



**Regular Meeting of Village Board of Trustee Minutes
Monday May 6, 2019 - 7:00 p.m.**

A regular meeting of the Board of Trustees was held on Monday, May 6, 2019.

Present: **Edward Markunas, Mayor**
 Steve Alpert, Trustee
 Frank Hagen, Trustee
 Moira Hertzman, Trustee
 Paul Girard, Trustee
 Ralph DeMarco, Village Attorney
 Amy Paffenroth, Village Clerk

CALL TO ORDER:

Mayor Markunas called the meeting to order at 7:00 p.m., leading the Pledge of Allegiance and a moment of silence in honor of our service men and women.

UPCOMING MEETINGS:

The next regular meeting of the Village Board will be held Monday, May 6, 2019 at 7:00 p.m. The next workshop meeting of the Village Board will be held Tuesday, May 28, 2019.

PUBLIC HEARING - 7:05 p.m. to Consider the MS4 Annual Report

A public hearing to discuss the authorization of the MS4 Annual Report was held at 7:10 p.m. A motion to open the public hearing at 7:10 p.m. was made by Moira Hertzman, seconded by Steven Alpert, and was passed unanimously by the Board. Charles Sawicki provided an overview and background of the MS4 Annual Report to the Board. A motion to close the public hearing at 7:12 p.m. was made by Paul Girard, seconded by Moira Hertzman, and passed unanimously by the Board.

RESOLUTION NO. 98 OF 2019 - AUTHORIZING THE VILLAGE BOARD TO ACCEPT THE NYSDEC ANNUAL MS4 REPORT

The Village of Suffern is required to file an Annual NYSDEC MS4 Report. Small municipal stormwater sewer systems (MS4s) that are located within the boundaries of a Census Bureau defined "urbanized area" are regulated under EPA's Phase II Stormwater Rule. This requires MS4s to develop a stormwater management program that will reduce the amount of pollutants carried by stormwater during storm events to waterbodies to the "maximum extent practicable". The goal of the program is to improve water quality and recreational use of waterways. MS4 stormwater programs have six elements that when implemented together, are expected to result in a reduction of pollutants discharged into waterbodies. Discharges from Municipal Separate

Storm Sewer Systems (MS4s) in Urbanized or Additionally Designated Areas must be authorized in accordance with a permit for stormwater discharges from MS4s. This page contains the General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems and the forms necessary to obtain coverage under that permit.

The Annual Report was completed by the Director of Public Works for the year ending March 2019. The Village Board accepted the Annual NYSDEC MS4 Report for the year ending March 2019, Nunc Pro Tunc. This is a Type 2 Action requiring no further action under SEQRA. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Steven Alpert and passed unanimously by the Board.

REVIEW OF THE 2019-2020 FISCAL YEAR BUDGET

The following is a summary message of the 2019-2020 Fiscal Year Budget presented by Mayor Markunas: The 2019-2020 budget passed on April 30 was developed by accurately determining revenues and expenses based on a combination of historical and current operating conditions. Considering both these critical factors, the 2019-2020 budget accurately funds what is minimally required to maintain operations without jeopardizing our future. The NYS Comptroller's Office reviewed the Village's tentative budget and found the budget to be appropriate and fiscally responsible. The budget reflects a reduction in operating expenses that was achieved through the support of our Department Heads and staff. The budget reductions achieved this year reflect a reduction from the tentative budget figure that has been historically achieved through the normal budgeting process that includes vital input and suggestions from our residents.

The Village began the return to fiscal stability in 2016. Continuous monitoring of expenditures and revenues allowed us to address variances from spending plans to achieve budgetary goals. In addition, we developed a multi-year capital improvement plan, so necessary capital assets are planned for and financed in a manner that spreads the cost over time taking advantage of the low interest rating we receive because of our hard work and diligence to proper budgeting practices. The 2019-2020 budget enables the Village to remain on the path to fiscal stability. Prior to 2016, budgeting practices overestimated revenues and underfunded expenses. The result was the inability to cover legally mandated expenditures and operating expenses as well as failure to properly fund our vital infrastructure. The Village had to borrow money to continue operating and we were considered the most fiscally stressed Village in NYS. Tax payers are still paying off the debt incurred during this period. The cost to our tax payers this year alone was \$600,000 in debt service. Ask yourself, what is the impact of that annual payment of \$600,000 on our 2019-2020 Budget. This amount equates to nearly 5% of our overall budget. We are still paying for past budgeting practices that should never, be repeated. Without this \$600,000 additional debt burden, the Village would have achieved a budget below the tax cap this year.

A symptom of past budget failures was the critical decline in infrastructure. Improper funding and oversight of Waste Water Treatment Plant resulted in 6 out of 8-unit operations either not running or not running to within designed ranges. This resulted in the 2012 Consent Order by the DEC mandating operational improvements to meet legally required standards. The team that

is working on our infrastructure has delivered results for our tax payers. The team will avoid a \$9 million dollar proposed infrastructure project, through the implementation of a low-cost operational excellence program. As a full-service Village, the Village provides residents with quality public safety personnel such as our police and fire departments, public works department, and water and wastewater treatment resources but we must adequately maintain our infrastructure to enable us to provide the services our residents rely on.

