



**VILLAGE OF SUFFERN
BOARD OF TRUSTEES MEETING MINUTES
MONDAY, SEPTEMBER 12, 2022**

Present: Michael F. Curley, Mayor
Jo Meegan-Corrigan, Deputy Mayor
Steven Alpert, Trustee
Frank Hagen, Trustee
Fred Sauberman, Trustee
Terry Rice, Village Attorney
Melissa B. Reimer, Village Clerk
Michael A. Genito, Village Treasurer

CALL TO ORDER

Mayor Curley called the meeting to order at 7:03 P.M. and led everyone in the Pledge of Allegiance and a moment of silence for the victims of the 9/11 terrorist attacks and all those affected.

UPCOMING MEETINGS

A Regular Meeting is scheduled for Monday, October 3, 2022, at 7:00 P.M.

A Workshop Meeting is scheduled for Monday, October 31, 2022, at 7:00 P.M.

RESOLUTION NO. 177 OF 2022

APPROVAL OF MINUTES BOARD OF TRUSTEES MEETING OF AUGUST 1, 2022

RESOLVED, the minutes of the Board of Trustees Meeting of August 1, 2022, be and are hereby approved.

A motion to approve the foregoing resolution was made by Trustee Sauberman and seconded by Trustee Hagen, passed by the board.

Adopted: September 12, 2022

RESOLUTION NO. 178 OF 2022

**APPROVAL OF MINUTES BOARD OF TRUSTEES SPECIAL MEETING OF
SEPTEMBER 7, 2022**

RESOLVED, the minutes of the Board of Trustees Meeting of September 7, 2022, be and are hereby approved.

A motion to approve the foregoing resolution was made by Trustee Corrigan and seconded by Trustee Alpert, passed by the board.

Adopted: September 12, 2022

RESOLUTION NO. 179 OF 2022

**AUTHORIZING THE SUFFERN FIRE DEPARTMENT TO ATTEND THE NYACK
FIRE DEPARTMENT CHIEF'S INSPECTION PARADE ON OCTOBER 8, 2022**

BE IT RESOLVED by the Board of Trustees of the Village of Suffern that permission is granted for the Suffern Fire Department to attend the Nyack Fire Department Chief's Inspection

Parade on October 8, 2022, subject to and contingent upon the Fire Department securing adequate coverage during the period when the equipment and personnel are out of the Village. A motion to approve the foregoing resolution was made by Trustee Corrigan, seconded by Trustee Alpert, with all in favor.

Adopted: September 12, 2022

**RESOLUTION NO. 180 OF 2022
DECLARING CERTAIN EQUIPMENT TO BE SURPLUS**

BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the equipment listed in Schedule “A” annexed hereto is no longer needed for any governmental purpose and is declared to be surplus property; and

BE IT FURTHER RESOLVED that such surplus property may be listed for sale on GovDeals, and may be sold as surplus, subject to approval of the sale of the same by the Board of Trustees.

A motion to approve the foregoing resolution was made by Trustee Corrigan, seconded by Trustee Hagen, with all in favor.

Adopted: September 12, 2022

**RESOLUTION NO. 181 OF 2022
A RESOLUTION AUTHORIZING ATTENDANCE BY THREE MEMBERS OF THE
SUFFERN FIRE DEPARTMENT AT THE “NOZZLE FORWARD” TRAINING AT THE
MORRIS COUNTY, NEW JERSEY FIRE TRAINING CENTER AND
AUTHORIZING ONE ENGINE FOR THE TRAINING**

BE IT RESOLVED by the Board of Trustees of the Village of Suffern that permission is granted for three members of the Suffern Fire Department to attend the “Nozzle Forward” training at the Morris County, New Jersey Fire Training Center on October 18 and 19, 2022 at no cost to the Village; and

BE IT FURTHER RESOLVED that one engine may be used at said training session, subject to and contingent upon the Fire Department having adequate coverage during the period when the equipment and personnel are out of the Village.

A motion to approve the foregoing resolution was made by Trustee Alpert, seconded by Trustee Corrigan, with all in favor.

Adopted: September 12, 2022

MOTION

Accept the following new members: Valdo Simon, for the Hook & Ladder Co. 1; Michael Dillon, for the Hook & Ladder Co. 1; and Alexander Walker (16–17-year-old member) for the Volunteer Hose Company

A motion to accept the following new members: Valdo Simon, for the Hook & Ladder Co. 1; Michael Dillon, for the Hook & Ladder Co. 1; and Alexander Walker (16–17-year-old member) for the Volunteer Hose Company, was made by Trustee Corrigan, seconded by Trustee Sauberman, with all in favor.

