



Village of Suffern
Village Board Meeting Minutes
Tuesday, July 7, 2020 at 7:00 p.m.

A regular meeting of the Village Board of Trustees was rescheduled from Monday, July 6, and held on Tuesday, July 7, 2020, as a result of the Fourth of July Holiday. Due to the COVID 19 Pandemic, the July 7, 2020 regular meeting of the Village of Suffern Board of Trustees was by teleconference.

Present: Edward Markunas, Mayor
 Steven Alpert, Trustee
 Jo Meegan-Corrigan, Trustee
 Charles Barone, Trustee
 Amy Paffenroth, Village Clerk

Absent: Paul Girard, Trustee

CALL TO ORDER:

Mayor Markunas called the meeting to order at 7:05 p.m.

UPCOMING MEETINGS:

The Board discussed and decided that Village Board Workshop Meetings will be held on the last Monday of the month, rather than the last Tuesday. The next Village Board Workshop Meeting will be held on Monday, July 27, 2020, at 7:00 p.m. The next regular meeting of the Village Board of Trustees will be held on Monday, August 3, 2020 at 7:00 p.m.

FIRE DEPARTMENT:

Chief Jeremy Kaufer provided an update on Fire Department activities. Chief Kaufer raised up the nomination of Brianna Salmon as an under 18 member of the Volunteer Hose Company Number 1. A motion to accept Brianna Salmon was made by Trustee Meegan-Corrigan, seconded by Charles Barone, and passed unanimously by the Board.

PUBLIC PARTICIPATION

A resident discussed the 2020 Suffern Memorial Pool opening and expressed hope the Board would vote to approve the opening of the pool to provide a community activity for youth and adults during the summer season.

A resident expressed thanks to the Board for allowing the High Graduation Car Parade through Suffern and in honor of the Suffern High School Class of 2020.

CULTURE AND RECREATION:

Cathy Mills provided an update on recreational activities. The Board discussed the 2020 Suffern Memorial Pool opening during COVID-19 and considered adopting one of two resolutions to either authorize the opening of the Suffern Pool for the 2020 Summer Season upon attainment of sufficient funding generated through the sale of pool passes and donations by the public, or confirm the Suffern pool will remain closed for the 2020 Summer Season due to the COVID-19 pandemic. After considering the factors involved with opening of the pool this summer, the Board moved forward with the following resolution:

RESOLUTION NO. 123 OF 2020 - AUTHORIZING THE OPENING OF THE SUFFERN POOL FOR THE 2020 SUMMER SEASON UPON ATTAINMENT OF SUFFICIENT FUNDING GENERATED THROUGH THE SALE OF POOL PASSES AND DONATIONS BY THE PUBLIC

On April 28, 2020, the Board of Trustees agreed to final budget changes that were adopted on April 30, 2020. The April 30, 2020 adopted budget reflected the Board's decision not to fund the operation of the Suffern Pool for the 2020 Summer Season in an effort to reduce expenditures and out of concern for the then unknown dangers and risks related to the COVID-19 pandemic. On June 30, 2020, the Board, in response to the inquiries and expressed desire of some Village residents, reconsidered opening the pool for the 2020 summer season. The Board considered the COVID-19 related risks and requirements for operating the Suffern pool under the conditions during the pandemic. The Board estimated, at the time of the meeting, that the cost to operate the Suffern Pool for the 2020 summer season under prevailing pandemic conditions would be \$34,212.00. The funding to operate during the 2020 Summer Season would need to be generated by the sale of pool passes in the amount of \$80 per adult, \$65 for children, and \$2 for Seniors, along with donations designated for the purpose of funding the pool for the 2020 season. The Board of Trustees authorized the sale of Suffern Pool Passes between July 8 through July 11. If sufficient funding to open the pool is generated on or before July 11, the Board of Trustees authorized opening the Suffern Pool between July 22 through Labor Day upon confirmation of funding sources by the Village of Suffern Treasurer and final review of COVID-19 operating procedures by the Village's counsel. If sufficient funding is not attained on or before July 11, the Suffern Pool would remain closed for the 2020 Summer Season. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Steven Alpert, and approved by Trustee Jo Meegan-Corrigan, Trustee Steven Alpert, and Trustee Charles Barone. In accordance with New York State Village Law, Section 400-1a, Mayor Markunas did not vote on the adoption of this resolution since the Board members noted above who voted in favor to adopt provided the majority required for its adoption.

