



VILLAGE BOARD OF TRUSTEES MEETING AGENDA
TUESDAY, SEPTEMBER 8, 2020 AT 7:00 P.M.

Pledge of Allegiance and Moment of Silence

Roll Call of Participants

1. UPCOMING MEETINGS:

- a. A Workshop Meeting is scheduled for Tuesday, September 29, 2020 at 7:00 p.m. (Please note this meeting was rescheduled from Monday, September 28, 2020)
- b. The next regularly scheduled Village Board Meeting will be held on October 5, 2020 at 7:00 p.m.

2. PUBLIC HEARING:

- a. 7:10 p.m. Public Hearing to consider a special permit for a private club at 85 Lafayette Avenue (475 Beacon Partners, LLC)

3. PUBLIC HEARING:

- a. 7:15 p.m. Public Hearing to authorize the Village to address property maintenance conditions at 27 Hillside Drive
- b. **RESOLUTION** – Authorizing the Village to Undertake Actions to Remedy Property Maintenance Conditions

4. ATTORNEY ROBERT MAGRINO:

- a. **RESOLUTION** – Establishing a Code of Conduct for Public Comment During Regular Village Board Meetings
- b. **RESOLUTION** – Authorizing the Village to Enter into a Subrecipient Agreement with the Housing Trust Corporation
- c. **DISCUSSION** – New Antrim Pointe Plan Review by International Code Council

5. ATTORNEY RICHARD GLICKEL

- a. **RESOLUTION** – Approving Settlement of PERB Case U-34580

6. FIRE DEPARTMENT:

- a. Update
- b. **MOTION** - Accepting New Member: Suffern Hook & Ladder - Emily Guerin (Over 18 Member) and Volunteer Hose Company - Judeson Moise and Mike Byrnes (Over 18 Member)
- c. **RESOLUTION** – Authorizing Purchase of a Used Brush Fire Truck

7. CULTURE AND RECREATION:

- a. Update
- b. September 11th Ceremony
- c. **RESOLUTION** – Accepting a \$1250 Donation from Walgreen to fund Recreation Programs and Events

8. **PUBLIC PARTICIPATION:**

9. **POLICE DEPARTMENT:**

- a. Update
- b. **RESOLUTION** – Accepting Letter of Retirement from Sgt. Michael Fennessey Effective August 27, 2020
- c. **RESOLUTION** – Accepting Letter of Retirement from Sgt. Deirdre Smith Effective August 31, 2020

10. **DEPARTMENT OF PUBLIC WORKS:**

- a. Update
- b. **RESOLUTION** – Amending Resolution 124 of 2020 Establishing the Position of Clerk in the DPW Administration and Appointing Danielle Curtain to the Position of Clerk Effective July 7, 2020, to reflect that the appointment was authorized by the Rockland County Department of Personnel using the updated certification of eligible for Exam Number 19137
- c. **Update** - Seasonal Laborer for the Street and Refuse Department to Temporarily Replace Michael Augustin During a 90-day Transfer to the Water Department

11. **TREASURER:**

- a. Update
- b. **RESOLUTION** – Amending Resolution 144 Adopted August 3, 2020 to Transfer Additional Unspent Project Funds from Capital Projects Fund to General Fund
- c. **RESOLUTION** – Establishing an Employee Benefit Reserve Fund in Accordance with Village General Municipal Law Section 6-P
- d. **RESOLUTION** – Amending 2020-2021 Budget for Building Plan Review Services
- e. **RESOLUTION** – Amending 2020-2021 Budget for Police Forfeiture Proceeds

12. **TRUSTEES:**

- a. Updates

13. **MAYOR:**

- a. Accepting Letter of Retirement from Christine Andersen, Justice Court Clerk, Effective September 25, 2020

14. **ADJOURNMENT:**



Village of Suffern

RESOLUTION NO. XXX OF 2020

AUTHORIZING THE VILLAGE TO ADDRESS PROPERTY MAINTENANCE CONDITIONS AT 27 HILLSIDE AVENUE, SUFFERN, NEW YORK

WHEREAS, pursuant to an investigation by the Village of Suffern Building Department, and acting on complaints of residents of the Village, there was observed on the property located at 27 Hillside Avenue, Suffern New York, Tax Lot Section 54.60 Block 3 Lot 7 litter, debris, rubbish, garbage, junk, junked vehicles and physical hazards on the property; and