Adopted: September 12, 2022

PUBLIC COMMENT (limited to 4 minutes per speaker)

A motion to open the public comment was made by Trustee Alpert and seconded by Trustee Sauberman, with all in favor.

No member of the public spoke.

A motion to close the public comment was made by Trustee Corrigan and seconded by Trustee Sauberman, with all in favor.

RESOLUTION 182 OF 2022

AUTHORIZING OUTDOOR DINING ON VILLAGE SIDEWALKS

WHEREAS, COVID-19 and polio remain a threat to the public; and

WHEREAS, businesses, employees and residents in the Village of have incurred financial hardship as a result of the pandemic and health emergencies; and

WHEREAS, the Village of Suffern would like to assist local businesses in their efforts to serve customers in a safe and responsible manner, which would provide an economic benefit to the Village and its residents.

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk, upon review and approval by the Building Inspector, by the authority vested in her by Village Board Resolution 107 of 2018, as herein extended, with respect to Permits for Outdoor Dining on Village sidewalks, is authorized to permit applicants to utilize a portion or all of a public sidewalk directly adjoining their establishment for the purpose of placing tables and chairs, in accordance with an acceptable plan for same, provided that pedestrians can safely pass through adjoining on-street parking spaces, which shall be marked and closed off from vehicles for that purpose. The applicant will provide for handicapped access to the sidewalk and pedestrian passageway in accordance with all applicable laws and regulations and the requirements of the Building Inspector at the applicant's sole expense. Any and all operations authorized by a permit issued pursuant to this resolution shall be in accordance with any and all directives from the State of New York including but not limited to the State Health Department and State Liquor Authority, as well as any other Federal, State, or County statutes, rules and regulations; and

BE IT FURTHER RESOLVED, the Village is authorized to execute any documents required by the State Liquor Authority to authorize the use of Village property adjacent to restaurants to which this resolution applies for the service, possession and consumption of alcoholic beverages in accordance with State guidelines in that regard, and

BE IT FURTHER RESOLVED, the Building Inspector or Mayor shall have the right to suspend or terminate any Permit issued pursuant hereto in the event of a weather-related emergency or other emergency; upon a finding that the permit holder has violated the terms of its permit; if the Outdoor Dining on sidewalks as may be authorized herein at a particular location constitutes a nuisance, or otherwise adversely impacts upon the health, safety, convenience or welfare of the community; or any other event or circumstance as determined by the Building Inspector or Mayor to protect health, convenience and safety or if the Building Inspector or Mayor deems it advisable to do so; and

BE IT FURTHER RESOLVED that any determination of the Building Inspector or Mayor, including a permit revocation or suspension, may be appealed within five days of such action to the Board of Trustees which may affirm, reverse or modify such determination as it deems appropriate; and

BE IT FURTHER RESOLVED, that:

- The applicant shall submit as part of the application a sketch plan based upon a survey, site plan or sketch drawn to scale of the property, showing the proposed location of outdoor tables and chairs. The plan must also include the name of the business, address of business, name of preparer and date.
- An onsite inspection is required by the Building Inspector and the Fire Inspector or their designee prior to issuance of a permit.

- Permittees must adhere to all other applicable Federal, State, and County statutes, laws, codes, rules and regulations, including but not limited to State and County Health Department and State Liquor Authority regulations.
- The possession or consumption of an alcoholic beverage by a patron at an establishment with a permit issued pursuant to this resolution, while within the confines of the permitted area, shall not be construed as a violation of Chapter 193-4 of the Village Code regarding open containers.

BE IT FURTHER RESOLVED, permits for Outdoor Dining on Village Sidewalks issued pursuant to this Resolution shall expire at 12:01 a.m. on November 17, 2022.

A motion to approve the foregoing resolution was made by Trustee Hagen, seconded by Trustee Corrigan, with all in favor.

Adopted: September 12, 2022

**RESOLUTION NO. 183 OF 2022
APPOINTING ABIGAIL ADAMS TO PROBATIONARY SERGEANT EFFECTIVE
SEPTEMBER 13, 2022**

WHEREAS, on or about May 31, 2022, the position of Sergeant was vacated in the Village's Police Department; and

WHEREAS, Abigail Adams is eligible to be appointed probationary Sergeant from the Rockland County Civil Service Promotional List 21034.