DEPARTMENT OF PUBLIC WORKS:

Charles Sawicki provided the Board with an update of Department of Public Works activities.

RESOLUTION NO. 124 OF 2020 - ESTABLISHING THE POSITION OF CLERK IN THE DEPARTMENT OF DPW ADMINISTRATION AND APPOINTING DANIELLE CURTAIN TO POSITION OF CLERK EFFECTIVE JULY 7, 2020

The Board of Trustees established the position of Clerk in the Department of DPW Administration, effective July 7, 2019. Mayor Markunas appointed Danielle Curtain to the position of Clerk in DPW Administration at the pay rate of \$28.32 per hour, effective July 7, 2020. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Charles Barone, and passed unanimously by the Board.

RESOLUTION NO. 125 OF 2020 - A RESOLUTION AUTHORIZING PAYMENT NO. 3 TO NATIONAL WATER MAIN CLEANING COMPANY FOR THE PHASE 2 SEWER ABATEMENT PROJECT

The Board authorized payment No. 3 in the amount of \$8,389.26 to National Water Main Cleaning Company, 1806 Kearney, New Jersey for the Phase 2 Sewer Abatement Project. 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 Jo Meegan-Corrigan, seconded by Trustee Charles Barone, and passed unanimously by the Board.

RESOLUTION 126 OF 2020 - DECLARING THE VILLAGE BOARD AS LEAD AGENCY FOR THE PURPOSE OF ENVIRONMENTAL REVIEW UNDER SEQRA FOR THE WAYNE AVENUE SIDEWALK PROJECT

The Village of Suffern Department of Public Works has undertaken a project to be known as “The Village of Suffern Wane Avenue Sidewalk Project” which will involve the construction and replacement of sidewalks, curbs, and driveway aprons on the northern side of Wayne Avenue, as well as the in-kind replacement of existing retaining walls immediately adjacent to the proposed sidewalk work. Funding for said project from the New York Community Development Block Grant has been dedicated to this project, which sums are \$110,000.00 from the 2016 funding year and \$174,720.00 from the 2017 funding year. As part of the approvals for proceeding with this project, a proper review pursuant to the New York State Environmental Quality Review Act (SEQRA) must be performed. Upon review of the project and a Short Environmental Assessment Form prepared at the Village Board’s request by the Village of Suffern Department of Public Works,, and related documents and filings, the Board mad the following preliminary determinations: The proposed action is one subject to review under the State Environmental Quality Review Act (“SEQRA”); the proposed action as an “Unlisted” action; and the following are involved or interested or involved agencies in the review process: New York State Department of Transportation and the New York State Thruway Authority. The Village Board declared its

intention to serve as Lead Agency for the purpose of environmental review under SEQRA and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

RESOLUTION NO. 127 OF 2020 - AUTHORIZING AN UNDERTAKING FOR THE BENEFIT OF THE NYS DEPARTMENT OF TRANSPORTATION – WAYNE AVENUE SIDEWALKS

“The Village of Suffern Wayne Avenue Sidewalk Project” which is a project to be undertaken and previously approved by the Village, the New York State Department of Transportation requires a bond and/or an undertaking by the municipality with respect to the work that is being performed by or on behalf of the Village. The Village had previously awarded the contract for the project to Covino & Sons Construction Company, Inc., which has provided a performance bond which named the Village of Suffern as the beneficiary in the amount of \$378,835.00 to insure the performance and completion of the project. The New York State Department of Transportation indicated that the Village may be listed as the permittee on the project in lieu of requiring an additional performance bond from the contractor. The Village finds that the performance bond that has previously been posted may be used by the Village, as beneficiary, in the event the project is not completed satisfactorily. The Board authorized Charles Sawicki, Director of the Department of Public Works for the Village, to execute an Undertaking for the benefit of the New York State Department of Transportation in connection with work to be performed on state highways, with respect to “The Village of Suffern Wayne Avenue Sidewalk Project”. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Steven Alpert, and passed unanimously by the Board.

