

**Village of Suffern  
Village Board Meeting  
November 8, 2017 - 7:00 p.m.**

A Regular Village Board Meeting was held on Wednesday, November 8, 2017.

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

**CALL TO ORDER:**

Mayor Markunas called the meeting to order at 7:02 p.m., leading the Pledge of Allegiance and a moment of silence in honor of our service men and women and in remembrance of the upcoming Veteran's Day.

**UPCOMING MEETINGS:**

The dates were set for the upcoming meetings: The Village Board Workshop Meeting will be held Tuesday, November 28, 2017 at 7:00 p.m. The Village Board Meeting will be held December 4, 2017 following the December 4, 2017 Organization Meeting.

**CULTURE AND RECREATION:**

Cathy Mills provided a summary of the upcoming Culture and Recreation events: Recreation Board Meeting – Thurs. Nov. 9 at 7 p.m.; Veterans Day Parade, Ceremony, & BBQ – Saturday, Nov. 11 at 11 a.m. – Soldiers Monument & BBQ at Gazebo; Arty Time – Thursdays, - Nov. 2, 16 at 12 p.m.; DARE Dance – Friday, Nov. 17 – 7-9 p.m.; Broadway Show Beautiful– Saturday, November 18; Poetry Club – Saturday, Nov. 18 –6:30 p.m.; Veterans Angels Food Giveaway a program that raises funds to train service dogs for veterans with PTSD – Sun, Nov. 19 – 9 a.m.

**OFFICE OF THE MAYOR:**

Virginia Menschner was the recipient of the Fall 2017 Andrew Haggerty Award from Isabelle Haggerty, the wife of Andrew C. Haggerty. This award is presented to a volunteer from the community in honor of former Mayor, Andrew C. Haggerty, for their outstanding service to the community. The Mayor presented Ms. Menschner with a plaque as well as a parking space in the front of the Village Hall designated for her use only.

Isabelle Haggerty presented the Mayor and Board of Trustees with a Certificate of Appreciation for their help and support of the Suffern Lion's Club 2<sup>nd</sup> Annual Dog Day Event which was held September 9, 2017. Isabelle Haggerty also presented the Chief of Police, Clarke Osborn, and the Suffern Police Department with a Certificate of Appreciation for the help and support of the Suffern Lion's Club 2<sup>nd</sup> Annual Dog Day Event which was held September 9, 2017.

**PUBLIC HEARING** – A motion to open the Public Hearing at 7:15 p.m. was made by Trustee Frank Hagen and seconded by Moira Hertzman to discuss the amending Local Law, Chapter 200 of the Code of the Village of Suffern, Peddling and Soliciting, regarding definition of solicitor and adding a new section to include a list of persons not wanting to be disturbed by peddlers, solicitors, and canvassers. The purpose of this amendment will be to provide a process by which residents will be able to request that they not be disturbed by peddlers and solicitors by expanding the definition of what is a peddler and solicitor as well as a develop a formal mechanism by which residents can express their intent to not be disturbed.

Ed Mahecha of 10 Stockbridge Avenue provided public comment. He asked the Board if this local law pertained to religious institutions. Attorney Kraushaar responded that it does not. Attorney Kraushaar clarified that this local law shall not apply to sales by any member of the Boy Scouts of America, Girl Scouts of America or similar Village-based youth organizations; school groups; churches; fraternal organizations; a duly organized volunteer ambulance or fire company or district or an auxiliary thereof; or other bona fide charity who is acting on behalf of said organization, group, company, district or corporation where the organization shall have provided notice to the Village Clerk at least five days before the first activity on its behalf with the dates of the activity and the name and address of the person in charge. Political activity shall be exempt from the terms of this local law. Following this statement, no further questions were asked. A motion to close the Public Hearing at 7:20 p.m. was made by Trustee Frank Hagen and seconded by Moira Hertzman. Mayor Markunas declared this action as Type 2 Action under SEQRA requiring no further action.

**LOCAL LAW NO. 6 OF 2017 - LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF SUFFERN CHAPTER 200, PEDDLING AND SOLICITING, BY ADDING TO THE DEFINITION OF CANVASSER OR SOLICITOR AND INCLUDING A NEW SECTION TO §200-5, 200-5(A) APPLICATION INFORMATION, TO INCLUDE A LIST OF PERSONS NOT WANTING TO BE DISTURBED BY PEDDLERS AND SOLICITORS**

The Board of Trustees of the Village of Suffern enacted Local Law No. 6 of 2017 as follows:  
SECTION 1. Chapter 200, Peddling and Soliciting, Section 200-2 was amended by adding to the definition of canvasser or solicitor, and adding a new Section to 200-5, 200-5(A) Application Information, to include a list of persons not wanting to be disturbed by a peddler or solicitor. As amended the said section of the Code shall read as follows: The purpose of this chapter shall be to preserve the public peace and good order in the Village of Suffern and to contribute to the public welfare and good order of its people by enforcing certain regulations and restrictions on canvassers and solicitors in order to prevent fraud, crime and unethical and dishonest business practices within the Village of Suffern.