NOW, THEREFORE, BE IT RESOLVED, that Abigail Adams is hereby appointed probationary to the rank of Sergeant, effective September 13, 2022, and her 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 Trustee Corrigan and seconded by Trustee Alpert, with all in favor.

Adopted: September 12, 2022

**RESOLUTION NO. 184 OF 2022
A RESOLUTION NOMINATING ANDREW ALVARADO AS A PROBATIONARY POLICE
OFFICER IN THE VILLAGE OF SUFFERN**

NOW, THEREFORE, BE IT RESOLVED that Andrew Alvarado is nominated as a Probationary Police Officer with a salary of \$28.48 per hour, effective on and subject to clearance from the Rockland County Personnel Department, and further subject to a two-year probationary period, commencing upon clearance from the Rockland County Personnel Department.

A motion to approve the foregoing resolution was made by Trustee Alpert and seconded by Trustee Corrigan, with all in favor.

Adopted: September 12, 2022

**RESOLUTION NO. 185 OF 2022
AUTHORIZING PAYMENT OF APPLICATION NO. 4 TO HUSH ELECTRICAL
COMPANY FOR THE BACKUP POWER FOR CRITICAL FACILITIES PROJECT**

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that payment of Application No. 4 to Hush Electrical Corp. in the amount of \$111,577.50 for Project 2021-006 GOSR NYCR-0256 Backup Power for Critical Facilities Project is hereby authorized, subject to approval by the Governor's Office of Storm Recovery.

A motion to approve the foregoing resolution was made by Trustee Corrigan and seconded by Trustee Sauberman, with all in favor.

Adopted: September 12, 2022

RESOLUTION NO. 186 OF 2022

AUTHORIZING CHANGE ORDER NO. 2 TO TAM ENTERPRISES, INC. FOR THE HARDENING OF WATER TREATMENT PLANT PROJECT

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows:

BE IT RESOLVED by the Board of Trustees of the Village of Suffern that Change Order No. 2 in the amount of \$ \$61,921.33 for Project 2021-005 GOSR NYCR-0255, Hardening of Water Treatment Plant Project, is hereby authorized, subject to and contingent upon approval by Governor's Office Storm Recovery.

A motion to approve the foregoing resolution was made by Trustee Corrigan, seconded by Sauberman, with all in favor.

Adopted: September 12, 2022

RESOLUTION NO. 187 OF 2022

AUTHORIZING PAYMENT OF APPLICATION NO. 7 TO TAM ENTERPRISES, INC. FOR THE HARDENING OF WATER TREATMENT PLANT PROJECT

BE IT ENACTED by the Board of Trustees of the Village of Suffern as follows:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that payment of Application No. 7 to TAM Enterprises, Inc. in the amount of \$214,818.75 for Project 2021-005 GOSR NYCR-0255 Hardening of Water Treatment Plant is hereby authorized, subject to approval by the Governor's Office of Storm Recovery.

A motion to approve the foregoing resolution was made by Trustee Sauberman and seconded by Trustee Hagen, with all in favor.

Adopted: September 12, 2022

RESOLUTION NO. 188 OF 2022

AMENDING 2022-2023 BUDGET FOR BUILDING PLAN REVIEW SERVICES

WHEREAS, the Village of Suffern Building Inspector has advised that the Village will be receiving \$105,815 in building permit fees for the Washington Mews 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 2022-2023 General Fund adopted budget included estimated revenues from building permits of \$50,000 and has received to date approximately \$45,000 of the estimated building permit revenue; and

WHEREAS, the 2022-2023 General Fund adopted budget appropriations 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 2022-2023 General Fund adopted budget by increasing Estimated Revenues – Building Permit Fees and increasing Building Department Contractual Expenditures, each in the amount of \$20,000.

A motion to approve the foregoing resolution was made by Trustee Hagen, seconded by Trustee Sauberman with all in favor.

Adopted: September 12, 2022

RESOLUTION NO. 189 OF 2022

AMEND 2022-2023 GENERAL FUND BUDGET FOR INSURANCE RECOVERIES

WHEREAS, the Village is in receipt of \$52,000 representing insurance recovery associated with expenditures for Police Personal Services; and

WHEREAS, the Village of Suffern 2022-2023 Adopted General Fund Budget did not anticipate the aforesaid insurance recovery.

