

Village Board Meeting
Monday, May 9, 2016 - 7:30 P.M.

A regular Village Board meeting was held on the above date at 7:30 p.m. with the following members present:

PRESENT: Mayor Edward Markunas
Trustee Frank Hagen, Trustee Robert Morris
Trustee Moira Hertzman

ALSO PRESENT: Virginia Menschner, Village Clerk
Daniel Kraushaar, Village Attorney

ABSENT: Trustee Joseph Russo

The Mayor welcomed everyone to the Board meeting. He said at this time he would like to have a special presentation and it has to deal with the Suffern Police Department and a few police awards we are going to give out tonight.

Chief Clarke Osborn said he wanted to thank the Mayor and the Village Board and everyone who is here tonight and letting them honor these officers. He said he is with Lt. Dolan, the administrator for the Suffern Police Department, and Mayor Markunas and several of our great officers here in Suffern. He said he would like to start this ceremony by thanking the Mayor, the Village Board as well as the residents here in the Village of Suffern for their continued support of our Police Department. He said in the month of May, actually starting today, National Police Week is celebrated throughout the United States featuring ceremonies such as this as well as memorials to honor officers who made the ultimate sacrifice by losing their lives in service to their communities. He said tonight we will be honoring several Suffern Police officers who went the extra mile and provided exemplary service to our Village during the course of their duties. He said tonight we have several life-saving awards. He said we generally don't get this many in one year but just the way the year fell we did. And he wants to credit each one of these officers. He said you are going to hear each one of these incidents. He said their quick response times - we always spoke about that here in the Village. Response time is critical in an emergency with seconds, not minutes, which determines life or death. He said he would like to start off with calling up

Sgt. Dave Tarantino. Chief Osborn said on June 27, 2015, while off-duty, while at an event in Airmont, Sgt. Dave Tarantino of our Police Department was notified that a woman was choking and could not breathe. He immediately assessed the situation and did determine she was choking and could not breathe or talk, at which time he performed the Heimlich Maneuver which successfully dislodged the object from her throat and enabled her to start breathing immediately. EMS personnel and the Ramapo Police Department responded to the scene and treated her accordingly. Due to Sgt. Dave Tarantino's actions, this woman's life was literally saved. He congratulated Sgt. Tarantino and on behalf of the Suffern Police Department he thanks him for all his efforts for our department and a job well done.

Chief Osborn then called up Sgt. Andrew Loughlin, Chief said Det. Mike Fennessey couldn't be with us tonight, and Officer Lou Venturini and Officer Billy Simurra.

Chief Osborn said on March 5, 2015, at approximately 7:52 p.m., Sgt. Loughlin, Det. Fennessey, Officers Simurra and Venturini responded to a private residence here in the Village of Suffern for a report of a 54 year-old female seizing and not breathing. Upon arrival, the officers observed the aided party, seated on the couch in an unconscious state. She was breathing inadequately and was moved to the floor to begin ventilation by way of BVM. While on the floor, the aided party stopped breathing and went into cardiac arrest. The officers immediately began CPR and administered a shock from the defibrillator. After a period of time the aided party regained a heartbeat and began breathing on her own. The officers monitored her and ensured she had an open airway until the arrival of paramedics. The care was turned over to EMS personnel and the officers on scene continued to go above and beyond to assist any way possible by putting patient care and insuring a safe, expeditious trip to Good Samaritan Hospital. Upon arriving at the hospital, the officers were advised that both emergency room staff and the Rockland paramedics on scene that were not for the actions of the above mentioned officers the aided party would not have survived. Congratulations to all of you for a job well-done and for going above and beyond.

Chief Osborn then called up Officer Craig Yustein and Officer Jeff DeLuca. On September 13, 2015, at approximately 9:07 p.m., Officers Yustein and DeLuca responded to a residential structure fire here in the Village of Suffern. The officers responded

within one minute and upon arrival the officers spotted a heavy smoke condition and flames coming from the rear of the home. Officers Yustein and DeLuca immediately entered the home to check for occupants. The officers found a 48 year-old male sleeping in the upstairs bedroom which was engulfed by flames. Officers woke this male who was unaware that his house was on fire and escorted him outside to safety. This male had mistakenly advised officers that there may be additional people inside of the residence and the officers again entered into a house full of flames and smoke and a very dangerous condition. Officers then turned the scene over to the Suffern Fire Department after no more victims were found and basically and in general this person's life was saved by their actions in running into a burning building. He said he has many times seen this resident safe - the house is right on the corner of E. Maple Avenue - and he continues to see him and every time he sees him he mentions about the Officers action in saving his life. He was sound asleep with flames around him. There is no doubt about it in his mind that he would not have made it out were it not for the actions of Officer Yustein and Officer DeLuca. He told them great job, excellent response and tremendous bravery under stressful situation.