WHEREAS, on or about August 17, 2020, Randy Ortiz, Code Enforcement Officer of the Village of Suffern served a Notice to Remove Violation on the last known owner and occupant of the property, namely John Anzelmo, by posting the Notice on the property pursuant to Village Code Section 205-6(A) for violation of §205-3 of the Suffern Village Code notifying the owner and occupant that the property was in violation of the Village Code with respect to storage of vehicles, litter, debris, garbage and junk which constitute health, safety and physical hazards and which Notice of Violation is annexed hereto and incorporated herein; and

WHEREAS, said Notice advised that said violation was to be remedied on or before 5:00 p.m. on July 22, 2020, and that upon failure to do so the Village reserved the right to take appropriate remedial action pursuant to Section 205-6 of the Village of Suffern Code; and

WHEREAS, the condition not having been remedied within the time frames set forth by statute or in the notice, the Village provided Notice of a Public Hearing to consider a resolution permitting the Village to undertake to remedy the property maintenance condition at the property and charge the cost thereof to the property owner on the next regular tax bill pursuant to Suffern Village Code §205-6(C); and

WHEREAS, said notice was published in the Journal News and posted at the property on August 17, 2020, a copy was sent via email on September 5, 2020 to Chana Weitz, Adult Protective Services, on behalf of John Anzelmo as to the date and time of the Public Hearing on the matter and a Public Hearing having been held on September 8, 2020 wherein the owners/occupants and the public having a right to be heard and having been heard; and

WHEREAS, the Village Board has determined after said Public Hearing that taking action to remedy the conditions is desirable for the good government of the village, the protection of its property, the safety, health, comfort, and general welfare of its inhabitants, and the protection of their property.

NOW THEREFORE, BE IT RESOLVED, that the Village is hereby authorized to undertake to remedy the property maintenance condition at the property pursuant to §205-6 of the Village Code of the Village of Suffern to undertake appropriate action to remedy the condition by removing any such litter, garbage, junk or unregistered vehicles and instituting any other appropriate legal actions or proceedings to effect the remediation of this area; and

BE IT FURTHER RESOLVED, that the cost to the Village to undertake the remedying of this property condition pursuant to Village Code §205-6 shall be shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the Village, and said charge shall be due and payable by said owner at the time of payment of such bill, and

BE IT FURTHER RESOLVED that such remediation shall commence on or after October 1, 2020, and continue until completed, but in no event beyond October 23, 2020; and

BE IT FURTHER RESOLVED, that a copy of this resolution and a notice shall be posted at the property by the Code Enforcement Officer or his designee, providing the property owner with an opportunity to remove any items from the property or properly store same prior to the Village commencing its remedial measures; and

BE IT FURTHER RESOLVED, that as the Village has received estimates for the work necessary to remedy the condition from several private contractors, the Village hereby agrees to accept the estimate from 1800 Got Junk of \$11,235.00 as being in the best interests of the Village to ensure the work is completed at the lowest cost, and authorizes them to perform the work necessary, under the direction and with assistance as necessary of the Department of Public Works; and

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to take such steps as is necessary to enforce this resolution.



Village of Suffern

RESOLUTION NO. XXX OF 2020

ESTABLISHING RULES OF PROCEDURE REGARDING PUBLIC PARTICIPATION AT REGULAR VILLAGE BOARD MEETINGS

WHEREAS, the Village Board of Trustees recognizes the value of public comment on issues coming before the Board as agenda items for action and the importance of allowing citizens to express themselves on matters of community interest; and

WHEREAS, in order to permit the fair and orderly expression of such comment, the Board is not required to permit, but has provided for, and wishes to continue to provide for, public participation at the regularly scheduled monthly meetings of the Board of Trustees; and

WHEREAS, the Board has determined that setting a policy regarding the fair and orderly conduct of meetings while permitting such public participation, as is authorized pursuant to New York Village Law §4-412(2), is in the best interests of the Village and its residents to ensure the public may be heard in accordance with general rules of decorum.

NOW THEREFORE BE IT RESOLVED, pursuant to the authority as set forth in New York Village Law §4-412(2), the Village Board hereby establishes the following policy with respect to public participation at Regular Village Board Meetings:

Citizens questions or comments on formal Agenda items, or other items of concern related to the business of the Village Board, shall be permitted at the Regular Monthly Board meetings as follows:

- a. Persons who wish to make a comment or ask a question are requested to come forward and use the podium so everyone present can hear the comment or question. Comments and questions should be directed to the Board of Trustees.
- b. Speakers are requested to state their name and address prior to making comment or asking a question.
- c. Speakers are limited to ____ minutes per person for comments or questions. There is no sharing of time or deferring of time to another speaker. The Mayor as presiding official may allow a speaker to briefly go over the time limit to finish a comment or question or if the speaker's time was taken up by a Board member asking a question or commenting during the speaker's time.