§ 200-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**CANVASSER OR SOLICITOR**

Includes itinerant vendors of merchandise who shall go from door to door or place to place in this Village selling, causing to be sold, offering for sale or taking orders for present or future delivery of merchandise of any description whatever. For the purpose of this chapter, a "canvasser" or "solicitor" shall also be deemed to be one who is not in the business of selling goods but who makes surveys for research purposes, analysis, opinion polls, rating data and any other work which of its nature involves a door-to-door or place-to-place activity and shall

include persons going from door to door or place to place for the purpose of soliciting contributions or donations for any person or organization. For purposes of this local law real estate brokers, sellers of energy, and utility type services shall be deemed to be canvassers or solicitors.

#### MERCHANDISE

Includes magazines, periodicals, books and orders or contracts for a service, home improvement or alterations.

#### § 200-3 Registration required.

No person shall canvass, solicit or call from door to door or place to place in the Village of Suffern without first registering with the Village Clerk.

#### § 200-4 Exemptions.

A. Nothing herein contained shall require the licensing of honorably discharged soldiers, sailors or marines of the military and naval services of the United States who have obtained a license from the County Clerk in connection with § 32 of the General Business Law, except that they shall be required to comply with § 200-11 and confine activities to the hours between 9:00 a.m. and 5:00 p.m. B. This chapter shall not apply to sales by any member of the Boy Scouts of America, Girl Scouts of America or similar Village-based youth organizations; school groups; churches; fraternal organizations; a duly organized volunteer ambulance or fire company or district or an auxiliary thereof; or other bona fide charity who is acting on behalf of said organization, group, company, district or corporation where the organization shall have provided notice to the Village Clerk at least five days before the first activity on its behalf with the dates of the activity and the name and address of the person in charge. C. Political activity shall be exempt from the terms of this chapter.

#### § 200-5 Application information.

Each registrant shall, at the time of registering, file with the Village Clerk, on a form to be provided by the Village of Suffern, an application, in writing, which shall give the following information and be signed and affirmed by the applicant under the penalties of perjury:

A. The name, age and physical description of the applicant. B. A complete permanent home and local address of the applicant and the telephone number at such address. C. The name and address of the organization or person for whom solicitation is being made and the telephone number at such address. D. A description of the nature of the business and the goods, services or wares to be sold and sufficient information to determine the business he is to transact. E.

The days, dates and route of his business or solicitation in the Village of Suffern, which, unless special permission is granted by the Village Clerk, shall be between the hours of 9:00 a.m. and 5:00 p.m. F. A statement as to whether or not the applicant has been convicted of a crime, misdemeanor or disorderly conduct offense and where and when so convicted, the nature of the offense and the penalty, if any. G. The make, model, year, color and license plate number of automobiles used by the applicant during the period of solicitation in the Village and the number of his driver's license and the state of issuance.

#### 200-5(A) List of persons not wanting delivery of unsolicited material.

A. The Village Clerk shall maintain a list of addresses of the owners, occupants, tenants or persons in charge of private premises who have notified the Village Clerk that they do not wish

to be visited by canvassers or solicitors, receive delivery of unsolicited newspapers or advertising matter. The Village Clerk shall revise said list when notified that an individual desires to withdraw a prior notification that he refuses to receive delivery of the aforementioned materials or visits from canvassers and solicitors. All notifications herein to the Village Clerk must be in writing. Whenever the Village Clerk ascertains that the ownership or tenancy of any premises has changed, by virtue of a request for a water meter reading or otherwise, for which the owner, tenant or person in charge has filed a refusal of delivery of advertising matter, unsolicited newspaper and campaign material, the Village Clerk shall revise the aforementioned list by deleting said address from the list. The list compiled and the written requests for non-delivery shall be available for inspection pursuant to Article 6 of the Public Officers Law.

B. The Village Clerk shall furnish a copy of the aforementioned list to each person who is issued a certificate of registration at the time said certificate of registration is issued and shall mail a copy of said list to the address specified in the registration statement filed pursuant to this chapter. The Village Clerk shall mail a revised list to the address specified in the registration statement on or about the first day of each month if there are any deletions or additions to said list. C. It shall be unlawful for any person to visit a person on this list or distribute an unsolicited newspaper or advertising material to any person who has refused delivery thereof pursuant to this chapter after personal delivery of the list containing the addresses of those persons refusing delivery thereof to a person filing a registration statement and from a date 15 days after a revised list has been mailed to a distributor pursuant to Subsection B herein.

#### § 200-6 Individual registration required.

A separate registration must be made for every solicitor, agent or employee conducting business or soliciting within the Village limits.

#### § 200-7 Registration certificate.

Each registrant, upon being so registered, shall be issued a registration certificate by the Village Clerk, upon which shall be impressed the Official Seal of the Village of Suffern and the period for which said certificate shall be valid, but in no event to exceed 30 calendar days from the date of issuance.

#### § 200-8 Display of registration certificate.

Each registrant shall carry the registration certificate at all times when conducting business in the Village and shall exhibit it to any citizen or Village official upon request. At the conclusion of the period for which the registration certificate was issued, said registration certificate shall be returned to the Village Clerk.

#### § 200-9 Revocation of registration certificate.

The Village Clerk may, at any time for a violation of this chapter or any other ordinance or any law, revoke any registration certificate. When a registration certificate is revoked, no refund of any portion of the registration fee shall be made. Notice of such revocation and the reason therefore shall be in writing and shall be served by the Village Clerk upon the person named in the application or by mailing the same to the address given in the application. A copy of the revocation order shall be part of the Village Clerk's records.

