200,000 and a Village match of \$20,000 from currently available funds.

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

Adopted: October 2, 2023

**RESOLUTION NO. 158 OF 2023
ACCEPTING THE RESIGNATION OF ROBERT YODOWITZ**

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

NOW, THEREFORE BE IT RESOLVED, the Village of Suffern Board of Trustees hereby accepts the resignation of Robert Yodowitz, Village Prosecutor, effective September 29, 2023, with thanks for his service to the Village.

A motion to approve the foregoing resolution was made by Trustee Meegan-Corrigan and seconded by Trustee Alpert and passed by the Board.

Adopted: October 2, 2023

**RESOLUTION NO. 159 OF 2023
APPOINTING ERIC HOLZER AS VILLAGE PROSECUTOR FOR THE VILLAGE OF SUFFERN ON A MONTH-TO-MONTH BASIS**

WHEREAS, Robert Yodowitz has tendered his resignation as prosecutor for Vehicle and Traffic violations in the Village of Suffern; and

WHEREAS, the Board of Trustees desires to contract with Eric Holzer on an interim, month-to-month to provide such services and an independent contractor.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby appoints Eric Holzer to the position of Village prosecutor on a month-to-month as an independent contractor for a flat fee of \$1,500 per month, subject to the execution of a formal contract for said services.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign said contract on behalf of the Village of Suffern.

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

Adopted: October 2, 2023

**RESOLUTION NO. 160 of 2023
ESTABLISHING THE POSITION OF PART-TIME CODE ENFORCEMENT OFFICER II**

WHEREAS, the Village's Building Inspector has advised the Village of the need for and has recommended the creation of the position of Part-Time Code Enforcement Officer II, and

WHEREAS, upon application of the Village of Suffern and the Commissioner of the Rockland County Personnel Department has certified the appropriate civil service title as Part-Time Code Enforcement Officer II, subject to the approval of the Village Board,

NOW, THEREFORE, IT IS RESOLVED, that the Board of Trustees hereby approves the establishment of the position of Part-Time Code Enforcement Officer II for the Village of Suffern, at the hourly rate of \$22.00.

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

Adopted: October 2, 2023

GRANT PROGRAM

Mr. Fred Rella advised the Board that the 2024 Community Development Block Grant process has begun. The Citizen Advisory Committee, which is made up of a diverse group within the

community, has already held two meetings. These are mandatory to submit an application. The committee is discussing streets and sidewalks in the West Ward of the Village.

The CREST Grant for \$235 thousand from Senator Reichlin-Melnick has been started. The old boiler has been removed from Village Hall and the new one is being installed. The project should be completed by October 15th.

POLICE DEPARTMENT

Chief Loughlin presented the Police Department statistics for the month of September 2023. Fall Dare Hockey began. The first DARE Dance will be on November 17th. The Police Department will continue the expanded enforcement in the downtown business district as we have been.

RECREATION

Ms. Cathy Mills reported the following:

October Events

- Friday, October 6 – Suffern Youth Football Parade on Lafayette Ave, BBQ & Bonfire at the Ballfields
- Wednesday, October 11 – Nutrition Workshop – 11am Community Room
- Saturday, October 21 – Window Painting at Village shops 10am
- Sunday, October 22 – Dog Day at Leo Lydon 11am – 2pm

Trustee Alpert asked about this event.

- Sunday, October 29- Halloween Parade and Trunk or Treat – 2pm
- ### **November Events**
- November 11 – Veteran’s Day Parade 11am
 - November 18 – Broadway Play – A Beautiful Noise

Mayor Curley said that Suffern Day was a complete success. The weather was beautiful on Sunday and was very glad that we moved it from Saturday. Everyone was happy. The Mayor thanked all the volunteers, including the EMS, Fire Departments, Police Department, Sheriff’s Department, High School Art Honor Society, Robotics Team, Rotary Club, American Legion, Washington Mews Apartment Building, other civic groups. He thanked the restaurants: Finks, Hacienda, Dunkin Donuts, Forgia, Curley’s Corner, Noor, Il Villaggio, Diddy’s, Sushi Bada, Bagel Train, and the New Diner. Mayor Curley thanked those restaurants that opened early or opened special on a Sunday for Suffern Day.