- d. The speaker may not address the audience. All comments or questions shall be directed to the Board.
- e. There shall not be back and forth between the speaker and the Board during the speaker's time. Upon the completion of the public comment period, the Board may address questions or comments raised by the speakers.
- f. Discussion on any matter shall be made in a civil matter. Insults towards anyone will not be tolerated. Speaking over others will not be tolerated.
- g. If a speaker or audience member's conduct is determined by the Mayor as presiding officer to be disruptive of the meeting, the disruptive person shall be advised their behavior is considered disruptive and will be asked to leave and any license or permission to be in attendance at the meeting, implied or otherwise, shall be revoked. If the disruptive person refuses to leave, upon appropriate warning, appropriate action may be taken to remove the person from the meeting.



Village of Suffern

RESOLUTION NO. XXX OF 2020

AUTHORIZING THE VILLAGE OF SUFFERN TO ENTER INTO THE REQUIRED SUBRECIPIENT AGREEMENT WITH THE HOUSING TRUST FUND CORPORATION AS REQUIRED IN THE IMPLEMENTATION OF THE NY STATE COMMUNITY DEVELOPMENT BLOCK GRANT—DISASTER RECOVERY (CDBG-DR) PROGRAM; AND, TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO SIGN ANY AND ALL DOCUMENTS REQUIRED IN THE IMPLEMENTATION OF THE PROGRAM.

WHEREAS, in the aftermath of Superstorm Sandy, the United States Congress, through Public Law passed the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013), as amended (the "Act"), appropriating \$16 billion, later reduced to \$15.18 billion, to the U.S. Department of Housing and Urban Development ("HUD") for Community Development Block Grant Disaster Recovery ("CDBG-DR") funds for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure, and housing and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared due to Superstorm Sandy and other eligible events, including Hurricane Irene and Tropical Storm Lee, in calendar years 2011, 2012, and 2013, subject to the Federal statutes and regulations governing Community Development Block Grants, as modified by exceptions and waivers previously granted and which may hereafter be granted by HUD; and

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (79 Fed. Reg. 62,182), entitled *Third Allocation, Waivers and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended), the State has received a third allocation of CDBG-DR funds from HUD in the amount of \$605,922,000 (of which \$185,000,000 has been allocated towards the proposals developed through the Rebuild by Design competition); and

WHEREAS, the Village of Suffern has been notified of its ability to participate in the New York State CDBG-DR Program; and

WHEREAS, implementation of the CDBG-DR Program requires the execution of the Subrecipient Agreement between the Village of Suffern and the Housing Trust Fund Corporation, attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED, that the Village of Suffern is hereby authorized to enter into the required Subrecipient Agreement with the Housing Trust Fund Corporation to secure CDBG-DR funds; and, the Mayor or his designee is hereby authorized to sign any and all documents required in the administration of the New York State CDBG-DR Program.



Village of Suffern

RESOLUTION NO. XXX OF 2020

APPROVING SETTLEMENT OF PERB CASE NO. U-34580

WHEREAS, on or about October 5, 2015, the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO ("CSEA" or "Union") filed an Improper Practice Charge ("IP") with the New York State Public Employment Relations Board ("PERB"), Case No. U-34580, alleging violations of the Taylor Law; and

WHEREAS, on or about May 25, 2018, counsel for the Village and the Union had agreed to resolve and settle the parties' differences on this "IP" charge without continued litigation through PERB or any other venue or jurisdiction as set forth in the parties' Stipulation of Settlement;

NOW, THEREFORE, in consideration of the Union's voluntary withdrawal of the "IP" charge Case No. U-34580, with prejudice, be it

RESOLVED, that in accordance with the Stipulation of Settlement made on or about May 25, 2018, by and between the Village and the CSEA, which settlement is hereby ratified and approved by the Village Board of Trustees, the Treasurer is hereby authorized and directed to pay to Mr. Scott Brown the sum of \$1,120.24, in accordance with regular payroll practices, including all regular deductions.