#### § 200-10 Transfer of registration certificate prohibited.

No registration certificate issued under the provisions of this chapter shall be used at any time by any person other than the one to whom it was issued.

#### § 200-11 Prohibitions.

Every person to whom a registration certificate is issued under the terms of this chapter shall be governed by the following rules and regulations: A. He shall not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale. B. He shall not blow a horn, ring a bell or use any other noisy device to attract public attention to his wares or shout or cry out his wares. C. He shall not stand or permit the vehicle used by him to stand in any public place or street for more than 10 minutes or in front of any premises for any time if the owner or lessee objects. D. He shall not create or maintain any booth or other obstruction upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise. E. He shall not sell any merchandise within 250 feet of any school between the hours of 8:00 a.m. and 4:00 p.m. on school days. F. He shall not enter or attempt to enter the house or apartment of any resident in the Village without an express invitation from the occupant of the house or apartment. G. He shall not conduct himself in such a manner as to annoy or harass any person while soliciting within the Village.

#### § 200-12 Registration fee.

The fee for each registration certificate shall be as set by resolution of the Board of Trustees in the Standard Schedule of Fees of the Village of Suffern. All persons involved in canvass or solicitation must obtain his or her individual certificate.

#### § 200-13 Appeals.

In the event that an application for canvassing or soliciting is incomplete, it shall be disapproved and be returned to the applicant for completion. The applicant may appeal to the Board of Trustees of the Village of Suffern, which shall set a time and place for a hearing, which hearing shall be held within 15 days after a request for an appeal has been filed with the Village Clerk and at which hearing the applicant will be given an opportunity to present his reasons why the registration certificate should be issued. The decision of the Board of Trustees is final.

#### § 200-14 Transient retail businesses.

No person, whether acting as principal or as agent, shall conduct a transient retail business in any store, tent, booth or from any wagon or pushcart in this Village for the sale of goods which shall be represented or advertised as a bankrupt stock or as assigned stock or as goods damaged by fire, water or otherwise or by any such representation or device without first taking out a license therefor from the Clerk of this Village, the fee for which was fixed in an amount set by resolution of the Board of Trustees in the Standard Schedule of Fees of the Village of Suffern. The license shall not be issued for a period less than one month and shall be renewed monthly during the continuance of such business.

#### § 200-15 Penalties for offenses.

Any person violating the terms of this chapter, whether as an individual, principal or agent or employee or another, shall, upon conviction, be subject to the penalties as provided in § 1-12 of Chapter 1, General Provisions.

**RESOLUTION NO. 193 of 2017 - RESOLUTION ADOPTING LOCAL LAW 6 OF 2017 AMENDING CHAPTER 200 OF THE CODE OF THE VILLAGE OF SUFFERN - PEDDLING, SOLICITING, AND CANVASSERS**

The Board of Trustees adopted Local Law 6 of 2017, amending the Code of the Village of Suffern, Chapter 200 Peddling and Soliciting regarding definition of solicitor and adding a new section to include a list of persons not wanting to be disturbed by peddlers, solicitors, and canvassers. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Trustee Moira Hertzman and approved unanimously by the Board.

**PUBLIC HEARING** – A motion to open the Public Hearing at 7:22 p.m. was made by Trustee Frank Hagen and seconded by Moira Hertzman to discuss amending Village Code Chapter 235 - Streets and Sidewalks, Section 236.6 Snow Removal, Article 6(D) Snow Plowing- clarifying the definition of a vehicle. Assistant Attorney Robert Magrino stated that this code requires providers that offer snow removal service will be required to have a permit to operate. The purpose of this law is to provide accountability to those that provide commercial snow removal services. This is a Type 2 Action under SEQRA requiring no further action. A motion to close the Public Hearing at 7:26 p.m. was made by Trustee Frank Hagen and seconded by Moira Hertzman.

**LOCAL LAW NO. 7 OF 2017 - LOCAL LAW AMENDING CHAPTER 235, ARTICLE II OF THE CODE OF THE VILLAGE OF SUFFERN REGARDING STREETS AND SIDEWALKS-SNOW REMOVAL**

The Board of Trustees of the Village of Suffern enacted Local Law No. 7 of 2017, as follows: Section 1. Chapter 235, Article II, §235-6 of the Code of the Village of Suffern, entitled Streets and Sidewalks, Obstructions and Encroachments, Snow Removal, was amended to clarify the requirements for the need to obtain a permit for snow removal operations in the Village of Suffern. As amended the said section of the Code shall read as follows:

§235-6 D. Permit required.