POLICE DEPARTMENT

RESOLUTION NO. 128 OF 2020 - AUTHORIZING A PUBLIC HEARING TO BE HELD AUGUST 3, 2020 TO AMEND CHAPTER 254 OF THE CODE OF THE VILLAGE OF SUFFERN, ENTITLED VEHICLES AND TRAFFIC, TO UPDATE PROCEDURES FOR TOWING AND IMPOUNDMENT OF VEHICLES

The Board authorized a public hearing to be held Monday, August 3, 2020 at 7:05 p.m. to consider amendments to Chapter 254 of the Code of the Village of Suffern, entitled Vehicles and Traffic, to update procedures for towing and impoundment of vehicles. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

LETTER FROM SUFFERN PBA PRESIDENT

Suffern PBA President, William M. Simurra asked to have read into the record the following statement that he had written to members of the Village Board or Trustees:

Mayor, Deputy Mayor and Distinguished Trustees. In the evening hours of a Spring day in 2018, two of our officers responded to a report of a domestic incident in progress. Upon arrival, they investigated the incident and determined that a suspect at the scene had committed a crime and was to be arrested in accordance with New York State Law. While attempting to place the suspect under arrest, the suspect resisted. During an ensuing violent struggle, both officers sustained serious injuries and were out of work for months. One of the officers, an experienced and decorated Police Sergeant, continues to battle injuries that he sustained that evening. He has had to endure surgery and painful therapy because of those injuries.

Then, in the summer of 2019, two officers responded to a report of a fight in progress in a downtown bar while working a midnight shift. After responding to the fight, officers were met by violent intoxicated patrons who punched them, attempted to strangle them, and most seriously attempted to remove an officer's duty firearm while stating aloud that they intended to kill. The officers were eventually able to quell the resistance and arrest the suspects. Thankfully, neither officer was injured despite the suspect's dire intentions.

Most recently, on the 21st of June, 2020, two officers responded to a domestic incident between a father and son. Upon arrival, officers investigated and determined that a male, armed with broken glass had stabbed another male in the face causing a serious physical injury. The suspect was arrested by responding officers and brought to Suffern Police headquarters for processing. These yearly incidents are not unique. Our officers continue to respond to violent or unpredictable incidents on a routine basis. The Board should note that there is a commonality between the three examples. Only two officers were working the road at the time and were available to respond. It is not a stretch of the imagination to say that these incidents are like hundreds of similar incidents that our agency has responded to in recent history, they are dangerous, and could have resulted in the serious injury or death of one of our officers. It should be taken into consideration that when incidents of this type occur, our ability to respond to incidents of a similar nature in a short time frame is degraded as officers are required to process suspects and complete a variety of tasks including complicated virtual arraignments.

The number of officers at our department has been allowed to dwindle from 29 full time officers to 22 at present; one of who continues to battle the long-term injuries I spoke of earlier. Recently, I learned through official channels that the Board has set a requirement for the Chief of Police to provide an overtime report to the Board monthly. I also know that as of this writing, several members of the Board have not accepted an open invitation from one of our Lieutenants to come

to the Police Station to see firsthand how overtime is generated and to be informed of how changes in the Criminal Justice System of New York State have affected our day-to-day operations.

The men and women of the Suffern PBA have worked tirelessly, 24-hours a day, 7 days a week through the recent COVID-19 Pandemic and continue to do so. Their dedication to duty has been remarkable and commendable. Despite the risks to their own health, and the health of their family members who they leave a home when they report for duty, they display a consistent dedication to the Village they so proudly serve. It is time for the Village Board of Trustees to honor their commitment by increasing our full-time staff so our members may continue to serve and protect this great village.

TREASURER

RESOLUTION NO. 129 OF 2020 - BOND RESOLUTION OF THE VILLAGE OF SUFFERN, NEW YORK, ADOPTED JUNE 30, 2020, AUTHORIZING THE ACQUISITION OF A POLICE VEHICLE AND CAMERA EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$115,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$115,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF SUFFERN, IN THE COUNTY OF ROCKLAND, NEW YORK, RESOLVED (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS: Section 1. The Village of Suffern, in the County of Rockland, New York (herein called the "Village"), was authorized to acquire (i) a police vehicle at the estimated maximum cost of \$54,750 and (ii) police vehicle camera equipment at the estimated maximum cost of \$60,250. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$115,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$115,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Village 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 \$115,000 were 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 were determined and declared: (a) The period of probable usefulness applicable to the object or purpose for which \$54,750 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 77 of the Law, is three (3) years. The period of probable usefulness applicable to the object or purpose for which \$60,250 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) 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 purposes 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 not 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 of 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, or a summary thereof, 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 shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "*Journal News*," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication. A motion to adopt the foregoing resolution was made by Charles Barone, seconded by Jo Meegan-Corrigan, and duly put to a vote on roll call, which resulted as follows: AYES: Trustee Steven Alpert, Trustee Charles Barone. Trustee Jo Meegan-Corrigan, Mayor Ed Markunas. NOES: None. ABSENT: Trustee Paul Girard. The resolution was declared adopted on July 7, 2020.