The 2019-2020 budget provides a fund balance that represents approximately an amount that would cover Village expenses for 1.5 months in the event of an unplanned change in the business conditions; for example, as occurred when the loss of Novartis. The amount of fund balance suggested by the New York State Government Finance Officers' Association, Inc. is an amount representing 2 months of minimum expenditures. Our fund balance which represents 1.5 months is already less than amount suggested by the NYS Government Finance Officers Association. Reducing the fund balance, would put the Village in the same position as in the past. By doing so, the NYS Comptroller along with rating agencies such Moody's would not look favorably upon Suffern's budgeting practice, would negatively impact our bond rate, and increase rates on short and long-term borrowing. According to the NYS Comptroller "In fact, you may wish to maintain a reasonable fund balance as insurance against unanticipated expenditures or revenue shortfalls."

We have been very fortunate to experience mild winters. What would happen if this was not the case this winter? In the past few weeks, the Village has experienced the failure of one of our primary well pumps that required emergency repairs to provide residents with ample water supply, and a water main break recently disrupted service on Claremont. What if we were not prepared to address the unexpected? We were able to pay for these repairs, as well as contractual salary increases, because we had a fund balance and a contingency fund in place to offset the cost. Past budgeting practices of overestimating revenues, underestimating expenses, and depleting the fund balance and contingency funds would have placed us once again in a situation to borrow money to fund Village operations.

Based on these examples, I do not conclude, nor does our Treasurer conclude, that not providing for an appropriate fund balance and an appropriate contingency fund is in the best interest of our tax payers. What then would be the alternative to achieve a tax increase below the tax cap? Through the budgeting process, we cut expenses as we have historically done, to a minimal operating budget. To cut below this minimum would be cut into the bone and muscle of our Village. Cutting this deep, would clearly jeopardize our stability.

The alternative to reducing the fund balance, which is contrary to the recommendations of the GFOA, would be to eliminate services the Village provides. Since 75% of our budget reflects personnel costs, the only other alternative was to cut personnel and associated services. Service levels currently provided to residents would have to drastically changed or eliminated to achieve a budget under the current NYS mandated tax cap. Since we are unable to eliminate the \$600,000 debt service from past budgeting practice or reducing our fund balance and contingency funds, this would have been the only other alternative. It was not an option proposed by any member of this Board.

The 2019-2020 adopted budget accurately reflects the revenues and expenditures of the Village. The budget maintains our vital critical services at the lowest cost possible. The Board is charged to continue to work with the Department Heads, as they always do, to find additional cost savings through productivity improvement strategies. We must work together to maintain the significant progress we have achieved since 2016. The 2019-2020 budget illustrates what my administration has been and will continue to do to keep us on the right track by maintaining a minimal operating budget while planning for a strong future.

FIRE DEPARTMENT:

RESOLUTION NO. 99 OF 2019 - AUTHORIZING THE HOOK & LADDER COMPANY TO HOLD A TOUCH A TRUCK SHOW JUNE 1, 2019

The Village of Suffern Board of Trustees authorized the Hook and Ladder Company to hold a “Touch A Truck Show” on Saturday, June 1, 2019 in the Suffern Ballfields. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Moira Hertzman, and passed unanimously by the Board.

MOTION TO ACCEPT NEW MEMBER IN THE HOSE COMPANY

A motion to accept new member, Francesco Tello, over 18 in the Hose Company was made by Frank Hagen, seconded by Moira Hertzman, and passed unanimously by the Board.

CULTURE AND RECREATION:

Cathy Mills reviewed the previous month’s recreation activities, upcoming activities, and provided the Board with a copy of the upcoming month’s schedule.

POLICE DEPARTMENT:

Chief Clarke Osborn provide an update of the previous month’s statistics and activities.

GRANT WRITER:

Fred Rella provided an update of Village of Suffern Grant applications and grant projects.

DEPARTMENT OF PUBLIC WORKS:

RESOLUTION NO. 100 OF 2019 - AUTHORIZING THE STORMWATER CONSORTIUM OF ROCKLAND COUNTY/CORNELL COOPERATIVE EXTENSION PROGRAM AGREEMENT

The Village of Suffern is a member of the Stormwater Consortium of Rockland County/Cornell Cooperative Extension Program. The annual membership fee is \$1,250 per year. The Village Board of Trustees authorized the Mayor to execute the Stormwater Consortium of Rockland County/Cornell Cooperative Extension Program Agreement in the amount of \$1,250 and that said funds be deducted from the appropriate budget line item as provided by the Village Treasurer, effective April 1, 2019, Nunc Pro Tunc. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman, seconded by Frank Hagen, and passed unanimously by the Board.