(1) No person, firm or corporation shall, on a for hire basis, plow snow, ice, sleet or similar matter or cause or allow the same to be plowed or placed by the use of any vehicle, including but not limited to a car, truck, pick-up truck, van, all-terrain vehicle, front end loader or motor operated snow blower within the Village of Suffern unless a permit therefor, as hereinafter prescribed, issued by Department of Public Works, is in full force and effect and such permit is prominently displayed by affixing it to the vehicle so as to be readily visible from the exterior thereof or as otherwise prescribed by the Department of Public Works. The requirement to obtain a permit shall not apply to a person who resides at the property that is being plowed by that person. (2) Application for such permit shall be made to the Department of Public Works by the owner of the vehicle or a business or person which employs the use of such vehicle(s) for the purposes of snow removal within the Village of Suffern on a for hire basis, in writing, upon forms to be furnished by the Department of Public Works. The forms shall contain the business or individual's name and address, the operator's name and address, the vehicle identification number for all vehicles used in the snow plow removal business, the New York State license number attached to such vehicles, and information regarding any other snow removal equipment set forth in paragraph (1) above, proof of insurance, and such additional information as the Department of Public Works shall require and shall be accompanied by the permit fee set forth in the Schedule of Fees. The Department of Public Works may require such documents and information as may be reasonably necessary to verify the facts stated in such application. (3) Such permit shall be for the period of October 1 to September 30 of each year

and may be revoked by the Board of Trustees upon notice to the permittee and an opportunity to be heard and may also be suspended by the Mayor upon good cause, including violation of this section, until a determination on revocation of the permit is made. (4) This section may be enforced by the Village of Suffern Police Department, and/or the Building Inspector, or Code Enforcement Officers and their deputies, and they are authorized to issue appearance tickets pursuant to Article 150 of the Criminal Procedure Law of the State of New York for the violation of any section.

#### Section 2. Severability Clause

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid parts.

#### Section 3. Effective Date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.

### **RESOLUTION NO. 194 OF 2017 - RESOLUTION ADOPTING LOCAL LAW 7 OF 2017 AMENDING CHAPTER 235, ARTICLE II OF THE CODE OF THE VILLAGE OF SUFFERN REGARDING STREETS AND SIDEWALKS – SNOW REMOVAL**

The Village Board adopted Local Law 7 of 2017 amending Chapter 235, Article II of the Code of the Village of Suffern regarding Streets and Sidewalks – Snow Removal. This Local Law was reviewed by Rockland County Planning and was approved in form and content. Residents will be notified on the website of the new permit application requirements. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Trustee Moira Hertzman and approved unanimously by the Board.

**PUBLIC HEARING** - A motion to open the Public Hearing at 7:28 p.m. was made by Trustee Frank Hagen and seconded by Moira Hertzman to discuss amending Village Code Chapter 266 - Zoning, Article VII Off Street Parking and Loading, Section 36.1 Commercial Vehicles in Residential Districts, clarifying the existing law which permits one commercial vehicle to be parked on a residential lot. A request to continue the Public Hearing on December 4, 2017, was made by Assistant Attorney Robert Magrino to address additional definitions of vehicles that were requested by the Board of Trustees. A motion to continue the Public Hearing on December 4, 2017 was made by Trustee Frank Hagen and seconded by Moira Hertzman.

#### **FIRE DEPARTMENT**

A motion was requested by the Mayor to accept the following member in the Suffern Fire Department: Kyle Tamburro - Under 18 Member of the Hose Company. The motion was passed unanimously by the Board.

#### **GRANT WRITER:**

Fred Rella asked if a resolution had been passed to appoint the members to the 2017-2018 Citizen Advisory Committee. The Mayor confirmed that the resolution was passed at the Special Meeting held November 1, 2017. Fred Rella advised the board that the Village has been awarded \$180,378 grant funding for the Sanitary Sewer Replacement Project through the NY Infrastructure Improvement Act. Mr. Rella is currently working on the paperwork required to process this grant. This awarding of this grant brought the threshold of grant funding received by the Village to over \$1.2 million dollars in less than 2 years. The Mayor and Board of Trustees thanked Mr. Rella for this outstanding achievement.

**POLICE DEPARTMENT:**

In the absence of Chief of Police, Clarke Osborn, the Mayor advised the Board that Michael Corletta submitted a letter of resignation as Parking Enforcement Officer effective November 10, 2017. A motion to accept this resignation was made by Joseph Russo, seconded by Frank Hagen, and was passed unanimously by the Board. Michael Corletta is military veteran and served the Village as a parking enforcement aide for many years. The Mayor thanked him for his service.

**VILLAGE CLERK:****RESOLUTION NO. 195 OF 2017 - RESOLUTION AUTHORIZING THE VILLAGE OF SUFFERN TO FILE A REPORT OF UNPAID VILLAGE TAXES TO THE COUNTY OF ROCKLAND**

The Village of Suffern Board of Trustees authorizes the Village of Suffern to file a report with the County of Rockland indicating that \$216,475.59 of Village taxes remain unpaid and due upon the real estate in said district assessed or levied upon the tax list with warrant dated May 10, 2017. The Mayor and three Village of Suffern Trustees are authorized to sign the statement reporting to the County of Rockland that \$216,475.59 of Village taxes remain unpaid and due upon the real estate in said district assessed or levied upon the tax list with warrant dated May 10, 2017. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Henry Sussman and approved unanimously by the Board.

**2NYCRR, Section 315.4 – Reporting Requirement for Elected or Appointed Officials:**

Virginia Menschner, Village Clerk, advised the Board that any elected or appointed official who is not paid hourly or does not participate in an employer's time keeping system that consists of a daily record of actual time worked and time charged to accruals, shall record his or her work activities for a period of three consecutive months. The elected or appointed official should extend the period of his or her record of work activities by the amount of time utilized for vacations, illness, holidays or other reasons during the three-month period. The reporting requirements for record of time work will be required by Trustee Joseph Russo, Justice Ernest Buonocore, Assistant Attorney Robert Magrino, and Associate Justice Vincent Altieri.