NOW THEREFORE BE IT RESOLVED that the 2022-2023 General Fund Budget be amended as follows:

Increase Insurance Recoveries	\$52,000
Increase Police Personal Services	\$52,000

A motion to approve the foregoing resolution was made by Trustee Sauberman; seconded by Hagen, with all in favor.

Adopted: September 12, 2022

RESOLUTION NO. 190 OF 2022

AUTHORIZE USE OF ARPA 21 FUNDS FOR DPW SKID STEER COLD PLANER ATTACHMENT

WHEREAS the Superintendent of Public Works has advised that the Village is in need of a CAT skid steer cold planer attachment (“Attachment”); and

WHEREAS after a diligent search of pricing for both new and used cold planer attachments, the Superintendent of Public Works has located and recommends the purchase of a used Attachment at the cost of \$11,800.00; and

WHEREAS the American Rescue Plan Act of 2021 (“ARPA 21”) fund has a current unexpended and unencumbered balance of \$604,963.10.

NOW THEREFORE BE IT RESOLVED that the Village Board authorizes the use of up to \$11,800.00 of ARPA 21 funds for the purchase of the Attachment; and

BE IT FURTHER RESOLVED that any unexpended funds remaining after the purchase of the Attachment will be returned to the ARPA 21 funds account being managed by the Village Treasurer.

A motion to approve the foregoing resolution was made by Trustee Alpert and seconded by Trustee Corrigan, with all in favor.

Adopted: September 12, 2022

GRANTS

Mr. Fred Rella explained that the Village applied for a grant through the NYS Environmental Facilities Corporation (“EFC”) to finance part of the water treatment plant iron and manganese filtration project. The estimated cost of the project is \$2 million, so a \$1.2 million grant would provide substantial savings for Suffern residents. The grant submission was due on September 9, 2022, and the Board met for a Special Meeting to get all the board resolutions passed. We should be notified about the awarding of the grant by the Fall of 2022. If the grant is awarded, the Village will begin work on the project in 2023.

RECREATION

Ms. Cathy Mills was introduced by Mayor Curley who explained that there were a number of great events during the past weekend. There was a parade for the Suffern Football/Cheerleaders; the First Annual Mayor’s/Village Board Pool Fun Day; and we also had our 9/11 Memorial Ceremony.

Ms. Mills discussed the closing of the Suffern Pool and the drills conducted by the Suffern Fire Department. The following is a list of upcoming events for the Village of Suffern:

9/17 Lion’s Club at the Avon Lot for a Community Flea Market

- 9/18 Chamber of Commerce 10A.M. – 5 P.M. Suffern Street Fair
- 9/24 Suffern Day – 11A.M. – 3 P.M. and then fireworks at 6:30 P.M.
- 9/30 First DARE Dance of the season at the Community Center

Ms. Mills noted that we are all looking forward to Suffern Day. We have a load of activities for the entire community and our volunteers are excited to join in and help!

The Mayor thanked the Police, DPW and everyone for a great job this weekend.

ATTORNEY

Mr. Terry Rice explained that the Board of Trustees received a zone change petition from Extell for the potential construction of residential apartments on Washington Avenue. The property is currently owned by Natura & Co. (formerly Avon) where the former Avon nail enamel operations were located. In order to initiate the process, the first step would be to set an escrow so that the planner can start the review. Ms. Franson, who is our planner, suggested a \$10 thousand escrow. We are looking for an approval of that. Once the escrow is approved, Ms. Franson and Mr. Rice will look over the application/petition from Extell and ensure that it is complete. At the next Board meeting, the Board can adopt a resolution of its intent to be lead agency, if the Board of Trustees so desires, and then we will go from there. Ms. Franson will do the review and we will find out whether or not an environmental impact statement is required. Subsequently, it will be referred to both the Village Planning Board and the County Department of Planning for their review and recommendations once SEQRA is satisfied, then the Board of Trustees can hold the hearing on the zone change petition itself. Mr. Rice then said that there are a number of steps and a lot of review that has to take place before a hearing is held and the Village Board can decide on the matter.

Mayor Curley added that Extell initially planned to have approximately 170 units, but has reduced that number to 121 units to address the Village's concern over ample parking spaces for the units. The Mayor said that he explained that parking is a very valuable thing in the Village of Suffern. Each apartment needs at least two spots. That may go over what other people may suggest, but that is what is called for by the Village of Suffern. Extell came back with two vehicle parking spaces per unit. That is just a starting point. The Village Planning Board, Zoning Board of Appeals, Police Department, and Fire Department have to review and comment on the plans being proposed by Extell.

