

**Village of Suffern  
Special Board Meeting  
Thursday, March 23, 2017  
6:30 p.m.**

A special meeting was held for the presentation of the 2017 – 2018 Tentative Budget by the Village Clerk to the Board of Trustees.

**Present:**       **Edward Markunas, Mayor**  
                  **Frank Hagen, Trustee**  
                  **Moira Hertzman, Trustee**  
                  **Dan Kraushaar, Village Attorney**  
                  **Virginia Menschner, Village Clerk**  
                  **Joseph Russo, Trustee**  
                  **Henry Sussman, Trustee**

**CALL TO ORDER:**

Mayor Markunas called the meeting to order at 6:35 p.m., leading the Pledge of Allegiance and a Moment of Silence in honor of our service men and women.

**PRESENTATION OF THE 2017-2018 TENTATIVE BUDGET BY THE VILLAGE CLERK TO THE BOARD OF TRUSTEES**

Prior to the acceptance of the 2017-2018 Tentative Budget by the Board of Trustees, Village Attorney Dan Kraushaar explained the process of presenting the budget to the Board of Trustees and to the public. The presentation of the Tentative Budget was in accordance with the Village Law of the State of New York presented by the Treasurer to the Village Clerk on March 20, 2017. Copies were put in the separate boxes of the Trustees on that date. That is in conformity with Village Law. This procedure was confirmed by our Treasurer and verified by New York Conference of Mayors (NYCOM). A copy of the Tentative Budget was put on the website. There are two provisions. One requires that the Treasurer present the proposed budget to the Village Clerk, that copies be distributed to the Trustees, and that copies be produced for the public by that date. Another provision states that by (on or before) March 31, 2017, of each year, the Village Clerk is to present the Tentative Budget that was provided to her by the Treasurer by March 20, 2017; and that is what is occurring here today - before March 31, 2017. NYCOM has taken the position that the statute is extremely unclear and that it would be inherently counter intuitive to read the statute – to make copies for the public – as meaning to distribute to the public, before it is actually formally distributed by the Village Clerk to the Board. NYCOM has been consistent in trying to get this statute changed. Mr. Kraushaar stated that he has presented to numerous municipalities and this is how the process has been interpreted over the years. This is the process that was followed last year by the Village of Suffern, and Mr. Kraushaar, though not the Attorney for the Village of Suffern at that time, is confident that this was the process followed by administrations previous to 2016. This process was followed by Airmont and in Sloatsburg.

Mr. Kraushaar acknowledged that an email was sent to him by a Village resident regarding this matter. Mr. Kraushaar indicated that the email was received, and the resident's reading of the statute is understandable because it is confusing. Mr. Kraushaar explained that the position the Village of Suffern is taking on this matter is the position that NYCOM is taking. He stated that the historical process that has been followed by municipalities previously including the steps taken by Village Board of Trustees last year, makes better sense of the law than law makes of itself. Why would you have two presentations of the budget; one by the Treasurer to the Village Clerk with the Clerk then providing copies to Board which the Clerk will present at a Public Meeting? The copies of the Budget that the Clerk provides to the Board is presented at the Public meeting. That is what is happening tonight. That is what is supposed to happen if you go back to the next statute which is the presentation of the Tentative Budget by the Clerk.

Following this statement, the 2017-2018 Tentative Budget was presented by the Village Clerk to the Board of Trustees. The meeting continued, thereafter, with the remainder of the agenda items.

**MOTION TO AUTHORIZE DANIEL MCINERNY TO FILL THE VACATED POSITION OF DEPUTY VILLAGE TREASURER**

A Motion was requested by the Mayor to authorize Daniel McInerny to fill the vacated position of Deputy Treasurer at a salary to be determined and starting date as soon as Monday, March 27, 2017, if available, or as soon thereafter as he is able to assume the position.

A motion to accept the foregoing was made by Trustee Sussman, seconded by Trustee Russo, and passed unanimously by the Board.

**RESOLUTION AUTHORIZING THE MAYOR AND BOARD OF TRUSTEES TO ACCEPT THE RESIGNATION OF KATHLEEN E. VAN SICKLE**

The Mayor and Board of Trustees accepts the resignation of Kathleen E. Van Sickle from her position as Secretary-Typist and Deputy Village Clerk effective April 14, 2017. A motion to accept the foregoing was made by Trustee Russo, seconded by Trustee Hagen, and passed unanimously by the Board.

**RESOLUTION AUTHORIZING THE MAYOR AND BOARD OF TRUSTEES TO ACCEPT THE RESIGNATION OF BARBARA COTTIERS**

The Mayor and Board of Trustees accept the resignation of Barbara Cottiers from her position as Account Clerk and Deputy Treasurer effective April 14, 2017. A motion to accept the foregoing was made by Trustee Russo and seconded by Trustee Sussman.

**RESOLUTION AUTHORIZING THE MAYOR AND BOARD OF TRUSTEES TO ACCEPT THE RESIGNATION OF ROBERT CONKLIN**

The Mayor and Board of Trustees accept the resignation of Robert Conklin as Supervisor of the Suffern Water Department effective April 14, 2017. A motion to accept the foregoing was made by Trustee Russo, seconded by Trustee Hagen, and passed unanimously by the Board.

**RESOLUTION AUTHORIZING THE MAYOR AND BOARD OF TRUSTEES TO ACCEPT THE RESIGNATION OF LOUIS CIACCIO**

The Mayor and Board of Trustees accept the resignation of Louis Ciaccio from his position as Recreation Leader effective April 21, 2017. A motion to accept the foregoing was made by Trustee Russo, seconded by Trustee Sussman and passed unanimously by the Board.

**MOTION AMENDING THE MOTION TO APPOINT DANIEL MCINERNY TO FILL THE VACATED POSITION OF DEPUTY VILLAGE TREASURER**

Prior to amending the motion to appoint Daniel McInerny to fill the vacated position of Deputy Village Treasurer as moved and voted upon previously in this meeting, Dan Kraushaar explained that the position of Deputy Village Treasurer is an exempt position with a term of office. The motion to appoint Daniel McInerny will be amended to reflect that the appointment shall have a term of office to expire at the reorganizational meeting in December, 2017, with further appointment to be determined at that time.

A motion to accept the foregoing was made by Trustee Sussman, seconded by Trustee Russo, and passed unanimously by the Board.

**EXECUTIVE SESSION:**

A motion was made by Mayor Markunas to enter into Executive Session and was passed unanimously by the Board.

**RETURN FROM EXECUTIVE SESSION:**

Upon return from Executive Session, the Board of Trustees reconvened with the presentation of the following motion:

**MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE SETTLEMENT AGREEMENT WITH EMPLOYEE NUMBER 10954 WHICH WAS ALREADY SIGNED BY THE EMPLOYEE AND THE UNION REPRESENTATIVE**

A motion to accept the foregoing was made by Trustee Hertzman, was seconded by Trustee Russo, and passed unanimously by the Board.

**ADJOURNMENT:**

The Mayor requested a Motion to adjourn the meeting. A motion to accept the foregoing was made by Trustee Hagen, seconded by Trustee Russo and passed unanimously by the Board adjourning the meeting at 7:15 p.m.