

**Village of Suffern**  
**Village Board Meeting Minutes**  
**Monday, September 9, 2019 - 7:00 p.m.**

A Regular Meeting of the Village Board of Trustees was held on Monday, September 9, 2019.

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

**CALL TO ORDER:**

Mayor Markunas called the meeting to order at 7:01 p.m.

**UPCOMING MEETINGS:**

A Village Workshop Meeting will be held September 24, 2019 at 7:00 p.m. The next regular meeting of the Board of Trustees will be held Monday October 7, 2019 at 7:00 p.m.

**GIRL SCOUT SILVER AWARD PRESENTATION:**

Megan Simon and Jenny Dispensa from Troop 40297 presented their Silver Award Project “Bags for Batteries” which will provide residents with a container or bag to store used batteries prior to recycling. The Scouts requested that the Village provide 100-200 containers (mayo or wide jars) for use with their project.

**FIRE DEPARTMENT:**

**MOTION** – A motion to accept Michael Palmueci as an over 18 member of the Hose Company was made by Frank Hagen, seconded by Paul Girard, and passed unanimously by the Board.

**RESOLUTION NO. 175 OF 2019 - A RESOLUTION TO EXTEND COVERAGE UNDER THE NYS VOLUNTEER FIREFIGHTERS BENEFIT LAW TO AUTHORIZE VILLAGE FIREFIGHTERS WHO PARTICIPATE IN ROCKLAND COUNTY EMERGENCY SERVICE ACTIVITIES**

Members of the Suffern Fire Department serve as members of Rockland County Emergency Services. The Village of Suffern desires to extend Volunteer Firefighter Benefits to active duty Volunteer Firefighters while participating in Rockland County Emergency Services. The Village Board extended coverage to Michael Stark and Dan Moran as Deputy Fire Coordinators for Rockland County and under the NYS Volunteer Firefighters Benefit Law are authorized as active volunteer Village firefighters when such firefighters participate in Rockland County Emergency

Services. The Suffern Fire Chief was authorized to sign the letter from the Office of Fire and Emergency Services authorizing Michael Start and Dan Moran to participate in Rockland County Emergency Services activities. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Frank Hagen.

**RESOLUTION NO. 176 OF 2019 - AUTHORIZING THE VILLAGE OF SUFFERN 19-1500 FIRE TRUCK TO PARTICIPATE IN THE SEPTEMBER 11<sup>TH</sup> MEMORIAL PARADE TO BE HELD IN HOBOKEN, NEW JERSEY ON SEPTEMBER 11, 2019**

The Board of Trustees authorized the 19-1500 Suffern Fire Truck to participate in the September 11<sup>th</sup> Memorial Parade to be held in Hoboken, New Jersey on September 11, 2019. A motion to approve the foregoing resolution was made by Trustee Steve Alpert and seconded by Trustee Paul Girard.

**RESOLUTION NO. 177 OF 2019 - RESOLUTION TO DECLARE FIRE DEPARTMENT RADIOS AS SURPLUS**

The Board of Trustees have been advised that the following Fire Department radios are no longer necessary or useful to the Village and should be declared surplus: One (1) Motorola CDM1550 - Serial Number: 103TLNG282; Nine (9) Motorola CDM1550•LS+ - Serial Numbers: 001TBW0571, 001TCQ0625, 001TPJ0391, 001TJU0668, 001TME0315, 001TLY0283, 001THS2064, 001TMA0227, 001TFQ0934. The foregoing described equipment is declared surplus. The Suffern Fire Department authorized and directed to dispose of the foregoing described equipment in a manner that is in the best interest of the Village of Suffern. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Moira Hertzman.