RESOLUTION NO. 130 OF 2020 - AUTHORIZATION TO ESTABLISH CAPITAL PROJECT 2021-001 POLICE CAR AND CAMERAS

The Chief of Police requested the purchase of a new police car and police car cameras. The Village Treasurer determined the total cost of the police cars, police car cameras, and associated financing costs is estimated to be \$115,000. The Board established Project 2021-001 2021 Police Car and Cameras in the amount of \$115,000 to be financed by debt. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Charles Barone, and passed unanimously by the Board.

RESOLUTION 131 OF 2020 - AUTHORIZING THE PURCHASE OF A POLICE VEHICLE

The Chief of Police recommended that the Village of Suffern purchase a police vehicle in the amount of \$49,176.50 from Beyer Ford of Morristown, New Jersey pursuant to County of Westchester Contract RFB-WC-19023 for Law Enforcement Vehicles. On July 7, 2020 the Village Board adopted a bond resolution on to finance the purchase of the police vehicle. On July 7, 2020 the Village Board established Project 2021-001 2021 Police Car and Cameras to account for the purchase and financing of the police vehicle. The Board authorized the purchase of a police vehicle from Beyer Ford in the amount of \$49,176.50. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Jo Meegan-Corrigan.

RESOLUTION 132 OF 2020 - AUTHORIZING THE PURCHASE OF POLICE CAMERAS

On September 19, 2019, the Board adopted Resolution No. 185 of 2019 authorizing the participation of the Village of Suffern in the Houston-Galveston Area Council (“H-GAC”) procurement contracts. The Chief of Police recommended that the Village of Suffern purchase police vehicle cameras from Stalker Applied Concepts, Inc. (“Stalker”) of Richardson Texas. Stalker has provided Quote No. 204164 dated June 25, 2020 in the amount of \$55,536.50 for the cameras recommended by the Chief of Police. Over \$53,000 of the items provided in Quote No. 204164 are part of an H-GAC contract. On July 7, 2020 the Village Board adopted a bond resolution to finance the purchase of police cameras. On July 7, 2020 the Board established Project 2021-001 2021 Police Car and Cameras to account for the purchase and financing of the police cameras. The Board authorized the purchase of police vehicle cameras from Stalker Applied Concepts Inc. in the amount of \$55,536.50. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Jo Meegan-Corrigan, and passed unanimously by the Board.

RESOLUTION NO. 133 OF 2020 - AUTHORIZATION TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE CAPITAL PROJECTS FUND FOR PROJECT 2018-003 2018 WAYNE AVENUE SIDEWALKS

The Superintendent of Public Works has determined that \$4,500 of additional funds are required to finance Project 2018-003 2018 Wayne Avenue Sidewalks. The Superintendent of Public Works has determined that \$4,500 of funds are available in the General Fund Street Department budget to finance the aforesaid additional project costs. The Board authorized the Village Treasurer to amend the 2020-2021 General Fund budget and the Capital Project 2018-003 2018 Wayne Avenue Sidewalks budget as follows:

Decrease Appropriations – A.5110.4 Contractual Costs \$4,500

Increase Appropriations – A.9950 Transfer to Capital Projects Fund \$4,500

Increase Project 2018-003 Transfers in from General Fund \$4,500

Increase Project 2018-003 Capital Outlay \$4,500

The Board authorized the Village Treasurer to transfer \$4,500 from the General Fund to the Capital Projects Fund. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Charles Barone, and passed unanimously by the Board.

RESOLUTION 134 OF 2020 - AUTHORIZING PAYMENT OF LABOR ATTORNEY INVOICE FOR PROFESSIONAL SERVICES RENDERED JUNE 3 THROUGH JUNE 30, 2020

The Board authorized payment to Labor Attorney Richard A. Glickel in the amount of \$4,032.25 for professional services rendered June 3 through June 30, 2020. The Board authorized a replenishment of the retainer deposit in the amount of \$5,000.00. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Charles Barone, and passed unanimously by the Board.