Chief Osborn called up Sgt. Rick Marsh and Officer Andrew Yorke next. Chief Osborn said on October 26, 2015 Sgt. Rick Marsh and Officer Andrew Yorke responded to a residence for a report of a male unresponsive on a bathroom floor. The male was blocking the door - he had collapsed in the bathroom and was blocking the door and the family could not make entry. Officer Yorke arrived on the scene first and was able to force the door open with the party behind it. Sgt. Marsh then arrived and they found the party to be in extreme distress. No pulse was found. The party was not breathing. CPR was started and a defibrillator was attached with no shock advised - which means there was no activity within the body at that time. These officers began CPR using chest compressions and oxygen and after a short time with the assistance of EMS a pulse was returned and the party started breathing again. He was taken to Good Samaritan Hospital with the officers escorting all the way up. And he did survive, once again, thanks to the action of Sgt. Rick Marsh and Officer Andrew Yorke for going into a situation where a party was trapped behind a door and not being able to open it and figured out a way to bring this party back to safety. Chief Osborn said great job, nice job in saving this man's life.

3-5/9/16

Chief Osborn then asked Officer Andrew Yorke to come up again. He said Officer Andrew Yorke was one of the officers in Rockland County who was noted for his enforcement of drunk driving and DWI offenses last month by the Rockland County Stop DWI Board and the Rockland County Executive. He said Andrew made numerous arrests last year and was one of the top officers in the County. Chief Osborn thanked him for his vehicle and traffic enforcement to keep our roads safe and to keep drunk drivers off the roads and to keep our pedestrians, our civilians, our residents and any one traveling through the Village of Suffern safe. He said great job and thanked him for his efforts.

Mayor Markunas said he would like to thank the Suffern Police Department for their great and heroic actions over the course of the year and also he would like to ask all of our residents to remember the Police Officers during National Police Month and remember that they are always out there for us putting their lives on the line in protecting our Village and our community. So thank you once again Suffern Police Department.

Chief Osborn said one quick note. He said he wanted to thank the Village Board for all of their support - everybody up there - Virginia, Kathy, Dan. Everybody.

CHAMBER OF COMMERCE:

The Mayor said at this time we would like to have Mr. Aurie Licata come up. He said that Mr. Aurie Licata is the president of the Suffern Chamber of Commerce and is seeking permission from the Board for a street fair on September 18 of this year. The Mayor said great job on the previous street fair. Mr. Licata thanked him. He said we had a nice crew, they had great volunteers, and he appreciates all our help. And he thanked Charles very much and his crew. He said that everybody did a great job and he just wanted to thank the Suffern Police Department from the Chamber of Commerce. It is terrific.

Mr. Licata said that on September 18, 2016 they would like to have their second street fair. The Mayor said so you are seeking the approval from the Board for the exact same street fair? Mr. Licata said we may not do the classic car show. They just maybe might have some more arts and crafts there possibly. He said they haven't really finalized it. It probably will be pretty much the same - 99% of the way. The Mayor said seeking the approval for the beer and wine - Mr. Licata said for the beer

and wine garden - same thing - same insurance and same everything. The Mayor said okay, so that will be contingent upon all the insurance certificates - Mr. Licata said correct. Same as last time. The Mayor asked if he had a motion to grant the Suffern Chamber of Commerce - the request for a street fair on September 18. The motion was made by Trustee Morris, seconded by Trustee Hagen. Attorney Kraushaar asked if he has spoken with the Police Department yet in terms of coordinating it. Mr. Licata said no. He assumed it would be the same as last time. Attorney Kraushaar said okay. As the Mayor said - subject to the insurance certificate and also coordination with the Police Department and DPW, etc. The Mayor said subject to all approvals. Upon vote, the motion was carried. Mr. Licata said thank you very much. They appreciate it and thank you for your support.