**AVON PRESENTATION:**

Seth M. Mandelbaum, Esq. from McCullough, Goldberger & Staudt, the attorneys for Avon Products and Michelle Dorry of Avon Products presented a proposed amendment to the Avon PILOT Agreement which would enable the sale of Avon's property at 37 Washington Avenue, Suffern, NY; Tax Lot 54.36 Block 1, Lot 6. The site is an approximate 11.82-acre parcel located in the CB zoning district of the Village of Suffern. The Avon representatives discussed the recent closing of their Rye, New York facility along with the transfer of some employees to the Suffern location. Avon is in discussion with a Brazilian company, Nutura, for the sale of Avon Products. Avon Products seeks to sell the subdivided property at 37 Washington Avenue before year end 2019 in anticipation of the 1<sup>st</sup> quarter sale of Avon Products to Nutura. The Board of Trustees did not take any action on the proposed PILOT amendment.

**CULTURE AND RECREATION:**

Cathy Mills provided an overview of the previous month's recreation activities as well as the upcoming month's planned activities: Firefighters Parade – September 7; 9-11 Ceremony – September 11; Dog Day with the Lions Club -September 14; Midget Mountie Bonfire – September

14; Street Fair – September 15; Suffern Day – September 21; Connor School – Bike Rodeo; Yoga for Beginners in the Community Center –October 7, 21, 28 and November 4; Nutrition Workshop – October 1; Walking Wednesdays – Self guided tours – October 2, 9, 16, 23; Halloween Window Painting – October 11; Halloween Parade – October 27.

**MOTION** – A motion to authorize Cathy Mills and Nancy Christopher to attend Walking College Seminar, Thursday, September 12, 2019 in Yonkers, NY at no charge for registration was made by Paul Girard, seconded by Steve Alpert and passed unanimously by the Board.

**APPLICATION FOR SPECIAL PERMIT USE – 11 WAYNE AVENUE:**

**RESOLUTION NO. 178 OF 2019 - ACCEPTING SPECIAL PERMIT APPLICATION**

In accordance with the § 266-22 Zoning Schedule of Village of Suffern General Use Requirements Part III, a Special Permit Use is required in the General Business District for the operations of kennels. Anne Pless, 49 Poplar Street, Ramsey, New Jersey has applied for a Special Permit Use for 11 Wayne Avenue, in the General Business District, to operate a dog training, dog day care, and boarding facility. In accordance with § 266-25 Zoning - Special Use Permits, the approving agency for a Special Permit Use is the Board of Trustees. The Board of Trustees will forward the Special Use Permit for the operation of kennel at 11 Wayne Avenue for recommendations by the Building Department, Suffern Planning Board, and Rockland County Planning. Upon receipt in writing of Building Department, Suffern Planning Board, and Rockland County Planning recommendations, the Board will render a decision regarding the issuance of a Special Use Permit at their next Regular Meeting of the Board of Trustees. A motion to approve the foregoing resolution was made by Trustee Steve Alpert and seconded by Trustee Frank Hagen.

**POLICE DEPARTMENT:**

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

**DEPARTMENT OF PUBLIC WORKS:**

**RESOLUTION NO. 179 OF 2019 - AUTHORIZING THE ACCEPTANCE OF THE LOWEST BID 2019 RIGHT OF WAY IMPROVEMENT RE-BID**

The Board of Trustees consulted with the Superintendent of Public Works with respect to the awarding of the low re-bid for Right of Way Improvements. The low re-bid was received was from Diamond Construction, Brick, New Jersey, in the amount of \$173,000. The Village Board accepted the lowest re- bid from Diamond Construction, Brick, New Jersey, in the amount of \$173,000, subject to the procurement and receipt of all required documents and review of same by Village Counsel. 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 Paul Girard.

**RESOLUTION NO. 180 OF 2019 - AUTHORIZING THE ACCEPTANCE OF THE LOWEST RE-BID WAYNE AVENUE PROJECTS**

The Board of Trustees consulted with the Superintendent of Public Works with respect to the awarding of the low re-bid for the Wayne Avenue Sidewalk Project. The low re-bid was received from Precise Enterprise II, Wallkill, New York in the amount of \$357,020. The Superintendent of Public received notice on September 6, 2019 in writing that Precise Enterprise withdrew their bid. The next lowest re-bid was received from Covino and Sons, Rochelle Park, New Jersey in the amount of \$378,835. The Village Board accepts the next lowest re- bid from Covino and Sons, Rochelle Park, New Jersey in the amount of \$378,835, subject to the procurement and receipt of all required documents and review of same by Village Counsel. 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 Moira Hertzman.

