

**Village of Suffern
Special Village Board Meeting
December 18, 2017 – 11:00 a.m.**

A Special Village Board Meeting was held on Monday, December 18, 2017.

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

CALL TO ORDER:

Mayor Markunas called the meeting to order at 11:15 a.m., leading the Pledge of Allegiance and a Moment of Silence in honor of our service men and women.

POLICE DEPARTMENT:

RESOLUTION NO. 261 OF 2017 - A RESOLUTION ESTABLISHING A MILITARY LEAVE OF ABSENCE POLICY COVERING POLICE OFFICERS EMPLOYED BY THE VILLAGE OF SUFFERN IN ITS POLICE DEPARTMENT

The Village Board of Suffern wishes to demonstrate its commitment to protecting the job rights of its police officers who are ordered to active military serve and protecting our nation at great sacrifice individually and to their families. Suffern Village police officers will be entitled to a leave of absence for the purpose of the performance of ordered military duty consistent with §242 of the Military Law of the State of New York but exceeding the time limitations provided therein. For the period of absence in any calendar year and in any one (1) continuous period of such absence, any eligible police officer as defined under Military Law of the State of New York in addition to full pay during a total of thirty (30) days or twenty-two (22) working days, whichever is greater, shall also be entitled to the salary differential between their Village salary and their military pay for a period or periods not exceeding a total of an additional sixty (60) calendar days. The term "Village salary" shall include only the police officer's base salary plus longevity and not any other stipends/monies, except that during the time an eligible police officer is receiving salary for the first thirty (30) calendar days pursuant to the military law, Village salary shall include the midnight differential for any officer who was, at the time of deployment, regularly assigned to the steady midnight tour. The term "military pay" shall include only the police officer's base military pay and not any additional stipends/monies. Ordered military duty shall not include duty for which the police officer volunteered. The police officer must submit a copy of his or her deployment orders and a copy of his or her leave documents and earnings statements prior to deployment to the Village Clerk (prior to being eligible for the additional period beyond the first 30 days). During the time an eligible police

officer is receiving salary provided under the military law and the differential provided hereunder for up to an additional 60 calendar days, said police officer shall also receive continued health, and dental coverages pursuant to the applicable collective bargaining agreement, and thereafter such police officer may continue his or her coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) at his or her own cost, and that only during the time an eligible police officer is receiving salary provided under the military law and the differential provided hereunder for up to an additional 60 calendar days, said police officer shall continue to accrue leave time pursuant to the applicable collective bargaining agreement. An injury or disability suffered by such police officer of the Village of Suffern during any period of military service shall not constitute an accident arising in the course of Village employment, or in the performance of duty on behalf of the Village. Prior to leaving for military service, any such police officer shall secure any Village issued weapon and his or her badge in a manner that satisfies the Chief of Police for the Village of Suffern, and it further. That the within does not constitute a policy or practice of the Village of Suffern, nor shall this resolution result in an expansion of the terms and conditions of employment of the police officers of the Village of Suffern and the salary differential hereby granted such police officers may be terminated at any time in the sole and absolute discretion of the Suffern Village Board. This resolution shall take effect immediately and shall be retroactive to December 4, 2015, Nunc Pro Tunc. 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.

STATEMENT BY THE CHIEF OF POLICE:

Chief of Police, Clarke Osborn asked to read the following statement to the Board of Trustees:

"In 2005 when I took over a Chief of Police, we had two Lieutenant positions; one primarily for administrative purposes and the other for patrol related duties and oversight. At the time of my promotion, the second Lieutenant's position was abolished leaving all administrative duties to the remaining Lieutenant and myself. As I am sure you can understand, police work and its administrative details have become more complex and our department has continued to progress in a very proactive manner. Even with the extra duties, we provided our residents with exceptional police service. In 2009 we became one of only approximately 20% of departments in NYS to receive the prestigious "Accredited Agency" status. The mean that we are recognized as a highly function professional police agency by the NYS Division of Criminal Justice Service. To achieve this status, we had to adhere to over 110 standards on a consistent basis and further implement all new rules and regulations for our department. We were re-accredited in 2014 and are regularly checked by the State to ensure that we are still abiding by these standards. In October of 2017, we had a site visit from the Division of Criminal Justice Services who checked all of our policies. For that visit alone, it took us over two weeks to get ready due to changing regulations and standards. This whole process was overseen by a patrol Sergeant who had a difficult time getting it done due to his responsibilities as a road supervisor. This would have been much better handled by the position of Lieutenant whose primary duties are administrative based. The reality is, I am not sure how much longer we can hold onto the accredited status without an additional administrator. Over the past few years we have

