



**VILLAGE BOARD MEETING MINUTES
MONDAY APRIL 5, 2021 – 7:00 P.M.**

A Regular Meeting of the Village Board of Trustees was scheduled to be held on Monday, April 5, 2021. Due to the COVID-19 Pandemic, the meeting was held by teleconference.

Present: Edward Markunas, Mayor
Steven Alpert, Trustee
Charles Barone, Trustee
Jo Meegan-Corrigan, Trustee
Fred Sauberman, Trustee
Robert Magrino, Attorney
Richard Glickel, Attorney
Kathy Van Sickle, Deputy Village Clerk

CALL TO ORDER:

Mayor Markunas called the meeting to order at 7:00 p.m.

UPCOMING MEETINGS:

A Workshop Meeting is scheduled for Monday, April 26, 2021 at 7:00 p.m. A Public Hearing to Consider the 2021-2022 Tentative Budget and a Public Hearing to Consider Overriding the Tax Cap is scheduled for Monday, April 12, 2021 at 7:15 p.m. A Regular Meeting is scheduled for Monday, May 3, 2021 at 7:00 p.m.

POLICE DEPARTMENT:

Chief Andrew Loughlin provided an update of police activities that took place over the past month.

RESOLUTION NO. 47 OF 2021 - PROMOTING DAVID FIGUEROA TO RANK OF SERGEANT EFFECTIVE APRIL 5, 2021

On or about April 5, 2021, the position of Sergeant was vacated in the Village's Police Department. David Figueroa successfully passed the Civil Service test for the position of Sergeant and is on the Rockland County Department of Personnel Eligible List. David Figueroa is hereby promoted to the rank of Sergeant, effective April 5, 2021 and his compensation and benefits shall be in accordance with the existing Collective Bargaining Agreement with the Suffern Policemen's Benevolent Association, Inc. A motion to approve the foregoing resolution was made by Fred Sauberman, seconded by Trustee Charles Barone, and passed unanimously by the Board.

RESOLUTION NO. 48 OF 2021 - PROMOTING POLICE SERGEANT JAMES GIANNETTINO, JR. TO THE POSITION OF POLICE LIEUTENANT

On or about October 5, 2020, Lieutenant Andrew Loughlin was appointed to serve as police chief of the Village of Suffern Police Department, provisionally, pending the permanent appointment of a police chief from a list of qualified eligible candidates as established by competitive civil service examination, position of police chief of the Village's police department was vacated by retirement. The Village Board of Trustees in their capacity as police commissioners have determined to promote a member of the police department to the lieutenant's position that is now provisionally vacated. There exists a civil service list of qualified eligible candidates for the position of police lieutenant. Effective April 5, 2021, the Board of Trustees hereby promotes and appoints Suffern Police Sergeant James Giannettino, Jr. to fill the vacated position of Police Lieutenant on a contingent permanent basis pending the permanent appointment of former Lieutenant Loughlin as police chief. Pending such contingency and beginning with and throughout his contingent service as police lieutenant, Lieutenant Giannettino's base salary shall be increased to 10% above that of the position of Detective Sergeant and the Lieutenant shall be provided with an unmarked, fully equipped vehicle 24/7, for official use as required by his duties and for personal use, which vehicle shall be maintained by the Village in good appearance and safe working order. Until such time as his contingent appointment becomes fully permanent, Lieutenant Giannettino shall continue to enjoy all benefits and rights conferred to police officers under the current agreement ("CBA") between the Village and the Suffern Policemen's Benevolent Association, Inc., ("PBA"). Once his appointment becomes fully permanent, all of the terms and conditions of Lieutenant Giannettino's employment will be only as those terms and conditions are negotiated and set forth in a separate employment agreement between the Village and Lieutenant Giannettino. A motion to approve the foregoing resolution was made by Steven Alpert, seconded by Trustee Jo Meegan Corrigan, and passed unanimously by the Board.

RESOLUTION NO. 49 OF 2021 - APPOINTING JOSEPH INGUI TO THE POLICE OFFICER FULL TIME

The Board of Trustees hereby appoints Joseph Ingui Police Officer Full Time as a resignation reinstatement, effective April 5, 2021, and his compensation and benefits shall be in accordance with the existing Collective Bargaining Agreement with the Suffern Policemen's Benevolent Association, Inc. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Trustee Steven Alpert and passed unanimously by the Board.