175 LAFAYETTE AVENUE - ZONE CHANGE:

The Mayor said next on the agenda is the request for a zone change for 175 Lafayette Avenue. He asked if the applicant was present.

Paul Baum for the applicant, 175 Lafayette Avenue LLC, thanked the Mayor and Board. He said as the Board is aware, they have had two meetings before the Board for public comment. At the last meeting the Board closed the public hearing and granted them their negative declaration pursuant to SEQRA. So they are just here looking to advance the project and to see if there are any other issues or questions that they can respond to of the Village and to try to move this project forward.

Attorney Kraushaar said that he and Mr. Baum have spoken on a number of times over the past week and a half, two weeks, with regard to this proposed zone change. He said he is of the opinion that the Board should consider, if they are going to grant this, that a condition be imposed that the applicant cannot get a waiver from the Planning Board for what is called "Money in Lieu of Land." A present resolution that has been on the books for a while allows for the Planning Board to reduce the fees paid by giving credit for recreational facilities that are located on the property and are only to be used by the owners or renters, as the case may be with this property. And that runs contrary to New York State's intent under the relevant section of the law dealing with money in lieu of land. Money in lieu of land is supposed to be money that is set aside for

purposes of establishing a fund that can be used by the general public in the area near where the subdivision, site plan or in this case the apartment building would be located. And the way that our resolution reads at the present time, and he will mention that he would like the Board to consider changing that as well, even though the recreational facilities are not located for the benefit for the public at large the way that the resolution reads "the Planning Board may waive a certain percentage of fees based on unit count," he believes - it could be bedrooms. He said if a zone change is a discretionary act by a legislative body - in this case the Village Board - and certainly if you are in agreement with his recommendation we could have the local law drafted to make it a condition or we could have the resolution of approval with the condition that the Planning Board does not have the authority to waive Village money in lieu of land fees. At this point, a zone change is in the nature of a local law. And a local law has to be on a members desk for at least seven days. He said you haven't seen anything because he hasn't been able to come up with an agreement with the applicant's attorney so he has nothing to present to them and you have nothing to vote on tonight.

The Mayor said okay. With that being said, do we have any comment from the Board?

Mr. Baum asked if he may - just with regard to Mr. Kraushaar's comments. In 2013 the Village Board adopted this money in lieu of recreation law that he refers to and under that law you gave the Planning Board the opportunity to waive up to 25% of the required money in lieu of land. And the whole idea of money in lieu of land is as you develop residential units and residential housing for the Village you want to develop recreational facilities so that these people will have places to go. So usually you take a fee and in your case it would be \$2500 per unit or \$2000 per unit and that would go into a special trust fund and the Village could use that for recreational facilities because the demand imposed on the Village's recreational facilities by this development - you want to get something out of it. The law allows them or allows the Planning Board to waive up to 25% of that if they supply their own on-site recreational facilities which this project will do. So the Planning Board, he thinks, is capable of making a determination as to what sort of facilities they are providing, whether or not they are adequate, and if they feel that there should be an adjustment of the amount of money in lieu of recreation paid to the Village. Under

the statute, they should be allowed to do it. This statute was obviously debated by the Board at that time and this was the resolution that they came to. If the Board feels that maybe they want to revisit that issue and change the law, he has no objection to that. But as long as this law stays on the books they should be permitted, just like any other applicant that comes before the Village that wants to develop housing, to seek a waiver from the Planning Board and leave it to the discretion of the Planning Board to waive or not waive any portion of that recreation fee. So if the Board wants to address the law and reconsider the law and change the law again they have no objection to that. But as long as the law stays on the books they believe they should have the ability to show to the Planning Board that they are providing recreational facilities and that they may be entitled to a portion of those fees. He said he doesn't think it is right that you have this law on the books and then make a recommendation you can't waive anything. So either follow the law or we change the law but we shouldn't ignore the law. That is his only point that he wanted to bring up.