VILLAGE OF SUFFERN

RESOLUTION NO. XXX OF 2020

**AUTHORIZING THE PURCHASE OF A BRUSH FIRE RESPONSE TRUCK
FROM THE HILLCREST FIRE DEPARTMENT**

WHEREAS, the Suffern Fire Department desires to purchase a 1961 Dodge M37 Power Wagon from the Hillcrest Fire Department for use in extinguishing brush fires; and

WHEREAS, the Hillcrest Fire Department has provided the Suffern Fire Chief with a quote of \$2,000.00 for the purchase of the vehicle; and

WHEREAS, the Suffern Fire Department requires \$1,000.00 to letter the vehicle with the Suffern Fire Department logo and to prepare the vehicle for use by the Suffern Fire Department for use in extinguishing brush fires.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Trustees authorizes the purchase of the 1961 Dodge M37 Power Wagon in the amount of \$2,000.00; and

BE IT FURTHER RESOLVED, the Village Board of Trustees authorizes the Suffern Fire Department to expend \$1,000.00 for lettering and preparation of the vehicle; and

BE IT FURTHER RESOLVED, the cost to purchase and prepare for use by the Fire Department will be charged to Fire Department Miscellaneous Equipment line.

Recreation Update September Workshop

- Chair Exercise Classes at the Gazebo:
Mondays, Wednesdays at 10am
- Chair Yoga at the Gazebo
Tuesdays and Thursdays at 10am
Zoom (not at Gazebo) - Fridays at 10am
- Walking Club at Yorkshire Park–
Wednesdays at 10am
- Storytime at the Gazebo:
Ms. Jennifer from the Suffern Library continues to join us at the Suffern Gazebo on Wednesdays at 11am. Families enjoy an afternoon in the heart of Suffern with their kids
- Movie Night at the Gazebo:
Next movie– Drive In– Dr. Doolittle– August 27– 8pm (showing around 8:15pm)
- Suffern Fire Department– Summer Softball League into playoffs
- Suffern Football started August 17
- Working with the Rockland County Health Department on Grant–
“Complete Streets Policy” –.
 - ❖ More to come...
 - ❖ Chalk contests and other home contests
 - ❖ Artytime for Adults at the Gazebo
 - ❖ Kickball Game at the ballfields
 - ❖ Car Show with Suffern FD



Village of Suffern

RESOLUTION NO. XXX OF 2020

**ACCEPTING A DONATION FROM WALGREENS
FOR USE BY THE RECREATION DEPARTMENT FOR RECREATION EVENTS AND PROGRAMS**

RESOLVED, the Village Board accepts the donation from Walgreens including five (5) gift cards in the amount of \$100 each, and a check in the amount of \$750.00, for a total donation in the amount of \$1250.00 to be used by the Recreation Department to assist in funding recreation events and programs.



Village of Suffern

RESOLUTION NO. XXX OF 2020

ACCEPTING THE LETTER OF RETIREMENT FROM SGT. MICHAEL FENNESSEY

RESOLVED, the Village Board of Trustees accepts the letter of retirement from Sgt. Michael Fennessey reflecting a retirement effective date of August 27, 2020, nunc pro tunc.



Village of Suffern

RESOLUTION NO. XXX OF 2020

ACCEPTING THE LETTER OF RETIREMENT FROM SGT. DEIRDRE SMITH

RESOLVED, the Village Board of Trustees accepts the letter of retirement from Sgt. Deirdre reflecting a retirement effective date of August 31, 2020, nunc pro tunc.



Village of Suffern

RESOLUTION NO. XXX OF 2020

**AMENDING RESOLUTION NO. 124 OF 2020 TO REFLECT THE APPOINTMENT OF
DANIELLE CURTAIN WAS MADE IN ACCORDANCE WITH THE UPDATED LIST
OF CERTIFICATION OF ELIGIBLES FOR EXAM NUMBER 19137**

RESOLVED, Resolution No. 124 of 2020 is amended to reflect that the appointment of Danielle Curtain to the position of Clerk in DPW Administration, effective July 7, 2020, was made in accordance with the updated Certificate of Eligibles provided to the Village of Suffern by the Rockland County Office of Personnel for Exam Number 19137.