**RESOLUTION NO. 181 OF 2019 - AUTHORIZING CHARLES SAWICKI TO ATTEND THE SOUTHEAST NEW YORK STORMWATER CONFERENCE OCTOBER 16, 2019 IN BEACON, NEW YORK**

Charles Sawicki was authorized to attend the Southeast New York Stormwater Conference on October 16, 2019, in Beacon, New York at a cost of \$135.00. The Village of Suffern will pay for or reimburse the employee for all actual, reasonable and necessary registration, meals and travel expenses associated with attendance at this event. A motion to approve the foregoing resolution was made by Trustee Steve Alpert and seconded by Trustee Moira Hertzman.

**RESOLUTION NO. 182 OF 2019 - AUTHORIZING A REQUEST FOR PROPOSALS FOR THE RELOCATION OF THE CAMERA SYSTEM FROM 45 LAFAYETTE AND AN EVALUATION OF CAMERA TECHNOLOGY**

The Village Board authorized Charles Sawicki to solicit a Request for Proposals (RFP) for the Relocation of the Security Camera System from 45 Lafayette to the Village Hall and Evaluation of Security Camera Technology with a proposal due date of October 16, 2019 at 3:00 pm. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Moira Hertzman.

**TREASURER:**

**RESOLUTION NO. 183 OF 2019 - AUTHORIZING MICHAEL GENITO AND AMY PAFFENROTH TO ATTEND THE DOWNSTATE GFOA CONFERENCE OCTOBER 2, 2019**

The Board of Trustees authorized Michael Genito and Amy Paffenroth to attend the GFOA Downstate Conference October 2, 2019 in Tarrytown, New York. The Village of Suffern will pay for or reimburse the employee for all actual, reasonable and necessary registration, meals and travel expenses associated with attendance at this event. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Steve Alpert.

**RESOLUTION NO. 184 OF 2019 - AMENDING THE 2019-2020 GENERAL FUND BUDGET TO TRANSFER FUNDS FROM JUSTICE COURT TO VILLAGE ATTORNEY AND RECLASSIFY PAYMENTS FOR VILLAGE PROSECUTOR SERVICES**

The Village of Suffern has and continues to utilize the services of an independent contractor to act on behalf of the Village as the Village prosecutor (Prosecutor). The Village has historically budgeted and charged the cost of the Prosecutor to the Village Justice Budget, including but not limited to the current 2019-2020 fiscal year. The Village Justice advised the Village Board that the services of the Prosecutor should not be budgeted to the Justice Court. The cost of Village Prosecutor services is more appropriately budgeted and accounted for in the budget for the Village Attorney. The Board of Trustees amends the 2019-2020 adopted General Fund budget as follows: Decrease Appropriations – Justice Court Contractual \$18,000; Increase Appropriations – Village Attorney Contractual \$18,000. The Village Treasurer was directed to reclassify any payments made in the 2019-2020 fiscal year to the Prosecutor from the Justice Court budget to the Village Attorney budget. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Paul Girard.

**RESOLUTION NO. 185 OF 2019 - AUTHORIZING VILLAGE PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL MUNICIPAL COOPERATIVE PURCHASING PROGRAM**