Attorney Kraushaar said that Mr. Magrino is the attorney for the Planning Board. The most recent project that Attorney Kraushaar is aware of that came before the Planning Board is the Orange Avenue development. He asked Mr. Magrino if the Planning Board waived recreation fees for that project based on the fact that the developer was going to have on-site recreational facilities. Mr. Magrino said there was some credit taken into account. There were a number of things that were a little different with the Orange Avenue project because there had been discussion at this stage - at the zone change stage - of money that they would be providing to the Village so the short answer to your question is yes, it was taken into consideration. They did receive some credit. Off the top of his head he doesn't recall what it was. Attorney Kraushaar said but wasn't that credit for the fact that they had original units - it had nothing to do with. Mr. Magrino said the original project had 90 units, 91 units. He said withdrawn. It wasn't necessarily on that basis. It was mostly on the basis of items that were - in all honesty, now he recalls - it was mostly on the basis of what had been provided on site - that issue had not really come up. He said he is not exactly sure what they had again - he forgets exactly what it was - but there was some credit but again as we discussed it wasn't a condition of zone change. It can be whatever the Board decides. Each project is unique. Attorney Kraushaar said you are not

aware of the Planning Board since you have been representing it waiving for any other projects based on them providing on-site recreational facilities. Mr. Magrino said no.

Mr. Baum said if the Orange Development project went to the Planning Board and the Planning Board had the discretion to waive and they decided not to waive based upon the recreational facilities that were being provided as part of the project then the Planning Board exercised their discretion. All they are saying is to allow the Planning Board to exercise their discretion here. Don't remove that discretion from them unless you want to change the law. Attorney Kraushaar said okay. He doesn't want to have too much of a debate on this but the bottom line is that a zone change is a discretionary act. Do we disagree with that or do we agree with that. Mr. Baum said no, they acknowledge that this board can be the one to entertain it and we are out of here. Attorney Kraushaar said he told him to look at the Orange Avenue - he wants everyone to be treated equally. Attorney Kraushaar said he told him to look at the Orange Avenue project to see what happened there. Mr. Baum said he filed a Freedom of Information Law request on Friday, right after we spoke, but he hasn't received any information - specifically the minutes of that meeting where the Board adopted this resolution. If this Board decides this law was not wise, this resolution was not wise, that we should not be giving credits to applicants for providing recreational facilities then change the law. But as long as the law stays on the books they should be treated equally and have the opportunity to go before the Planning Board and let the Planning Board exercise their discretion on it just as the Planning Board exercised their discretion on the Orange Avenue project. If you want to change the law, change the law.

Attorney Kraushaar said first of all it is by resolution. That is how it was originally adopted. But let him ask the Board members individually - do you want to continue to allow a credit -or the potential for a credit - for on-site recreational facilities that can't be used by the public in general or do you want it to be what it was intended to be by NYS under the relevant section of the Village law to be towards future recreation needs of the Village of Suffern by residents in general. Because ultimately that is what this comes down to. Mr. Baum said he understands that. But just keep in mind that on-site recreational facilities do meet, to a limited stance, some of the recreational needs of these residents. Attorney Kraushaar

said right. But for the record didn't he ask him whether or not the Village of Chestnut Ridge, where you represent the Planning Board, has a similar local law? Mr. Baum said he doesn't recall him asking him but he does not believe they issue credit.

The Mayor said the relevance of the law as you stated in NYS is for the benefit of the Village of Suffern residents and the community at large. Is that correct? Attorney Kraushaar said that is what the intent is. The Mayor said that is the intent. Attorney Kraushaar said wise in the face in the intent of money in lieu of land. Mr. Baum said he agrees. It differs from the normal standard. But obviously this was debated. This wasn't just a law or resolution which was adopted without any consideration. So he thinks at the very least we should at least go back and see what issues were being under consideration at the time when the Village Board decided to grant the ability of the Planning Board to waive a certain percentage. At least look at the reasoning behind it. And if you feel that the reasoning doesn't hold today then eliminate it. But if there is a point to it and after you looked at it you say yeah, I understand their point. I see why they want us to grant the reduction and I am in favor of it and that's fine. You should at least look at the reasoning and either reject it or accept it. Attorney Kraushaar said okay. What he is trying to do here is get a sense of the Board. He said we comply with the open meetings law. This is not something that we have spoken about. We are doing this now in public which some municipalities don't do. So that is what he is trying to gather. Mr. Baum said he only asks that you at least review the minutes of that meeting. The Mayor said let me step in here. He said you make a valid request. So that is what he is leaning to - a review and take another look at it and come back before the Board. That would be his objective. Trustee Morris said he would have to agree with him. He said we have to read the minutes of that meeting but give it a couple of days and we can pull them out and look at them. And again, if it is warranted, fine. They will go along with it. If they find that there is a flaw in it then they will deal with that. Fair enough? Trustee Hagen agreed. Trustee Hertzman also agreed. The Mayor said okay, then we will have you come back before the Board in June. Is that fair? Mr. Baum said that is fine. That is fair. The Mayor said okay and we will do our due diligence and do the review. Mr. Baum thanked him and the Board members.