MAYOR

RESOLUTION NO. 135 OF 2020 - REAPPOINTING ROBERT YODOWITZ AS VILLAGE PROSECUTOR FOR THE VILLAGE OF SUFFERN ON A CONTRACT BASIS EFFECTIVE AUGUST 1, 2020 THROUGH MAY 31, 2021

Robert Yodowitz has been a practicing attorney in New York State for over thirty years and is a trial attorney specializing in the defense of various civil litigation matters. He has served the Village of Suffern as its prosecutor for Vehicle and Traffic and Zoning violations with distinction. The Board of Trustees desires to continue its contract with him for said services which will expire May 31, 2020, the close of the 2020-2021 fiscal year. Mayor Edward Markunas reappointed Robert Yodowitz to the position of Village prosecutor for the period August 1, 2020 through July 31, 2021, on a flat fee basis of \$1500 per month, subject to the execution of a formal contract for said services. The Mayor was authorized to sign said contract on behalf of the Village of Suffern. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Steven Alpert, and passed unanimously by the Board.

RESOLUTION NO. 136 OF 2020 - ACCEPTING THE RESIGNATION OF PAUL GDANSKI AS PLANNING BOARD MEMBER EFFECTIVE JULY 7, 2020

The Board accepted the resignation of Planning Board Member Paul Gdanski. effective July 7, 2020. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

STATEMENT BY MAYOR MARKUNAS – FOIL RESPONSE

By a letter dated May 27, 2020, a Village resident received a letter from the Village of Suffern signed by a member of the Village Board of Trustees that confirmed that records requested from Trustee Paul Girard do not exist. The FOIL request that began on February 3, 2020 requesting the RFP and all documents of Trustee Paul Girard's, pertaining to the December 2, 2019 Re-Organization Meeting ultimately concluded on May 27, 2020 with two letters issued. One from a member of the Board to address a FOIL denial request, and one from the Village Clerk, as the records access officer, advising the resident that the Village does not possess the RFP Trustee Girard clearly stated that he had developed.

Since the issuance of May 27, 2020 letters, I have put myself in the resident's place to determine how I would react if I had received a letter from the Village of Suffern confirming that the document Trustee Girard spoke of when he explained to the public that he knows how to write an RFP, created an RFP for the purposes of soliciting an attorney, and used this document as a basis of discussions to interview attorneys; somehow does not exist.

I would be very, very concerned because as a resident of this Village, it is my expectation that each and every elected and appointed official should do everything in their power to uphold the Constitution of the State of NY and the Constitution of the United States. Upholding the Constitution includes making statements that are truthful because if truthfulness is ever questioned, every elected and appointed official should be responsible to back up their words with either the document or the actions that would support their statements. Neither of these two things occurred related to this resident's records request.

Though the Village Clerk conducted an exhaustive search to find the RFP Trustee Girard spoke about creating and using, this document does not exist. Therefore, NO records exist, was what the FOIL process determined. Even though the final answer to Ms. Szyferblatt's FOIL request journey was "no record exists", is that the end of the story? From a FOIL procedure standpoint, the answer is yes.

But from the standpoint of any resident who is dedicated to raising matters to the Board's attention that are of concern, the May 27, 2020 letters received by the resident has called in to question the truthfulness of every Board member including myself. Though I can confirm that

no RFP exists, Trustee Girard has not yet had to explain why he said that he had an RFP only to change his statement to say he actually does not have an RFP. The responsibility to explain this difference lies with every Board Member if this type of concern arises; and in this case, it's Trustee Girard's responsibility to provide an answer to this question if the resident desires to speak to him to finally receive a satisfactory answer to a currently open question. I believe this should occur. The answer to the question about the existence of an RFP can be satisfied in only two ways: Trustee Girard produces a document that the Village is not in possession of; or, Trustee Girard provides an explanation as to the discrepancy in his statements, which may or may not be to the satisfaction of the resident.

I ask Trustee Girard, who unfortunately is not to at this important meeting, to step up and do what is right and answer the questions that have been raised since December 2, 2019, as to how he solicited responses from attorneys that were used to select and move forward with the unlawful appointment of a Village Attorney on December 2, 2019.

ATTORNEY

RESOLUTION 137 OF 2020 - ACCEPTING PAYMENT FROM STONE CASTLE SUFFERN, LLC REPRESENTING PAYMENT FOR THE COMMUNITY BENEFIT CONDITION FOR SITE PLAN #16B/37-4B

The Village Board accepted payment in the amount of \$15,232.00 representing the community benefit condition of approval for Site Plan #16B/37-4B to be deposited into Village of Suffern account A.0000.0615.0008. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Steven Alpert.