Village of Suffern

RESOLUTION NO. XXX OF 2020

AMENDING RESOLUTION 144 OF AUGUST 3, 2020 AUTHORIZING TRANSFER OF UNSPENT PROJECT FUNDS FROM CAPITAL PROJECTS FUND TO GENERAL FUND

WHEREAS, on August 3, 2020, the Village Board of the Village of Suffern adopted Resolution No. 144 (the "Resolution") authorizing the transfer of \$37,550 from Project 2016-009 2016 Village Hall Improvements (the "Project") and to finance the replacement of a fire ladder truck bucket (the "Bucket"); and

WHEREAS, subsequent to the adoption of the Resolution, the Fire Chiefs of the Village of Suffern advised the Village Board that the Bucket could be repaired at the cost of \$7,350 rather than be replaced at the cost of \$37,550.

NOW THEREFORE BE IT RESOLVED that the Village Board amends Resolution 144 of August 3, 2020 to state that the Bucket will be repaired at the cost of \$7,350 rather than replaced at the cost of \$37,550 and that the transfer from the Capital Projects Fund Project 2016-009 will be \$7,350 rather than \$37,550.



Village of Suffern

RESOLUTION NO. XXX OF 2020

ESTABLISHING AN EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND

RESOLVED, that pursuant to Section 6-p of the General Municipal Law, as amended, there is hereby established an "Employee Benefit Accrued Liability Reserve Fund" (hereinafter "Reserve Fund") for the payment of the monetary value of accrued and accumulated but unused and unpaid sick leave, personal leave, holiday leave, vacation time, time allowances granted in lieu of overtime compensation and any other forms of payment for accrued but unliquidated time earned by and payable to Village of Suffern employees upon termination of service; and

BE IT FURTHER RESOLVED, that the Village Treasurer is hereby directed to deposit \$520,000 of General Fund unassigned fund balance into the Reserve Fund as an initial deposit; and

BE IT FURTHER RESOLVED, that the Village Treasurer is hereby authorized to maintain the balance in the Reserve Fund at a level that is equal to at least one-third of the total monetary value of all accrued but unliquidated time earned by and payable to Village of Suffern employees; and

BE IT FURTHER RESOLVED, that no expenditure shall be made from this Reserve Fund without the approval of the Village of Suffern Board of Trustees and without such additional actions or proceedings as may be required by section 6-p of the General Municipal Law.



Village of Suffern

RESOLUTION NO. XXX OF 2020

AMENDING 2020-2021 BUDGET FOR BUILDING PLAN REVIEW SERVICES

WHEREAS, the Village of Suffern Building Inspector has advised that the Village will be receiving approximately \$132,000 in building permit fees from the New Antrim Pointe building project (the "Project"); and

WHEREAS, certain plans associated with the Project will require plan review services to be performed by outside consultants and professionals at the estimated cost of between \$15,000 and \$20,000 (the "Plan Review Costs"); and

WHEREAS, the 2020-2021 General Fund adopted budget for the Building Department did not provide for the Plan Review Costs.

NOW THEREFORE BE IT RESOLVED that the Village Board authorizes the Village Treasurer to amend the 2020-2021 General Fund adopted budget by increasing Estimated Revenues – Building Permit Fees and increasing Building Department Contractual Expenditures, each in the amount of \$20,000.



Village of Suffern

RESOLUTION NO. XXX OF 2020

AMENDING 2020-2021 BUDGET FOR POLICE FORFEITURE PROCEEDS

WHEREAS, the Village of Suffern Chief of Police has advised that the Village is in receipt of \$58,032 representing the proceeds of forfeited items sold at auction (the "Proceeds"); and

WHEREAS, the Village Board has agreed with the Chief of Police that the Proceeds should be used to upgrade Police headquarters (the "Upgrades"); and

WHEREAS, the 2020-2021 General Fund adopted budget did not include the aforesaid Proceeds or Upgrades.

NOW THEREFORE BE IT RESOLVED that the Village Board authorizes the Village Treasurer to amend the 2020-2021 General Fund adopted budget by increasing Estimated Revenues – Fines and Forfeitures and increasing Police Department Contractual Expenditures, each in the amount of \$58,000; and

FURTHER BE IT RESOLVED that any unspent amounts of the aforesaid increase in Police Department Contractual Expenditures appropriations will lapse at May 31, 2021.



Village of Suffern

RESOLUTION NO. XXX OF 2020

ACCEPTING THE LETTER OF RETIREMENT FROM CHRISTINE ANDERSEN

RESOLVED, the Village Board of Trustees accepts the letter of retirement from Christine Andersen, Justice Court Clerk, reflecting a retirement effective date of September 25, 2020