General Municipal Law §103 authorizes the Village of Suffern (Village) to purchase apparatus, materials, equipment and supplies, including vehicles, and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein so long as the contract is let in a manner that constitutes competitive bidding consistent with state law. The Houston-Galveston Area Council (H-GAC), a political subdivision of the state of Texas, issues public competitive bids and awards contracts for public safety, public works, and communication products and services, which are made available to local governments nationwide through H-GAC Buy. The Village Fire Department has identified lower prices on a new fire truck if purchased through H-GAC. H-GAC's competitive bidding process is consistent with New York State law in that it publicly advertises each contract and bid specifications, evaluates and selects the contract award based on the lowest responsible bidder or best value standard; both methods are also authorized under New York State law, and with specific regard to best value, was authorized within the Village pursuant to the Village's Procurement Policy. To purchase through H-GAC, the Village Board must authorize the Village's entry into an Inter-local Contract for Cooperative Purchasing with H-GAC, and there is no fee for entering into the agreement as the service is supported through administrative fees assessed to the contractors. The Village Treasurer was authorized, upon the consultation and advice of the Village Attorney, to sign the above-referenced agreement between the Village and H-GAC. A motion to approve the foregoing resolution was made by Trustee Steve Alpert and seconded by Trustee Moira Hertzman.

**RESOLUTION NO. 186 OF 2019 - RESOLUTION AMENDING CAPITAL PROJECT 2018-003 - 2018 WAYNE AVENUE SIDEWALKS**

On January 10, 2018, the Village Board established capital project 2018-003 Wayne Avenue Sidewalks (the “Project”) in the amount of \$313,192 to be funded with \$284,720 of CDBG funds and \$28,472 of CHIPS funds. The Village Board intends to award the Project to a contractor having a low bid amount of \$378,835. The Village Treasurer has advised the Village Board that the additional \$65,643 required for construction, together with an additional \$21,165 for contingency is available in the General Fund to finance the additional costs. The General Fund 2019-2020 Adopted Budget and capital project number 2018-003 entitled 2018 Wayne Avenue Sidewalks was amended as follows: Increase General Fund Appropriated Fund Balance \$86,808; Increase General Fund Transfers to Capital Projects Fund \$86,808; Increase Capital Project 2018-003 Transfer in from General Fund \$86,808; Increase Capital Project 2018-003 Appropriations \$86,808. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Frank Hagen.

**RESOLUTION NO. 187 OF 2019 - A RESOLUTION AMENDING CAPITAL PROJECT 2020-002 TO INCLUDE RIGHT OF WAY IMPROVEMENTS**

On August 5, 2019 the Village Board established capital project 2020-002 entitled 2020 Roadway Improvements Phase 10 (the “Project”) in the amount of \$515,200 for the repaving of Village roadways. On August 5, 2019 the Village Board adopted a bond resolution authorizing the issuance of serial bonds in the amount of \$500,000 to fund \$265,663 of the Project cost. The Project should be amended to include Right of Way Improvements in the additional amount of \$173,000 together with an additional amount of \$3,500 for financing costs. The Board of Trustees amended capital project 2020-002 entitled 2020 Roadway Improvements Phase 10 as follows: Estimated Revenue Long-Term Debt \$ 176,500; Appropriations \$ 176,500. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Paul Girard.

**RESOLUTION NO. 188 OF 2019 - AUTHORIZING MICHAEL GENITO, EDWARD MARKUNAS, AND AMY PAFFENROTH TO ATTEND THE PERMA REGIONAL CONFERENCE SEPTEMBER 27, 2019**

The Board of Trustees authorized Michael Genito, Edward Markunas, and Amy Paffenroth PERMA Regional Conference September 27, 2019 in Tarrytown, New York at no cost for registration. The Village of Suffern will pay for or reimburse the employee for all actual, reasonable and necessary meals and travel expenses associated with attendance at this event. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Paul Girard.