RESOLUTION 138 OF 2020 - AUTHORIZING THE EXTENSION OF THE EXPIRATION FOR ANY BUILDING PERMITS, ZONING BOARD APPROVALS, AND PLANNING BOARD APPROVALS FOR A PERIOD OF 120 DAYS

On March 7, 2020, the Governor of the State of New York issued Executive Order No. 202 and declared a State disaster emergency for the entire State of New York with respect to the COVID-19 pandemic and to date has issued forty-five Executive Orders as part of the State of Emergency. On or about June 2020, the Governor signed into law, identified as Chapter 111 of the Laws of 2020, a provision which authorizes local governments to extend for a period of up to 120 days the expiration date of any building permits, Zoning Board of Appeals approvals and Planning Board approvals that were issued prior to March 7, 2020 and still active as of that time. The Building Inspector for the Village of Suffern recommended that the Village Board adopt such a resolution since construction activities were prohibited for several months during the pandemic and extension of the expiration dates is in the best interests of the Village so as to avoid the unnecessary burden for requests for extensions on both the Village and the Permittees. Pursuant to Chapter 111 of the Laws of 2020 of the State of New York, the Village Board hereby authorizes

the extension of the expiration date for any Building Permits, Zoning Board of Appeals approvals and Planning Board approvals that were active on and not expired as of March 7, 2020, for a period of 120 days from their original expiration date. A motion to approve the foregoing resolution was made by Trustee Jo Meegan-Corrigan, seconded by Trustee Steven Alpert, and passed unanimously by the Board.

INFORMAL DISCUSSION WITH 475 BEACON PARTNERS, LLC

An informal discussion was held by 475 Beacon Partners, LLC, representing the owners of 85 Lafayette Avenue, to discuss proposed plans for the property including a special permit which is required for this project.

TRUSTEES:

Members of the Board of Trustees raised up concerns received by constituents and discussed steps to address these issues.

EXECUTIVE SESSION:

A motion to enter into Executive Session at 9:35 p.m. to discuss personnel matters was made by Charles Barone, seconded by Jo Meegan-Corrigan, and was passed unanimously by the Board. A motion to reconvene the regular meeting of the Board of Trustees was made by Charles Barone, seconded by Jo Meegan-Corrigan, and was passed unanimously by the Board. Following Executive Session, two resolutions were adopted.

RESOLUTION 139 OF 2020 - APPOINTING ROBERT MAGRINO TO VILLAGE ATTORNEY TO FILL VACANCY

Pursuant to New York Village Law §4-400(1)(c), the Mayor has determined it would be in the best interests of the Village to Robert V. Magrino, Esq., a resident of Rockland County, as Village Attorney to fill the currently vacant position for the remainder of the official Village year, effective July 7, 2020 through noon on December 7, 2020. The Board recognized that the position of Attorney is of a nature typically available to be called upon at any time and any day to perform duties on behalf of the Village including activities that may occur outside of the Village of Suffern Municipal Building offices. If Robert V. Magrino, Esq. participates in the New York State Retirement system, he shall be required annually to record or recertify work activities for a period of three consecutive months in accordance with Chapter 315.4, Section (a) Record of Work Activities, of the New York State Retirement System Regulation, Regulation on Reporting for Elected or Appointed Officials. The Mayor appointed Robert V. Magrino, Esq. as Village Attorney, effective July 7, 2020 through and including December 7, 2020, at an annual salary of \$50,000.00. A motion to approve the foregoing appointment was made by Trustee Charles Barone, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

RESOLUTION NO. 140 OF 2020 - EXCEPTING THE MODIFICATIONS TO THE ENGAGEMENT LETTER FROM RICHARD GLICKEL CONTINUING THE RETENTION OF COUNSEL THROUGH DECEMBER 7, 2020

The Board of Trustees authorized Mayor Edward Markunas to sign the letter from Richard Glickel dated July 6, 2020, amending the Engagement Letter of April 9, 2020, to continue the retention of counsel through noon on December 7, 2020. A motion to approve the foregoing appointment was made by Trustee Charles Barone, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

ADJOURNMENT:

A motion to adjourn the meeting was made by Steven Alpert, seconded by Charles Barone, and passed unanimously by the Board. The meeting was adjourned at 9:45 p.m.