**DEPARTMENT OF PUBLIC WORKS:****RESOLUTION NO. 196 OF 2017 - AUTHORIZING ACCEPTANCE OF THE LOW BID FOR THE WWTP UPGRADE AND PLUG FLOW MODIFICATIONS FINAL DESIGN PROFESSIONAL SERVICES REQUEST FOR PROPOSAL**

The Board of Trustees has consulted with the Director of Public Works with respect to the awarding of the low bid for the WWTP Upgrade and Plug Flow Modifications Final Design Professional Services Request for Proposal. The low bid is in the amount of \$197,380 from GHD, 1 Remington Park Drive, Cazenovia, New York. The Board of Trustees accepted the low bid for the WWTP Upgrade and Plug Flow Modifications Final Design Professional Services Request for Proposal in the amount of \$197,380 from GHD subject to the procurement and receipt of bonding money and all required documents and review of same by Village Attorney. The Mayor was authorized to sign the contract on behalf of the Village of Suffern. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Henry Sussman and approved unanimously by the Board.

**RESOLUTION NO. 197 OF 2017 - DECLARING AND DISPOSING SURPLUS VEHICLES**

The Department of Public Works identified the following vehicles are no longer functional or cost effective to maintain or repair:

<b>Department</b>	<b>Vehicle</b>	<b>Description</b>
Toro Riding Mower	Mower Model # 890834	Runs – Is Sellable
Police Department	2000 Ford Taurus SE XYG211877 VIN # 1FAFP53UXYG211877	Runs - Is Sellable
Street Department	1988 Chevy 1500 Pick-Up VIN # 1GCDG14Z3JZ208166	Body Rot- Runs
WWTP	2002 Ford Explorer VIN # 1FMZU72K13UB83016	Needs Motor
Building Department	2006 Ford Crown Vic VIN # 2FAHP71H36X106677	Needs Transmission

The Village of Suffern Board of Trustees declared the listed vehicles as surplus equipment, and, the Director of the Department of Public Works was authorized to dispose of the listed equipment in a manner that is in the best interests of the Village. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Joseph Russo and approved unanimously by the Board.

**RESOLUTION NO. 198 OF 2017 - RESOLUTION APPOINTING WILLIAM BARISH TO THE POSITION OF MOTOR EQUIPMENT OPERATOR II**

The Mayor appointed Mr. William Barish to the vacant position in the Street Department at a pay rate of \$28.69 per hour effective November 9, 2017. Mr. Barish is approved by the Rockland County Department of Personnel and is a member of the Suffern Fire Department. A motion to approve the foregoing resolution was made by Trustee Joseph Russo and seconded by Trustee Moira Hertzman and approved unanimously by the Board.

**RESOLUTION NO. 199 OF 2017 - RESOLUTION APPOINTING LAWRENCE VOGEL TO THE POSITION OF MOTOR EQUIPMENT OPERATOR II**

The Mayor appointed Mr. Lawrence Vogel to the vacant position of Motor Equipment Operator II in the Street Department, at a pay rate of \$26.86 per hour, effective November 9, 2017. Mr. Vogel is approved by the Rockland County Department of Personnel and is a member of the Suffern Fire Department. A motion to approve the foregoing resolution was made by Trustee Henry Sussman and seconded by Trustee Joseph Russo and approved unanimously by the Board.

**RESOLUTION NO. 200 OF 2017 - RESOLUTION APPOINTING MARK FORCELLO TO THE POSITION OF LABORER**

The Mayor appointed Mr. Mark Forcello to the open position of Laborer in the Street Department, at a pay rate of \$17.30 per hour, effective November 27, 2017. Mr. Forcello is approved by the Rockland County Department of Personnel and is a member of the Suffern Fire Department. A motion to approve the foregoing resolution was made by Trustee Joseph Russo and seconded by Trustee Henry Sussman and approved unanimously by the Board.

**RESOLUTION NO. 201 OF 2017 - A RESOLUTION AUTHORIZING CHARLES SAWICKI TO SOLICIT A PROFESSIONAL SERVICE REQUEST FOR PROPOSAL (RFP) FOR AN ENGINEERING STUDY OF THE MEMORIAL DRIVE DRAINAGE EVALUATION**

The Board of the Trustees authorized Charles Sawicki to solicit a Professional Service Request for Proposal (RFP) for the Memorial Drive Drainage Evaluation. Bids will be due December 20, 2017 at 3:00 p.m. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Joseph Russo and approved unanimously by the Board.

**RESOLUTION NO. 202 OF 2017 - RESOLUTION AUTHORIZING H2M ARCHITECTS AND ENGINEERS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE CONSTRUCTION PHASE OF THE WWTP BOILER REPLACEMENT PROJECT**

Mr. Sawicki stated the digester boiler replacement project in the waste water treatment plant just commenced. This project will replace the existing three boilers. The original boiler design included two boilers that ran on bio fuel and one that ran on natural gas. One of the existing boilers has not been operational for over a decade. The other two boilers, which run on natural gas, are barely operational and need to be replaced. The new boilers have been designed to run primarily using bio fuel (methane gas) created from the waste water treatment process, rather than requiring the Village to purchase and use natural gas from Orange and Rockland. If in the event the waste water treatment process is unable to create enough bio gas to run the boilers, natural gas can be purchased and utilized to run the boilers. These boilers need to run in the 100 to 100-degree range for them to operate properly. Mayor asked Mr. Sawicki to clarify that the installation of these boilers will result in a cost savings as a result of the ability to operate the boilers primarily using bio gas rather than natural gas. Mr. Sawicki stated the boilers that are currently being utilized are running only on natural gas and this project will drastically reduce costs by allowing methane gas from the process to serve as the primary fuel source rather than purchasing natural gas from Orange and Rockland.