FIRE DEPARTMENT:

RESOLUTION NO. 50 OF 2021 - APPROVING THE SUFFERN FIRE DEPARTMENT SERVICE AWARD PROGRAM REPORT FOR 2020

In accordance with New York General Municipal Law Section 217, General Requirements of a Service Award Program, Daniel McInerney, Suffern Fire Department LOSAP Administrator, prepared a preliminary report detailing the service award points earned by the members of the Suffern Fire Department for the year 2020. For a period of no less than 30-days commencing

March 1, 2021, the Suffern Fire Department LOSAP Administrator caused to be conspicuously posted a copy of the preliminary report at each Village of Suffern Firehouse during which time a firefighter may file a written appeal to the service point information contained in the report to the Fire Department. The Village Board of Trustees accepts the Service Award Program Report for 2020. Mayor Markunas is authorized to sign the Village of Suffern Fire Department Service Award Program 2020 Final Report Sponsor Authorization Form. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Trustee Steven Alpert, and passed unanimously by the Board.

CULTURE AND RECREATION DEPARTMENT:

Cathy Mills provided an update of Recreation activities that took place over the past month and reviewed the upcoming scheduled of events.

RESOLUTION NO. 51 OF 2021 - AUTHORIZING THE MAYOR TO SIGN THE 2021 ARBOR DAY PROCLAMATION

The Board of the Village of Suffern authorizes the Mayor to sign the 2021 Arbor Day Proclamation. A motion to approve the foregoing resolution was made by Steven Alpert, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

COMMUNITY FOUNDATION:

Bruce Simon prepared a video that was shown at the meeting that provided the Board with an update of Community Foundation activities.

TREASURER:

RESOLUTION NO. 52 OF 2021 - AUTHORIZING A PUBLIC HEARING TO BE HELD ON APRIL 19, 2021 TO CONSIDER THE ADOPTION OF THE 2021-2022 WATER AND SEWER RATES

Pursuant to Village Law Section 5-508 (3), Public Hearings will be held by the Village of Suffern Board of Trustees at Village Hall located at 61 Washington Avenue, Suffern, New York, to consider the Tentative Budget for the Village of Suffern for the fiscal year beginning June 1, 2021 and ending May 31, 2022. The Board of Trustees authorizes a Public Hearing for the Adoption of Water and Sewer Rates and Budget Discussions to be held April 19, 2021 at 7:00 p.m. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Trustee Jo Meegan Corrigan, and passed unanimously by the Board.

RESOLUTION NO. 53 OF 2021 - AUTHORIZING BUDGET MEETINGS TO BE HELD TO CONSIDER THE 2021-2022 TENTATIVE BUDGET

Pursuant to Village Law Section 5-508 (3), a Public Hearing will be held by the Village of Suffern Board of Trustees at Village Hall located at 61 Washington Avenue, Suffern, New York, to consider the Tentative Budget for the Village of Suffern for the fiscal year beginning June 1, 2021 and ending May 31, 2022. The Board of Trustees authorizes holding the following meetings at 7:00

p.m. to consider the 2021-2022 Tentative Budget: April 22, 2021 – Meeting to Consider Final Village Board Adjustments to Budget; April 29, 2021 – Meeting to Adopt Local Law to Override Tax Cap (if applicable) and Adopt the 2021-2022 Budget. A motion to approve the foregoing resolution was made by Jo Meegan-Corrigan, seconded by Steven Alpert, and passed unanimously by the Board.

PUBLIC PARTICIPATION:

Mr. Joe Saverese acknowledged the outstanding efforts of the Suffern Fire Department and spoke about the fires that have recently taken place in the village.

Mr. Michael Curley stated that as retired firefighter, he believes that there is an arsonist in the village and wants the community to work together to address this issue. Mr. Curley also spoke about the RFP for a Comprehensive Plan underway for the village and believes the matter in front of the Board for a floating zone at 50 Lafayette Avenue should be evaluated as part of the Comprehensive Plan rather than a separate review. He also questioned the length of time that was being allowed for the evaluation of the floating zone and stated that the length of time was not long enough considering the reviews that were required.

DEPARTMENT OF PUBLIC WORKS:

RESOLUTION NO. 54 OF 2021 - AUTHORIZING THE SOLICITATION OF BIDS FOR THE WWTP UPGRADE PROJECT CONTRACT 2

The Village Board of Trustees authorizes Charles Sawicki to solicit bids for the WWTP Upgrade Project Contract 2 with a due date of May 20, 2021 at 3:00 p.m. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.