SET DATES FOR JUNE MEETINGS:

9-5/9/16

The Mayor said the next workshop is Tuesday, May 31, at 7:00 p.m. and the next Board meeting is Monday, June 6, at 7:30 p.m.

7:35 P.M. - PUBLIC HEARING - CHANGE TO SECTION 266-15(G) OF THE VILLAGE CODE REGARDING USE OF YARDS:

The Mayor said next we have a change to section 266-15(G) of the Village of Suffern Code regarding use of yards. Attorney Rob Magrino said first, procedurally, he is not going to be asking the Board to vote on this. This was circulated. We had to circulate it to County Planning as far as the General Municipal Law review. And timing wise the Board cannot vote on this tonight so he just wants to put that out there. He said Steve Conlee from the building department is here. This arose from many residents coming in who may have a shed and want to add a pool or have a pool and want to add a shed to their yard. The way the law is currently written they have to go to the Zoning Board of Appeals. In that regard, at this point, which can be kind of onerous if you want to add a shed to your yard when perhaps the Building Inspector, when everything else is in order, could give a building permit. So that is the general background of this. He said he will ask Mr. Conlee to step up and just discuss the details.

Building Inspector Steve Conlee said as Mr. Magrino stated - it is just kind of a revision to the existing zoning code. The code allows for one accessory structure. This just kind of streamlines it. He said they have had a lot of residents come in - if they have a pool and they want to put up a shed they can't without a variance. If they have a shed and they want to put in a pool they can't without a variance. This just makes it easier. This just eliminates the need for a variance just because you want to put a second accessory structure in your yard. Also the way the ordinance reads - if it is a shed it has to be less than 100 square feet. He said they would like to change that to greater than 100 square feet because if you go buy a shed - a 10 x 10 is one of the standard size sheds so anything smaller than that - if you buy a 10 x 10 shed now you are in violation of the zoning ordinance because the way it states - it has to be less than 100 square feet. So they would like to change that so a 10 x 10 is - the Mayor said not more than 100 square feet. Mr. Conlee said right. The Mayor said he was looking at the revisions here and it does not exceed 12 feet in median height. Mr. Conlee said right. Originally we had talked about allowing a 12 x 12 shed - 144 square feet - and they went with a 12 foot

median height because they figured the bigger the shed the higher the ridge line would be. So they figured to accommodate that higher ridge line they would go with a 12. But with a 10 x 10 shed if you have a 4 on 12 pitch for the roof line it would be approximately just a little bit less than 2 feet at the ridge so if the wall height was 7 and 2 it would be 9. So 10 feet would probably be sufficient. The Mayor said so we can make that adjustment. Mr. Conlee said yes. The Mayor said it doesn't reflect 12 we will reduce it down to 10. Mr. Conlee said right. The Mayor said and the setback has been changed from 2/3 the height - Mr. Conlee said yes, it is just easier to figure. If you have a shed 8 feet high you have to be 2/3 of 8 or a little bit less than 6 or whatever. They just figured 5 feet from the property line is just easier for everybody to understand. The Mayor said okay.

The Mayor asked if anyone had any other questions. Attorney Kraushaar said just to be clear - this would not allow for two residential structures - even a tiny home - Mr. Conlee said absolutely. As the zoning stands now you can only have one primary structure on a lot. The Mayor said but speaking to the shed we will be able to have two accessory structures but none of the same. Mr. Conlee said yes. The Mayor said so you can only have one shed with a pool. You can't have two sheds. Mr. Conlee said two sheds, two pools. No you can't have that. The Mayor said right. Mr. Conlee said you can have a shed and a pool, a shed and a garage. The Mayor asked if anyone had any questions. Attorney Kraushaar said one thing that the Board could do tonight is to declare themselves lead agency under SEQRA and also within that resolution declare a Type II action requiring no further environmental review. The Mayor asked if he could have a motion from the Board to declare the Village Board the lead agency under SEQRA and to categorize it as a Type II action requiring no further environmental review under SEQRA. The motion was made by Trustee Morris, seconded by Trustee Hagen. Upon vote, the motion was carried. The Mayor said and then we will await the changes for the local law.