Mr. Sawicki clarified the role of H2M as it pertains to the passing of the subject resolution for H2M to provide professional engineering services on this project. Mr. Sawicki stated that as part of this project, H2M will provide progress meetings, answer technical questions, review shop drawings, provide inspections, and oversee construction related issues. Attorney Kraushaar asked if Mr. Sawicki had received any other quotes. Mr. Sawicki stated no other quotes were requested because H2M was the consultant that prepared the engineering design documents and were the most knowledge on the technical aspects of this project. Mr. Sawicki stated that H2M will be paid based on time actually spent assisting the Village on this project.

The Director of Public Works, with respect to professional engineering services associate with the construction phase of the WWTP Boiler Replacement Project, has a received quotation for required work. The quotation is in the amount not to exceed \$20,000 from H2M Architects and Engineers, 2 Executive Boulevard, Suite 401, Suffern, New York. The Board of Trustees accepted the quotation for professional engineering services associate with the construction phase of the WWTP Boiler Replacement Project subject to the procurement and receipt of bonding money and all required documents and review of same by Village Attorney. The Director of Public Works is authorized to sign the purchase order on behalf of the Village of Suffern should the Village of Suffern obtain financing for the project. A motion to approve the foregoing resolution

was made by Trustee Frank Hagen and seconded by Trustee Moira Hertzman and approved unanimously by the Board.

**FINANCE DEPARTMENT:**

Michael Genito advised the Board that a grant award has been received in the amount of \$250,000 from the Dormitory Authority of the State of New York (DASNY). However, funding from DASNY does not typically come in as quickly as the Village would like. This bond anticipation note allows the Village to purchase the subject vehicle using short-term financing until grant money is received. Grant Writer, Fred Rella, will advise the Board when the grant process has been finalized. The vehicle should not be purchased until the grant process has been finalized. Upon receipt of the grant from DASNY the bond anticipation note will be repaid using the grant funding.

**RESOLUTION NO. 203 of 2017 - BOND RESOLUTION OF THE VILLAGE OF SUFFERN, NEW YORK, ADOPTED NOVEMBER 8, 2017, AUTHORIZING THE ACQUISITION OF HEAVY DUTY VEHICLES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$250,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$250,000 TO FINANCE SAID APPROPRIATION**

The Board of Trustees resolved as follows:

Section 1. The Village of Suffern, in the County of Rockland, New York (herein called the "Village"), was authorized to acquire heavy duty vehicles. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000 and said amount was appropriated for such purpose. The plan of financing includes the issuance of \$250,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is anticipated that grant funds may be available to pay all or part of the cost of the project. Any such funds were authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Village in the principal amount of \$250,000 were authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters were determined and declared: (a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years. (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department. (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village were

irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, were delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if: (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk was authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Journal News*," a newspaper having general circulation in said Village and designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form: PLEASE TAKE NOTICE that on November 8, 2017, the Board of Trustees of the Village of Suffern, in the County of Rockland, New York, adopted the bond resolution entitled: "Bond Resolution of the Village of Suffern, New York, adopted November 8, 2017, authorizing the acquisition of heavy duty vehicles, stating the estimated maximum cost thereof is \$250,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$250,000 to finance said appropriation," an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Suffern to acquire heavy duty vehicles; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$250,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that it is anticipated that grant funds may be available to pay all or part of the cost of the project and any such funds were authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$250,000 pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is fifteen (15) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Section 8. The Village Clerk was authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

The adoption of the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Frank Hagen and duly put to a vote on roll call, which resulted as follows:

NAME	YES	NO	NOT VOTING	ABSENT
Hagen	X			
Hertzman	X			
Markunas	X			
Russo	X			
Sussman	X			

Mayor Markunas declared the motion carried and directed the Clerk to file the same.

#### **RESOLUTION NO. 204 OF 2017 - RESOLUTION TO AMEND CAPITAL PROJECT 2016-010 SEWER ABATEMENT**

On April 11, 2016, the Village Board adopted a resolution establishing project 2016-010 Sanitary Sewer Abatement (the "Project") in the amount of \$700,000. The project construction has been completed at the cost of \$505,397. Financing costs in the amount of \$48,848 will be required to finance the project through the New York State Environmental Facilities Corporation (the "EFC") long-term market rate financing program. The Village has been awarded a New York State 2017 Clean Water Infrastructure Improvement Act Grant (the "Grant") in the amount of \$134,850 to partially finance the Project. The Project budget was amended by reducing total Project estimated revenues and appropriations, each in the amount of \$145,755, to reflect the reduction in total Project costs and the award of the Grant. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Moira Hertzman and approved unanimously by the Board.