obtained several License Plate Readers all from county seizure funds and grants, TRACS, Tasers, additional weaponry, participation in the 1033 military surplus program, updated evidence procedures, and more. All of these programs require administrative oversight and with one Lieutenant who also oversees all patrol and investigative operations, it can take up a lot of our day. I would also like to have an administrator assigned. as part of their duties, to research and pursue any and all grants that apply to law enforcement funding, equipment, training etc. I believe we could secure additional monies through this manner as the administrator will attend the next available grant school that is offered. I want to briefly explain what is know in law enforcement as the "span of control". This simply means how many officers or supervisors are assigned to one particular boss. Currently we have seven Sergeants assigned to one Lieutenant; with the new proposed structure, we would have six Sergeants assigned to two Lieutenants which is a much more practical and efficient number. Please also understand that we are not adding any additional officers with this proposal; only making a Sergeant's position into a Lieutenant's position. I also want to note that I currently have the available additional funding for this proposal already within my budget and am not requesting any additional monies from the Village. By adding this position, it would put our department in a much more stable position administratively and would greatly assist my current Lieutenant in our numerous administrative duties. I also want to add that I do not currently, or have never had, any type of secretary to assist me and a few years back we gave up our part-time records clerk position in an effort to save the Village money. We, therefore, picked up the duties of assisting the full-time records clerk when needed. I thank you for your continued support of our Department and ask for this position with only the best intentions for both our police department and Village in mind."

RESOLUTION NO. 262 OF 2017 - A RESOLUTION AUTHORIZING THE MAYOR TO APPOINT POLICE SERGEANT ANDREW LOUGHLIN TO THE POSITION OF POLICE LIEUTENANT

The Village Board authorized the Mayor to promote Police Sergeant Andrew Loughlin to the position of Police Lieutenant, Position Control Number 340148, at the pay rate of \$170,265.43 effective December 18, 2017. 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. 263 OF 2017 - RESOLUTION ESTABLISHING THE POSITION OF POLICE LIEUTENANT

Rockland County Department of Personnel has a competitive class position of Police Lieutenant. The Deputy Commissioner of Rockland County Personnel authorized the establishment of the position of Police Lieutenant in the Village of Suffern effective December 14, 2017. The Board of Trustees established the position of Police Lieutenant effective December 18, 2017. 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. 264 OF 2017 - A RESOLUTION AUTHORIZING THE MAYOR TO PROMOTE DET. SGT. JOHN MALLON TO THE POSITION OF POLICE LIEUTENANT

The Village Board authorized the Mayor to promote Det. Sgt. John Mallon to the position of Police Lieutenant, Position Control Number 340148, at his current rate of pay, effective December 18, 2017. 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. 265 OF 2017 - ESTABLISHING THE PAY RATE FOR KRISTINE MIELE PARKING DEPARTMENT CLERK PART TIME

The Village of Suffern Board of Trustees established the pay rate for Kristine Miele as \$14.85 per hour effective December 18, 2017. A motion to approve the foregoing resolution was made by Trustee Joseph Russo and seconded by Trustee Frank Hagen and approved unanimously by the Board.

RESOLUTION NO. 266 OF 2017 - ESTABLISHING THE PAY RATE FOR JOHN NATALE PARKING DEPARTMENT ENFORCEMENT AIDE PART TIME

The Village of Suffern Board of Trustees established the pay rate for John Natale as \$13.00 per hour effective December 18, 2017. A motion to approve the foregoing resolution was made by Trustee Joseph Russo and seconded by Trustee Frank Hagen and approved unanimously by the Board.

ATTORNEY:

RESOLUTION NO. 267 OF 2017 - AUTHORIZING THE NYS THRUWAY REAL PROPERTY APPLICATION

The Village of Suffern Board of Trustees authorized the Mayor to sign the NYS Thruway Real Property application for Corridor Mile Post 28.6 to 29.4 ("Old Mill Road") and authorized the payment of the \$95.00 associated application fee for the purpose of obtaining ownership of the referenced property for access to property within the Village of Suffern. 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.

ADJOURNMENT:

A motion to close the meeting was made by Trustee Russo, seconded by Trustee Hagen, and approved unanimously by the Board. The meeting adjourned at 12:15 p.m.