Trustee Alpert asked about Dog Day at Leo Lyden Park. Cathy said that it was sponsored by the Lion’s Club. It is a free event, and it is from 11 A.M to 2 P.M.

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 Meegan-Corrigan, with all in favor.

Tal Simhoni – Asked if she sent her email out correctly because there was no response. The Mayor asked her what she was talking about. She said that she sent pictures of trucks parked on the sidewalks and there is a bus stop right there.

Mayor Curley asked her, “Didn’t I text you back and tell you to call the police whenever you see this so they can push them away – so we can push these vehicles away. I asked you to contact the police whenever you see this.” He said that the Police will issue tickets.

The speaker asked if she should call the police every time, she sees this. She asked if she should dial, “911?”

Trustee Alpert and Trustee Meegan-Corrigan both answered “NO!”

The Mayor answered that she should please call 845-357-2300 and the Suffern Police will respond. Mayor Curley said that he knew she was new to the area, but she was welcome to call. The Mayor then called up Chief Loughlin. The Mayor explained that people call the Police Department everyday about people speeding, and other infractions. It is illegal to park on the sidewalk and it is the Police Department that must punish these people.

Mayor Curley stated that when she sent that, he responded for her to call the Police. He said that she had said something else, and he said that she needed to call every time she saw someone park there.

She said that he told her he would put something there so no one could park there.

The Mayor said that the last thing he told her was to please call the Police. We cannot block the sidewalks due to wheelchairs and other things.

The speaker started to say something that she felt something needed to be there....

Mayor Curley then asked her if she had called the Police.

She answered, “No.”

The Mayor said, “Okay, please try calling the Police then. Thank you. Please try that first. Thank you.”

The speaker had another question. She asked about her next-door neighbor, she is not sure about all the requirements, but she asked the Mayor about calling the DEC for a spray booth and she wanted to know what the outcome of that call was.

Mayor Curley told the speaker that the gentleman came in for a permit for a spray booth. He said before he could get a Certificate of Occupancy, he must do certain legal things (required or necessary).

The speaker was asking the Mayor if he spoke to the DEC. The Mayor said that the DEC has been on that property. Mayor Curley asked her if she was fighting with her neighbor. She said, “No, I wouldn’t say a fight.”

The Mayor asked, “Has your neighbor given you any money for doing something? Isn’t it true that your neighbor has given you money?”

She said, “No, not...listen you’re...you’re mixing apples and oranges. My neighbor is my neighbor.”

Mayor Curley again asked, “Did your neighbor give you any money? That’s all I am asking yes or no.”

“Did my neighbor give me any money?” the speaker repeated. “I’m not, I’m not....”

“With a conflict you have with him?” asked Mayor Curley. “With some issue there – yes, or no?”

She answered that it was not on that issue. She said, “It was nothing related to....”

Mayor Curley asked, “Did he give you money in reference to....”

The speaker interrupted the Mayor by yelling that his questions were not relevant. She kept saying that another neighbor could have also given her money. She asked him, “Is it safe air?”

Mayor Curley said, “I am asking you a question. Did he give you money yes or no?”

She answered that has no relevance. Finally, she answered that yes, her neighbor had given her money. Now she yelled at the Mayor to answer her question and asked, “The question is the air safe to breath there?”

The Mayor asked, “What?”

The speaker asked, "Is the air safe to breath while they’re...are they oper...are they operating, in fact, with a spray booth?”

Mayor Curley answered, “Hasn’t there always been an auto body, when you purchased that property was there not a spray booth there, yes or no? Answer that question.”

She answered, “Not to my knowledge that I’ve ever known.”

Mayor Curley answered, “Well, there was. There was an auto body shop there...”

She interrupted, “Oh there was, ok....”

The Mayor continued, “There was an auto body shop. It says it right on the sign next to you. There has been an auto body shop there for many, many years....”