**RESOLUTION NO. 205 OF 2017 - RESOLUTION AUTHORIZING CAPITAL PROJECT 2018-002 2018 ROADWAY IMPROVEMENTS**

The Director of Public Works has presented a list of streets to be reconstructed or resurfaced, including any necessary ADA ramps and other appurtenances, totaling \$409,220 (the "2018 Roadway Improvements"). The Village received a letter dated July 14, 2017 from the New York State Department of Transportation, advising the Village that there were unspent Consolidated Highway Improvement Program (CHIPS) funds in the amount of \$303,968.25; unspent PAVE NY funds in the amount of \$51,521.38 and unspent Extreme Winter Recovery (EWR) funds in the amount of \$49,202.84. Project number 2016-003 Street Resurfacing will provide \$60,000 of the \$410,000 needed to finance the 2018 Roadway Improvements. The capital project number 2018-002 entitled 2018 Roadway Improvements was established in the amount of \$350,000 to be funded with \$51,521 from PAVE NY funds; 49,202 from EWR funds, and the remaining \$249,277 from CHIPS funds. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Henry Sussman and approved unanimously by the Board.

**RESOLUTION NO. 206 OF 2017 – RESOLUTION TRANSFERRING 2017-2018 FUNDS FROM STREET DEPARTMENT CONTRACTUAL TO POLICE DEPARTMENT CONTRACTUAL**

The 2017-2018 General Fund budget included \$25,000 for motor vehicle fuel in the Street Department budget that should have been included in the Police Department budget. The Village Board of the Village of Suffern amends the 2017-2018 adopted General Fund budget by transferring \$25,000 from account A.5110.4400.0016 Street Department Motor Vehicle Fuel to A.3120.4400.0016 Police Department Motor Vehicle Fuel. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Joseph Russo and approved unanimously by the Board.

**RESOLUTION NO. 207 OF 2017 - RESOLUTION AUTHORIZING THE RENEWAL OF THE PARKMOBILE SERVICE AGREEMENT AND AUTHORIZING PARKMOBILE TO SERVE AS MERCHANT OF RECORD FOR CREDIT/DEBIT CARD TRANSACTIONS**

Parkmobile, LLC, is engaged in the business of providing integrated solutions for the management of parking-related matters, including providing a system for the electronic payment of on-demand and permit parking. The Village of Suffern desires to renew the agreement authorizing Parkmobile to provide mobile parking and permit services and license certain software to the Village of Suffern. Parkmobile will serve as the Merchant of Record in the passing of real time authorized parking revenue debit/credit card transactions daily in a batch format arrangement in accordance with Parkmobile's standard settlement procedures at \$.15 plus 3% per authorized transaction. Parkmobile shall collect Parking Revenues for each emerging payment transaction and pass the parking revenue to the Village of Suffern designated financial institution. The Village of Suffern Board of Trustees authorizes the renewal of the Parkmobile Service Agreement effective November 9, 2017 through November 8, 2020. The Mayor is authorized to the Parkmobile Mobile Service Agreement effective November 9, 2017. A motion to approve the foregoing resolution was made by Trustee Henry Sussman and seconded by Trustee Frank Hagen and approved unanimously by the Board.

**VILLAGE ATTORNEY:****RESOLUTION NO. 208 OF 2017 - RESOLUTION AUTHORIZING THE MAYOR SIGN THE REGIONAL INVESTIGATIVE RESOURCE CENTER INTERMUNICIPAL AGREEMENT**

The Regional Investigative Resource Center Intermunicipal Agreement is between the County of Rockland, a municipal corporation having its principal place of business at 11 New Hempstead Road, New City, New York (hereinafter the "County") and the Village of Suffern, a municipal corporation having its principal place of business at 61 Washington Avenue., Suffern, New York (hereinafter "Suffern"). There is evidence of organized criminal activity and illicit trafficking in drugs in Rockland County. Such illicit activity has substantial and detrimental effect on the health and general welfare of the people of said area. The effective interdiction of this type of criminal activity cannot be adequately addressed on a local level and requires a regional response and cooperation between the various law enforcement agencies. It is essential to create a shared service environment by and between the County and local law enforcement agencies in Rockland County to effectively and efficiently utilize all available resources, both human and technological, and avoid duplication of effort and expense to address these critical law enforcement issues. The term of this Intermunicipal Agreement shall be from January 1, 2016 through December 31, 2017, Nunc Pro Tunc. The Village of Suffern Board of Trustees authorized the Village of Suffern to enter into the Regional Investigative Resource Center Intermunicipal Agreement for the period of January 1, 2016 through December 31, 2017, Nunc Pro Tunc. The Mayor was authorized to sign the Regional Investigative Resource Center Intermunicipal Agreement. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Moira Hertzman and approved unanimously by the Board.

**RESOLUTION NO. 209 OF 2017 - RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK (DASNY) PROJECT MANAGEMENT AGREEMENT**