RESOLUTION NO. 101 OF 2019 - AUTHORIZING PAYMENT NO. 2 TO BELLAVISTA CONSTRUCTION CORPORATION FOR THE 2018 ADA RAMP PROJECT

The Village Board of Trustees authorized the final payment, Payment No. 2, in the amount of \$3,071.00 to Bellavista Construction Corporation for the 2018 ADA Ramp Project. The AIA Document G702-1992 (Application and Certification for Payments) and the certified payrolls have been reviewed by Charles Sawicki and have been deemed acceptable for payment. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman, seconded by Frank Hagen, and passed unanimously by the Board.

RESOLUTION NO. 102 OF 2019 - AUTHORIZING PAYMENTS NO. 3 TO VALENTINE ELECTRIC FOR THE SOUTH STREET EMERGENCY GENERATOR

The Village Board of Trustees authorized Payment No. 3 in the amount of \$14,511.25 to Valentine Electric, 274 Greenbush Road, Blauvelt, New York. The AIA Document G702-1992 (Application and Certification for Payment) and the certified payroll have been reviewed by Charles Sawicki and have been deemed acceptable for payment. A motion to approve the foregoing resolution was made by Trustee Paul Girard, seconded by Frank Hagen, and passed unanimously by the Board.

RESOLUTION NO. 103 OF 2019 - AUTHORIZING THE PROFESSIONAL SERVICES PROPOSAL FROM DELAWARE ENGINEERING

The Board of Trustees consulted with Charles Sawicki, Superintendent of Public Works, with respect the proposal to prepare DEC correspondence to extend the Order on Consent with proposed milestone schedule. The proposal is from Delaware Engineering, 28 Madison Avenue Extension, Albany, New York in an amount not to exceed \$15,000.00. The Village of Suffern Board of Trustees accepted the proposal from Delaware Engineering. Charles Sawicki is authorized to sign the Agreement on behalf of the Village of Suffern. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Steve Alpert, and passed unanimously by the Board.

TREASURER:

RESOLUTION NO. 104 OF 2019 - AUTHORIZING MICHAEL GENITO TO ATTEND THE NYS MUNICIPAL FINANCE OFFICERS BOARD MEETING, MAY 10, 2019 IN OWEGO, NEW YORK

The Village Board adopted Resolution No. 27 of 2015 authorizing attendance at Municipal Conferences at its re-organization meeting on December 7, 2015 with prior approval by the Board of Trustees. The Village of Suffern Board of Trustees authorized Michael Genito to attend the NYS Municipal Finance Officers Board meeting on Friday, May 10, 2019 in Owego, New York at a cost to include mileage, tolls, and meals. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Moira Hertzman, and passed unanimously by the Board.

MAYOR:

RESOLUTION NO. 105 OF 2019 - APPOINTING MEMBERS TO THE VILLAGE OF SUFFERN ETHICS BOARD

In accordance with the Code of the Village of Suffern § 22-7, Board of Ethics; membership; duties, a Board of Ethics consisting of five members shall be appointed for a five-year term by the Village Board, all of whom shall reside in the Village of Suffern and who shall serve without compensation, which shall be set by resolution of the Village Board of Trustees. The Village Board of Trustees appointed Reverend Karline Dubuisson, Michael Zall, Fred Eliason, Gertrude Szyferblatt, and Gaby Weinberger to the Village of Suffern Ethics Board effective May 7, 2019 for a five-year term ending December 2, 2024. A motion to approve the foregoing resolution was made by Trustee Paul Girard, seconded by Frank Hagen, and passed unanimously by the Board.

RESOLUTION NO. 106 OF 2019 - AUTHORIZING THE INSTALLATION OF A FLOOD LIGHT IN MEMORIAL PARK

The Board of Trustees authorized the installation of a 250-watt sodium vapor floodlight to illuminate the flag in Memorial Park at a cost of \$2,178.00. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman, seconded by Frank Hagen, and passed unanimously by the Board.

RESOLUTION NO. 107 OF 2019 - ESTABLISHING THE POSITION OF RECEPTIONIST IN THE BUILDING DEPARTMENT

The position of Receptionist will be used to fill the vacant position of Sr. Clerk Typist. the Parking Department receptionist will transfer to the Building Department effective May 22, 2019. The cost saving associated with establishing this position in the Building Department was presented in the proposed FYE 2020 budget and was discussed during budget meetings. The position of Receptionist in the Parking Department will remain open but not encumbered in the 2019-2020 fiscal year budget. The P.O. 27 authorizing the establishment of the position of receptionist was signed by the Rockland County Department of Personnel on May 1, 2019 which is why the item was not included as an April 30, 2019 agenda item. The Board of Trustees established the position of Receptionist in the Building Department, effective May 6, 2019. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Moira Hertzman, and passed unanimously by the Board.

RESOLUTION NO. 108 OF 2019 - AUTHORIZING THE MAYOR TO SIGN THE 2019-2020 TAX WARRANT

The Village Board of the Village of Suffern authorized the Mayor to sign the 2019-2020 Tax Warrant. A motion to approve the foregoing resolution was made by Trustee Frank Hagen, seconded by Moira Hertzman, and passed unanimously by the Board.

ADJOURNMENT:

A motion to adjourn the meeting at 8:54 p.m. was made by Frank Hagen, seconded by Moira Hertzman, and passed unanimously by the Board.