MOTION

Extell Acquisitions LLC submitted plans to develop the Avon Nail Enamel Building site into multi-family residential building. The Village Board requires \$10 thousand escrow for reviewing the plans.

A motion to require the escrow was made by Trustee Sauberman and seconded by Trustee Corrigan, with all in favor.

Mr. Rice asked for a Motion to go into Executive Session to discuss both litigation and personnel matters.

MOTION

A motion to go into Executive Session was made at 7:17 P.M. by Trustee Hagen and seconded by Trustee Sauberman, with all in favor.

A motion to exit Executive Session was made at 7:26 P.M. by Trustee Sauberman and seconded by Trustee Corrigan, with all in favor.

Mr. Rice explained that the Board in executive session discussed the settlement of an action against the Village entitled Cable v Village of Suffern. At this point, if the Board is amenable, an appropriate motion be a motion to approve the settlement agreement and authorize the mayor to sign it.

MOTION

Approve the settlement of the action Cable v Village of Suffern and authorize Mayor Michael F. Curley to sign said agreement. A motion was made by Trustee Sauberman and seconded by Trustee Hagen, with all in favor.

Mayor Curley signed the agreement and stated that the agreement became effective immediately.

POLICE DEPARTMENT

Chief Loughlin explained the statistics for the month of August. The Chief explained that the Police Department applies for a yearly grant for traffic safety through the Governor's Office of Traffic Safety. The Suffern PD was approved for \$10 thousand.

Chief Loughlin introduced PO Abigail Adams. A resolution was passed to promote her to Sergeant. Ms. Abigail Adams was invited onto the stage to be sworn in by the Village Clerk, presented her shield, and have pictures taken.

PUBLIC WORKS

Mr. Charles Sawicki explained that Pitingaro & Doetsch are being hired to prepare an engineering report for the iron and manganese system rehabilitation. The filtration system needs to be rebuilt in well number 2.

TREASURER

Mr. Michael Genito explained that the Washington Mews project is going to be remitting Building Department fees of over \$100 thousand. Since the Building Department cannot review the plans with their own resources, the plans will be reviewed by an outside third party. We are not sure how much those fees will be, but it is estimated to be between \$15 and \$20 thousand. Resolution #188 is being passed simply to amend the budget to allow an increase in the appropriations of the Building Department by \$20,000 and Estimated Revenues by \$20,000.

Mr. Genito explained that the second resolution was to amend the budget for the Board approving the Settlement of Cable v Village of Suffern. The insurance company is reimbursing the Village for the salary of Ms. Cable in the amount of \$52,000, as part of the settlement. A budget amendment is needed for an increase to estimated insurance recoveries of \$52,000 and an increase to budgeted salaries for \$52,000.

Treasurer Genito explained that the third resolution was to authorize the use of up to \$11,800 of American Rescue Plan Act funds for the purchase of equipment called a "cold planer" for the Department of Public Works. A cold planer smooths out ridges and potholes on streets, etc. A used one was found for \$11,800.

TRUSTEES

Trustee Hagen thanked the Village for allowing the Lion's Club to utilize the Leo Lydon Park for the Flea Market.

MAYOR

Mayor Curley praised the Lion's Club for a wonderful Dog Day event. The Mayor is looking forward to the upcoming Lion's Club Flea Market.

MOTION

Approve the use of the Leo P. Lydon Park for Bon Aire/Stonegate Community Yard Sale on October 8, 2022, from 8:00 A.M. until 5:00 P.M. A motion was made by Trustee Sauberman and seconded by Trustee Alpert, with all in favor.

MOTION

Grant permit for the Suffern Chamber of Commerce to hold the Suffern Street Fair on September 18, 2022, from 10:00 A.M. until 5:00 P.M. subject to the signing of a contract and having the proper insurance as approved by the Village Attorney for the Village of Suffern. A motion was made by Trustee Alpert and seconded by Trustee Corrigan, with all in favor.

Mayor Curley then showed the Board of Trustees the decal that Department of Public Works ("DPW") designed for all Village of Suffern DPW Vehicles to display.

MOTION

Approve the Department of Public Works to install the DPW decal on all DPW vehicles. A motion was made by Trustee Corrigan and seconded by Trustee Alpert, with all in favor.

ADJOURNMENT

A motion to adjourn the meeting at 7:46 P.M. was made by Trustee Hagen, seconded by Trustee Sauberman, with all in favor.

Respectfully,

Melissa B. Reimer, CPA
Village Clerk