The Project Management Agreement is entered into by the Dormitory Authority of the State of New York (DASNY) with its principal offices located at 515 Broadway, Albany, New York 12207, the Housing Trust Fund Corporation, operating by and through its division, the Governor's Office of Storm Recovery (GOSR), with a mailing address of 25 Beaver Street, New York, New York 10004 and the Village of Suffern, a municipal corporation and political subdivision of the State of New York and a participant in the NY Rising Community Reconstruction Program, with a mailing address of 61 Washington Avenue, Suffern, New York 10901. GOSR and the Participant each desires DASNY to manage the applicable design and construction phases of (i) Hardening of Wastewater and Water Treatment Plants and (ii) Back Up Power for Critical Facilities each to be constructed, respectively, at (a) 1 Ed Fagan Drive, Suffern, NY 10901 and 26 Pat Malone Drive, Suffern, NY 10901 and (b) Department of Public Works Garage, Ridge Road, Suffern, NY 10901 and Village Town Hall, 61 Washington Avenue, Suffern, NY 10901. GOSR wishes to facilitate funding of the Project Budget using Community Development Block Grant Disaster Recovery funds pursuant to that certain Community Development Block Grant Disaster Recovery Subrecipient Agreement dated as of July 1, 2014 between DASNY and GOSR, as amended from time to time. The Village of Suffern Board of Trustees authorized the Village of Suffern to enter into the Dormitory Authority of the State of New York (DASNY) Project Management Agreement. The Mayor was authorized to sign the Dormitory Authority of the State of New York (DASNY) Project Management Agreement. A motion to approve the foregoing resolution

was made by Trustee Frank Hagen and seconded by Trustee Joseph Russo and approved unanimously by the Board.

**RESOLUTION NO. 210 OF 2017 - RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE NY RISING COMMUNITY RECONSTRUCTION PROGRAM RIGHT-OF-ENTRY PERMIT AND RELEASE FOR THE VILLAGE OF SUFFERN DEPARTMENT OF PUBLIC WORKS GARAGE**

The Village of Suffern Board of Trustees authorized the Dormitory Authority of the State of NY (DASNY), the New York State Housing Trust Fund Corporation (HTFC), and each of their respective employees, agents, consultants, contractors, assigns and/or representatives, the Department of Housing and Urban Development (“HUD”), and its employees, agents, assigns, consultants, contractors and/or representatives to have the right of access and to enter in and onto the property of the Village of Suffern Department of Public Works Garage for the purpose of performing, planning, design and construction related services including but not limited to environmental damage assessments and/or inspections, making assessments, testing (including taking sample materials for any specialized testing) and any other NY Rising Community Reconstruction Program activities at, on, in or under the Property all in connection with the Village of Suffern’s participation in the Program. The Mayor was authorized to sign NY Rising Community Reconstruction Program Right-of-Way Entry Permit and Release for the Village of Suffern Department of Public Works Garage. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Henry Russo and approved unanimously by the Board.

**RESOLUTION NO. 211 OF 2017 - RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE NY RISING COMMUNITY RECONSTRUCTION PROGRAM RIGHT-OF-ENTRY PERMIT AND RELEASE FOR THE VILLAGE OF SUFFERN WATER AND WASTE WATER TREATMENT FACILITIES**

The Village of Suffern Board of Trustees authorizes the Dormitory Authority of the State of NY (DASNY), the New York State Housing Trust Fund Corporation (HTFC), and each of their respective employees, agents, consultants, contractors, assigns and/or representatives, the Department of Housing and Urban Development (“HUD”), and its employees, agents, assigns, consultants, contractors and/or representatives to have the right of access and to enter in and onto the property of the Village of Suffern Water and Waste Water Treatment Facilities for the purpose of performing, planning, design and construction related services including but not limited to environmental damage assessments and/or inspections, making assessments, testing (including taking sample materials for any specialized testing) and any other NY Rising Community Reconstruction Program activities at, on, in or under the Property all in connection with the Village of Suffern’s participation in the Program. The Mayor was authorized to sign NY Rising Community Reconstruction Program Right-of-Way Entry Permit and Release for the Village of Suffern Water and Waste Water Treatment Facilities. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Joseph Russo and approved unanimously by the Board.

**OFFICE OF THE MAYOR:**

**RESOLUTION NO. 212 OF 2017 - A RESOLUTION AUTHORIZING EMPOWER ARTISTS PRODUCTIONS TO FILM NOVEMBER 12, 2017 AT THE SUFFERN ATHLETIC FIELD**

Empower Artists Productions, 538 West 149<sup>th</sup> Street, Apartment 2, New York NY 10031, producing the independent educational film “All Talk”, submitted an application to film in the Village of Suffern at Suffern Athletic Fields, Sunday, November 12, 2017. “All Talk” is a film

featuring the Suffern Midget Mounties. The film will highlight the impact of psychological retrospection on mid-life adults and present resources for coping with mid-life depression. Filming activities will include Suffern Midget Mounties representing “youth” and two adults (who are former Suffern Midget Mounties) representing “mid-life retrospection”. Filming activities will include the use of hand-held cameras only. No other production equipment will be allowed. The Suffern Midget Mounties have a permit for the field that day and have authorized filming of their practice to take place. In accordance with the Village of Suffern Filming Guidelines, filming using hand-held cameras does not require a permit. However, individuals may still obtain an optional permit from the Village of Suffern upon request, and in accordance with the Village of Suffern Filming Guidelines, the filming permit application fee does not apply to optional filming permits. The Board of Trustees approved the permit of Empower Artists and authorized the Mayor to sign the Permit Application authorizing Empower Artists Productions to film November 12, 2017 pursuant to the Local Law, Filming in the Village of Suffern, and subject to the submission of all required documentation. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Moira Hertzman and approved unanimously by the Board.

**ADJOURNMENT:**

A motion to close the meeting was made by Trustee Russo, seconded by Trustee Hagen, and approved unanimously by the Board. The meeting was adjourned at 8:26 p.m.