**RESOLUTION NO. 189 OF 2019 - AUTHORIZING THE REFUNDING THE BOND RESOLUTION OF THE VILLAGE OF SUFFERN**

The Village of Suffern issued on August 16, 2007 its \$3,450,000 Various Purposes Serial Bonds-2007 (the “2007 Bonds”), which are currently outstanding in the principal amount of \$870,000 (the “Outstanding Bonds”). The 2007 Bonds maturing on or after August 15, 2018 are subject to

redemption prior to maturity, at the option of the Village, on August 15, 2017 and thereafter, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at par, plus accrued interest to the date of redemption. The Village has heretofore issued on January 4, 2012 its \$3,857,000 Various Purposes Serial Bonds-2012 (the “2012 Bonds”), which are currently outstanding in the principal amount of \$2,655,000 (the “Outstanding Bonds”). The 2011 Bonds maturing on January 1, 2020 and thereafter are subject to redemption prior to maturity, at the option of the Village, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity) on any date on or after January 1, 2019 at par plus accrued interest to the date of redemption. Sections 90.00 and 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), authorized the Village to refund all or a portion of the outstanding unredeemed maturities of the Outstanding Bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the Village, and the Board of Trustees has determined that it may be advantageous to refund all or a portion of the Outstanding Bonds. The Board of Trustees by a favorable vote resolved to authorize the refunding bond resolution of the Village of Suffern authorizing the refunding of certain outstanding bonds of said Village, stating the plan of refund, appropriation and amount not to exceed \$3,750,000 for such purpose authorizing the issuance of refunding bonds in the principal amount not to exceed \$3,750,000 to finance said appropriations, and making certain other determinations relative thereto. A motion to approve the foregoing resolution was made by Trustee Steve Alpert and seconded by Trustee Frank Hagen. The roll call vote is as follows: Trustee Alpert – Yes; Trustee Girard – Yes; Trustee Hagen – Yes; Trustee Hertzman – Yes; Mayor Markunas – Yes. Mayor Markunas declared the resolution adopted.

**ATTORNEY:**

**RESOLUTION NO. 190. OF 2019 - AUTHORIZING AN APPRAISAL FOR A PARTICULAR PROPERTY**

The Board of Trustees authorized the Mayor to enter into a contract with Valuation Plus to perform an appraisal in an amount not to exceed \$3000 of a particular property. A motion to approve the foregoing resolution was made by Trustee Moira Hertzman and seconded by Trustee Paul Girard.

**MAYOR:**

**RESOLUTION NO. 191 OF 2019 - APPROVING THE SUFFERN CHAMBER OF COMMERCE EVENT PERMIT APPLICATION TO HOLD THE ANNUAL CRAWLOWEEN BAR CRAWL FRIDAY, NOVEMBER 1, 2019**

The Board of Trustees approved the Event Permit Application for the Suffern Chamber of Commerce to hold their Annual Crawlween Bar Crawl on Friday, November 1, 2019, at 8:30 p.m. pending the receipt of a certificate of insurance naming the Village of Suffern as additional insured and review of all documents by the Village Attorney. A motion to approve the foregoing resolution was made by Trustee Steve Alpert and seconded by Trustee Paul Girard.

**RESOLUTION NO. 192 OF 2019 - AUTHORIZING AMERICAN NEEDS FATIMA ROSARY RALLY TO BE HELD OCTOBER 12, 2019 AT AVON PARK**

Board of Trustees authorized the America Needs Fatima Rosary Rally to be held October 12, 2019 at the Avon Park from 11:00 a.m. until 2:00 p.m. A motion to approve the foregoing resolution was made by Trustee Frank Hagen and seconded by Trustee Moira Hertzman.

**UPDATE – NYS MANDATED SEXUAL HARASSMENT TRAINING:**

Mayor Markunas announced that NYS mandated Sexual Harassment Training is required for all Village employees, Board Members, and active volunteers. On September 11, 2019, sessions were scheduled for DPW, administrative staff, and police/dispatchers.

**DISCUSSION – DUCK CROSSING SIGNS ON ROUTE 202 BY LAKE ANTRIM:**

The Board of Trustees discussed the placement of Duck Crossing Signs at Route 202 by Lake Antrim. Charles Sawicki was asked to evaluate if the placement of signs is possible in the area.

**ADJOURNMENT:**

A motion to adjourn the meeting at 9:00 p.m. was made by Steve Alpert, seconded by Frank Hagen and was approved unanimously by the Board.