

**Village of Suffern  
Special Meeting of the Village Board of Trustees Minutes  
Tuesday, June 12, 2018 - 5:30 p.m.**

A Special Village Board Meeting was held on June 12, 2018.

**Present:**       **Edward Markunas, Mayor**  
                  **Gina Bertolino, Trustee**  
                  **Frank Hagen, Trustee**  
                  **Moira Hertzman, Trustee**  
                  **Dan Kraushaar, Village Attorney**  
                  **Virginia Menschner, Village Clerk**  
                  **Amy Paffenroth, Deputy Village Clerk**

**Absent:**       **Joseph Russo, Trustee**

**CALL TO ORDER:**

Mayor Markunas called the meeting to order at 5:45 p.m., leading the Pledge of Allegiance and a moment of silence in honor of our service men and women.

**RESOLUTION NO. 166 OF 2018 - A RESOLUTION AUTHORIZING GREENCARD PICTURES, LLC, TO FILM "TO THE MOON" AT THE LAFAYETTE THEATER AND VIRGINIA MENSCHNER GAZEBO FROM 11:00 A.M. TO 5:00 P.M. ON WEDNESDAY, JUNE 20, 2018**

The Mayor and Village Board of Trustees authorized Greencard Pictures, LLC, 678 Broadway, 3<sup>rd</sup> Floor, New York, NY 10012, to film "To the Moon" at the Lafayette Theatre and Virginia Menschner Gazebo locations on June 20, 2018 from 11 a.m. to 5:00 p.m. The approval of this permit is subject to the submission of all required documentation and review of same by the Village of Suffern Attorney, and payment of fees all as provided for in Local Law 4 of 2017. Moira Hertzman abstained from voting on this resolution as she arrived late to the meeting after discussion of this item began. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Trustee Gina Bertolino and approved by the Board.

**Overview of the Construction Improvements to the Sanitary Sewer System:**

The Village of Suffern proposes to undertake the following action on the Wastewater Treatment Plant Upgrade and Plug Flow Modifications Project, located in the Village of Suffern including: Structural rehabilitation of existing secondary clarifiers; Replacement of existing clarifier equipment and installation of a new recycle sludge pumping system; structural renovation of existing aeration basins to convert the treatment process to a plug-flow system; installation of new process aeration blowers, air piping, and diffusers in the renovated aeration basins; yard piping modifications to reconfigure process flow through the facility; decommissioning existing trickling filters and associated pumping station; expansion and modification of the existing electrical distribution system to support the new equipment; and installation and programming of a new PLC-based control panel.

**RESOLUTION 166A OF 2018 - VILLAGE OF SUFFERN BOND RESOLUTION ADOPTED JUNE 12, 2018 AMENDING THE BOND RESOLUTION ADOPTED ON MARCH 5, 2018**

Pursuant to a bond resolution adopted on March 5, 2018, the Board of Trustees appropriated funds and authorized the issuance of bonds to construct improvements to the sanitary sewer system at the estimated maximum cost of \$5,500,000. It has now been determined that the estimated cost of this project shall be \$9,000,000, and it is in the public interest to increase said appropriation by \$3,500,000. The Board of Trustees of the Village of Suffern, by favorable vote of not less than two-thirds of all members, adopted Bond Resolution 166A as follows:

Section A. The bond resolution of the Village of Suffern duly adopted by the Board of Trustees on March 5, 2018, entitled: "Bond Resolution of the Village of Suffern, New York, adopted March 5, 2018, authorizing the construction of improvements to the sanitary sewer system, stating the estimated maximum cost thereof is \$5,500,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$5,500,000 to finance said appropriation," is hereby amended to read as follows: BOND RESOLUTION OF THE VILLAGE OF SUFFERN, NEW YORK, ADOPTED MARCH 5, 2018 AND AMENDED JUNE 12, 2018, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE SANITARY SEWER SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$9,000,000 TO FINANCE SAID APPROPRIATION.

Section 1. The Village of Suffern, in the County of Rockland, New York (herein called the "Village"), is hereby authorized to construct improvements to the sanitary sewer system. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$9,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$9,000,000 to finance said appropriation and the levy and collection of assessments upon the several lots and parcels which the Board of Trustees shall determine and specify to be especially benefited thereby in just proportion to the amount of benefit which said improvements shall confer upon the same, to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$9,000,000 are hereby 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 are hereby 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. 4 of the Law, is forty (40) 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 are hereby 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, are hereby 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 is hereby 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 hereby 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.

Section 8. The Village Clerk is hereby 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 hereby 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. Section (B) The amendment of the bond resolution as set forth in Section (A) of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution prior to amendment, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended. Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted March 5, 2018 shall not be in any way affected and shall remain in full force and effect.

A motion to adopt the foregoing resolution was made by Trustee Frank Hagen, was seconded by Moira Hertzman. and duly put to a vote on roll call, which resulted as follows:

NAME	YES	NO	NOT VOTING	ABSENT
Trustee Bertolino	X			
Trustee Hagen	X			
Trustee Hertzman	X			
Mayor Markunas	X			
Trustee Russo				X

Mayor Markunas declared the resolution adopted and directed the Clerk to file the same.

**ADJOURNMENT:**

A motion to close the meeting was made by Frank Hagen, seconded by Trustee Moira Hertzman, and approved unanimously by the Board. The meeting was adjourned at 6:15 p.m.