RESOLUTION NO. 55 OF 2021 - AUTHORIZING THE ACCEPTANCE OF THE LOWEST BID FOR ZINC ORTHOPHOSPHATE

The Board of the Village of Suffern accepts the lowest bid for Zinc Orthophosphate at a cost of \$7.8567 per gallon from George S. Coyne Chemical, Croydon, Pennsylvania. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Steven Alpert and passed unanimously by the Board.

RESOLUTION NO. 56 OF 2021 - AUTHORIZING THE ACCEPTANCE OF THE LOWEST BID FOR 25 PERCENT SODIUM HYDROXIDE

The Board of the Village of Suffern accepts the lowest bid for 25 Percent (25%) Sodium Hydroxide at a cost of \$0.88 per gallon from Jones Chemical, Sarasota, Florida. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Fred Sauberman, and passed unanimously by the Board.

RESOLUTION NO. 57 OF 2021 - AUTHORIZING THE ACCEPTANCE OF THE LOWEST BID FOR LIQUID SODIUM HYPOCHLORITE SOLUTION

The Board of the Village of Suffern accepts the lowest bid for Liquid Sodium Hypochlorite Solution at a cost of \$0.902 per gallon from Slack Chemical Company, 465 South Clinton Street, Carthage, NY 13619. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Jo Meegan-Corrigan, and passed unanimously by the Board.

RESOLUTION NO. 58 OF 2021 - AUTHORIZING AMENDMENT NO. 3 TO THE DELAWARE ENGINEERING OWNER-ENGINEER AGREEMENT

In compliance with the Order on Consent R3-20110202-36, provide construction phase services of the wastewater treatment plant (WWTP) improvement project Contract 1. Contract 1 WWTP improvement project is the \$3.3M upgrade that includes a new headworks and rehabilitation of the trickling filter that is fully described in the Engineering Report titled Village of Suffern, Wastewater Treatment Plant Upgrade, Engineering Report dated July 2019 and prepared by Delaware Engineering, DPC. The amended Scope of Services are described in Part I and II of the Amendment to Owner-Engineer Agreement Amendment No. 3 dated March 15, 2021. The cost to provide the amended professional services is in the amount of \$300,000.00. The Village Board of Trustees does hereby authorize Amendment No. 3 to the Delaware Engineering Owner-Engineer Agreement, dated March 15, 2021, in the amount of \$300,000.00. A motion to approve the foregoing resolution was made by Jo Meegan-Corrigan, seconded by Charles Barone, and passed unanimously by the Board.

RESOLUTION NO. 59 OF 2021 - AUTHORIZING THE ISSUANCE OF AN RFP FOR THE RISK MITIGATION INVENTORY OF VILLAGE TREES

The Village Board of Trustees authorizes Charles Sawicki to issue a Request for Proposal for the Risk Mitigation Inventory of Village of Suffern Trees with a bid due date of April 22, 2021, by the end of business. A motion to approve the foregoing resolution was made by Steven Alpert, seconded by Charles Barone, and passed unanimously by the Board.

RESOLUTION NO. 60 OF 2021 - AUTHORIZING REIMBURSEMENT TO ARAMIS MORRIS FOR THE GRADE 3A WASTE-WATER TREATMENT PLANT OPERATOR LICENSE APPLICATION AND TEST FEES

The Village Board of Trustees authorizes Aramis Morris to be reimbursed for Grade 3A Waste-Water Treatment Plant Operator License Application and Test Fees in the Amount of \$254.00. A motion to approve the foregoing resolution was made by Jo Meegan-Corrigan, seconded by Charles Barone, and passed unanimously by the Board.

VILLAGE ATTORNEY:

RESOLUTION 61 OF 2021 - REFERRAL RESOLUTION

50 Lafayette Avenue, LLC as owner of the property located at 50 Lafayette Avenue in the Village of Suffern, which is currently located in the Central Business (CB) zoning district, has petitioned the Village Board as authorized by §266-64 of the Village Code for a Zone Change to establish and implement a Transit Oriented Development (TOD) Zone as set forth more fully in its petition dated February 22, 2021 which is incorporated by reference herein. The Village Board, after reviewing the petition for establishment of a proposed TOD zone, and implementation of such a zone at 50 Lafayette Avenue, has determined that while establishment of a TOD zone is desirable and worthy of consideration and further review, the Village would be better served with the consideration and review of a more comprehensive TOD Floating Zone in the Central Business (CB) and General Business (GB) zoning districts which would permit properties meeting certain criteria to be established, to apply for a TOD Floating Zone determination and the concurrent uses at such properties. After consultation with the Village Board, the Village Attorney, in consultation with the Building Inspector and John Lange, Planner hired to review the initial petition, has prepared a proposed Local Law to amend the Village Code by establishing a TOD Floating Zone, including use and bulk requirements for the CB and GB zoning districts, which amendment to the Village Code may be made by motion of the Village Board pursuant to §266-65 of the Village Code. §266-67 of the Village Code requires any proposed amendment to the zoning code to be referred for review and report to the Planning Board, the Village Attorney, and any other board, agency or official of the Village which the Board of Trustees deems appropriate. The Village Board hereby refers the proposed amendment to the Village Zoning Code for establishment of a TOD Floating Zone for review and report to the Village Planning Board, Village Attorney, Village Building Inspector, and Director of Public Works for their review and comment, and the Village Board hereby requests said comments be submitted to the Village Board on or before April 26, 2021, for further action by the Board. A motion to approve the foregoing resolution was made by Fred Sauberman and seconded by Steven Alpert. Mayor Edward Markunas, Trustee Steven Alpert, and Trustee Fred Sauberman voted to adopt the resolution. Trustee Jo Meegan-Corrigan and Trustee Charles Barone voted not to adopt the resolution. The resolution was declared adopted.

RESOLUTION NO. 62 OF 2021 - AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT WITH THE COUNTY OF ROCKLAND FOR PARK AND RIDE PASSENGER PICK UP AND BUS LAYOVERS AT HALLETT PLACE

The Village owns certain property known as Hallett Place, “H” Lot, where the County of Rockland has requested to use a portion thereof for the purposes of providing park and ride commuter bus services to the public, including passenger pick up and bus layovers; and. The Village and the County have tentatively agreed that the County will pay to the Village a monthly fee of \$1,600.00, including snow removal, plus \$10,000.00 for capital improvements for lot improvements to include re-paving, striping, fencing curbing, signage and guardrails for which prior approval of the

Rockland County Department of Transportation is required, for a total amount not to exceed \$48,400.00 for the period of January 1, 2021 through and including December 31, 2022. General Municipal Law Article 5-G expressly authorizes municipal governments to perform together that which each such government individually is authorized to perform by means of an inter-municipal agreement. The Village Board hereby approves an agreement by and between the County of Rockland and the Village of Suffern pursuant to which the County shall be granted a license by the Village for the use of Hallett Place “H” Lot for purposes of park and ride passenger pick up and bus layovers for the period of January 1, 2021 through December 31, 2022, subject to review by the Village of Suffern Attorney. The Mayor or his designee is hereby authorized to sign such agreement and to take further steps as may be necessary to effectuate its terms. A motion to approve the foregoing resolution was made by Jo Meegan-Corrigan, seconded by Charles Barone, and passed unanimously by the Board.

RESOLUTION 63 OF 2021 - DESIGNATING FOIL APPEALS OFFICER

On March 1, 2021, the Village Board of Trustees duly adopted Local Law No. 2 of 2021, amending § 213-7 of the Suffern Village Code in conformance with Article 6 of the New York Public Officers Law. Any person denied access to a record under the Freedom of Information Law may appeal in writing such denial to the Board of Trustees or to the person designated by the Board of Trustees. The Board of Trustees hereby designates the Village Attorney, or any deputy or associate attorney retained by and acting on the Village’s behalf, to receive any appeal of a denial of access to a record and to explain in writing the reason for denial or provide access to the record sought. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Steven Alpert.

RESOLUTION NO. 64 OF 2021 - ACCEPTING THE RESIGNATION OF CRAIG LONG, VILLAGE HISTORIAN EFFECTIVE MARCH 19, 2021

The Board of Trustees hereby accepts the resignation of letter of Craig Long, Village Historian, effective March 19, 2021, Nunc Pro Tunc. A motion to approve the foregoing resolution was made by Charles Barone, seconded by Jo Meegan-Corrigan and passed unanimously by the Board.

RESOLUTION NO. 65 OF 2021 - APPOINTING CRAIG LONG AS VILLAGE HISTORIAN EFFECTIVE MARCH 20, 2021

The Board of Trustees hereby appoints Craig Long as Village Historian, effective March 20, 2021, Nunc Pro Tunc. Craig Long will not be further participating in the New York State Retirement Program as a provision of this appointment. A motion to approve the foregoing resolution was made by Jo Meegan-Corrigan, seconded by Steven Alpert and passed unanimously by the Board.

ADJOURNMENT:

A motion to adjourn the meeting at 8:50 p.m. in memory of Connie Hernowitz was made by Trustee Steven Alpert, seconded by Trustee Jo Meegan-Corrigan, and passed unanimously by the Board.