Again, she interrupted and said, “I live in a residence and nobody who even works there if it was just let’s say somebody you want to say that it shouldn’t be safe as a residence there?”

The Mayor said, “Of course you should be. I don’t know that you are not safe. Do you have proof that you are not safe?”

She said that we should have studies of the air and said that the Mayor suggested it.

Mayor Curley said that when she had moved into her house there was an existing auto body shop. He said that the modern spray booths are actually more efficient and safer than the old-style spray booths. He asked if she agreed with that.

She did.

The Mayor stated that he cannot stop a business owner from upgrading a piece of equipment when he was in a particular business. If they were an existing auto body shop, the Village does not have the authority to stop to them from being an auto body shop going forward. Mayor Curley told the speaker that if she has a conflict with her neighbor, then....

She said that she does not have a conflict with her neighbor. She just does not have the information. She is asking the Mayor for the information.

Mayor Curley said that he has no information that anything is in a worse situation than it was a year ago, two years ago, or ten years ago. He asked for information that she could provide to prove that it is dangerous, he said that he has no information.

She asked that the permits were issued to keep safety in check. So, if a permit is issued, it should be done in a safe way?

The Mayor stated that for anything to be done, he hopes should be done in a safe manner. The permit was applied for and discussed with both Village attorneys. The permit was given under advisement of Mr. Magrino, who is the Building Department attorney...

The speaker interrupted and asked if the attorney had knowledge from the DEC.

The Mayor answered that the attorney was not in attendance at the meeting, and he could not speak for him. He stated that the attorney felt it was right to give the permit.

The speaker stated that she did not think that the attorney was qualified to give the right to issue the permit.

Mayor Curley stated that she needed to bring forth some sort of proof of a more dangerous situation. Go get it now or bring it tomorrow.

She said, "Ok, thank you."

Mayor Curley thanked the speaker.

Lance Weinstein – 4 Valley View Terrace – Thanked Chief Loughlin and Joe Hunt. He said that he was going to circle back to this last lady's questions. He did not like how the Mayor answered her questions. He said that the business next door to the last speaker is "Suffern Sales & Service" not "Suffern Auto Body Shop."

He wanted to know what the hiring process of the DPW is. He said that he knows that they are short a lot of spots.

He asked questions about the Mayor and the Building Inspector visiting a property. He asked why they said that they needed a permit when they did not see anyone working on the project.

The speaker was talking about the September 5th Board of Trustees meeting and said since that meeting, he obtained a picture dated July 19th at a certain time. Asked if it would refresh your memory and held up a picture. He asked about additional fees.

The speaker stated on July 25, 2023, a permit was issued. He stated that on July 21, 2023, an application was submitted for that permit. The speaker says that he finds it suspicious that the property owner was doing the work himself.

On August 23rd, the Building Inspector issued a Certificate of Occupancy for permit 22-146 regarding a façade change. The speaker then said, "This was on August 21st, 2023." He questioned the Building Inspector and a stop work order.

The Mayor asked for any other questions or comments during Public Participation. He said that he will address those concerns and correct the facts.

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

Mayor Curley asked Mr. Sawicki if the paving jobs would be starting soon on the different roads. Mr. Sawicki explained that the paving should start very soon depending on the weather. The goal would be to get it done within the next couple of weeks.

TREASURER

Village Treasurer Michael Genito explained the two Board resolutions that he presented to the Board.

TRUSTEES

Trustee Hagen asked if the prosecutor be replaced. He was told by the Mayor that it was on the agenda. The new prosecutor will be on a month-to-month basis.

Mr. Hagen asked who the new code enforcement officer will be. He was told that the position is already filled by Jordan Tannenbaum. Mr. Tannenbaum and Mr. Geoghegan have both passed all their tests to date. This was requested by the County of Rockland Department of Personnel.

10/9/23 – Family Day at the Hose Company at 6 P.M.

Trustee Hagen remarked that everyone that worked on Suffern Day should get a raise.

Dog Day across from Leo Lyden – Lions Club

Trustee Alpert – picking up litter. Most is cigarette butts.

MAYOR

Mayor Curley answered public comment:

He said that the Village received a complaint from the business owner's neighbor, the woman that was here. He stated that the Building Inspector and he went to the business, and no one was

working on the building project. They then told the mechanics to stop doing work on the building. The mechanics were allowed to work on cars, and they were allowed to do bodywork.

You must give him a building permit to put in a spray booth. They are allowed to do it. Mayor Curley stated that, going by memory, on July 25th a permit was issued. At a later date, in August, we found out that he went further than what his building permit said. This does happen sometimes and happens more often than most people realize. They received a stop work order and the Building Inspector brought a Code Enforcement Officer. Mr. Ortiz issued a notice of violation. The owner did stop working and has been advised to go to the Planning Board to get things corrected. He may also need to go to the Zoning Board of Appeals.

The Mayor told the public that we had another project that the Building Department told the person to come to the Planning Board. The person did not come to the Planning Board for months. They had the information but did not go before the Board. It is not uncommon nor is it illegal.

The owner then came in for a building permit to put in a spray booth. At that point, the Building Inspector contacted the attorneys Robert Magrino and Terry Rice. They advised him that you must give the building permit to put in a spray booth. This would be for example; you have a restaurant, and you get a stop work order for construction, but you also want to put in a new Coca-Cola system. You would get the permit for the Coke system. You can be held liable for millions of dollars if you ruin that person's business.

Mayor Curley said that it's a commercial building and the misrepresentations that were said during this meeting were terrible. It has been an auto body shop for years. The Donato family owned that auto body shop. It's been an auto body shop with a spray booth.

The new owner, has invested money, is asking to put in a new spray booth which is actually safer than the old spray booth.

There was another permit that was issued and that was for a window. The window was a Planning Board issue.

On July 19th, you asked if people were there. Yes, people were there. Those people were mechanics in the body shop.

The Mayor said that he loves it when people move into the Village and do work to improve the Village. He stated that he will not treat anyone differently under race, creed, religion, or anything else. Yes, people in this Village have gone too far and then we stop them. This Village has done its job correctly and we will continue to improve our Building Department and do things correctly.

Mayor Curley said, "Allegations without proof, is just reckless talk." The Mayor feels that it is his job to treat everyone equally. He stated that the new Building Inspector caught a house that got a building permit to do \$50 thousand worth of work. He said they did much more than that. The Village charged and received the extra fees. This was after the fact because we did not know it originally.

Mayor Curley said that he was happy with the new Code Enforcer and the Building Inspector. The Building Inspector can write any violation in the Village of Suffern or the State of New York.

These allegations...the Mayor said to Trustee Hagen, due to Hagen's liking on Facebook, are not true. The Mayor said that Mr. Hagen has never asked him any questions about this property.

The Mayor mentioned that there was a fire set on that property and he was very scared. The Mayor stated that he feels he has an obligation to protect the property owner and property. The Mayor stated that someone in this Village started a fire at 23 Wayne Avenue.

Also, the gentleman that owns 23 Wayne Avenue went to the Suffern Police Department and Mr. Weinstein is not allowed to come back on his property. He has a right to operate fairly and honestly. Mr. Weinstein was notified of the fact that he is not allowed on that property.

Mayor Curley said that he fears that litigation may come out of this case and not against the Village. The Mayor said that he warned Trustee Hagen personally to be very careful – Don't let politics get in the way of government. Government comes first and everyone will be treated the same.

The Mayor expressed that government could make mistakes, but no mistakes were made here. The Village employees have performed their jobs with professionalism and honesty.

The Mayor also thanked the Chief of Police for sitting down with the Board. He said that they have discussed together what is best for the Village.

ADJOURNMENT

A motion to adjourn the meeting at 7:55 P.M. was made by Trustee Meegan-Corrigan, seconded by Trustee Denis-Hogue, with all in favor.

Respectfully,

Melissa B. Reimer, CPA
Village Clerk