The Mayor said we will adjourn the public hearing to June 6 - to continue it. The motion was made by Trustee Morris, seconded by Trustee Hagen. The public hearing will be at 7:35 p.m. Upon vote, the motion was carried.

7:45 P.M. - PUBLIC HEARING - ANNUAL NYS DEC MS4 REPORT:

11-5/9/16

The Mayor said next on the agenda is the public hearing on the annual NYS DEC MS4 report. Mr. Charles Sawicki said the MS4 is the Municipal Separate Storm Sewer System which is a US EPA program regulated by the NYS DEC. An annual report is submitted to the NYS DEC on June 1 of each year. The MS4 storm water program has six elements called minimum control measures which result in reduction of pollutant discharge into water bodies. Those six elements are public education outreach, public participation and involvement, illicit discharge detection and elimination, construction site storm water runoff control, post-construction storm water management, storm water management for municipal operations. The Village of Suffern is a member of the storm water consortium of Rockland County. The storm water consortium has partnered with Cornell Cooperative Extension for education and outreach requirements such as radio programs discussing various public service announcement topics and educational classes. He asked if anyone had any question. The Mayor asked if anyone from the public had any questions regarding the MS4 report that was submitted.

VILLAGE OF SUFFERN

RESOLUTION NO. 34 , 2016

RESOLUTION AUTHORIZING THE VILLAGE BOARD
TO ACCEPT THE NYSDEC ANNUAL MS4 REPORT

WHEREAS, the Village of Suffern is required to file an Annual NYSDEC MS4 Report; and

WHEREAS, the Report has been completed by the Director of Public Works for the year ending March, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Suffern accepts the Annual NYSDEC MS4 Report for the year ending March, 2016.

The foregoing Resolution was made by Trustee Morris, seconded by Trustee Hagen.

Attorney Kraushaar asked Mr. Sawicki if this Resolution and the report will be sent to the DEC? How does that work. Attorney Kraushaar said he thinks we have to publish it. Mr. Sawicki said just the annual report will be sent to the DEC. Attorney

Kraushaar said and we put it on our website as well. Mr. Sawicki said it is on our website. Upon vote, the motion was carried.

7:55 P.M. - PUBLIC HEARING - REGARDING FILMING IN THE VILLAGE OF SUFFERN:

Attorney Kraushaar said this is another one where we sent it out to Rockland County Planning for a GML review and he also understands that the Mayor met with a number of municipal leaders in Saratoga who provided him copies of their filming local laws so Attorney Kraushaar said he will be looking at those as well to see whether or not we want to make changes to even what is being proposed right now. So his recommendation is that you make a motion to continue that public hearing also to June 6, 2016 at 7:40 p.m. so that we have time to both receive and review the GML as well as time for him to look at the local laws that the Mayor brought back from the conference. A motion to continue the public hearing on June 6 at 7:40 p.m. was made by Trustee Morris, seconded by Trustee Hagen. The Mayor said so we will be reviewing the applications. He said he met with other leaders from around the state and they have different types of applications and permit requirements for filming within their villages and cities. It was very interesting. The Mayor said we have been selected numerous times here in the Village of Suffern to do filming and he thinks we need to strengthen our application and permitting as required by the Village. Attorney Kraushaar said we don't even have a local law. Upon vote, the motion was carried.

ORANGE & ROCKLAND - PROPOSED LICENSE AGREEMENT WITH O&R REGARDING SPARGE WELL ALONG PAT MALONE DRIVE:

Attorney Kraushaar said he has to recuse himself due to a conflict of interest and please note that he is leaving the room at 8:24 p.m.

Attorney Magrino said the record shall reflect that Mr. Kraushaar is out of the room. Attorney Magrino said as the Board is aware, several months ago Orange & Rockland, or even before that, had approached the Village regarding a remediation that they were going to be doing on a property at 3 Pat Malone Drive here in the Village. Pursuant to that the Village granted a license to O&R in furtherance of their work to go over certain Village property. They approached Attorney Magrino last week sometime that it is their intention to put on the property what

is known as "sparge wells" for the purpose of what is called a contingency ground water treatment plan. The wells are there that in the hopefully unlikely event that as a result of their remediation work at this property the Village ground wells aren't contaminated. These sparge wells, he understands, would help to treat the water - the Mayor said it sets up a barrier. We have a representative from O&R here that is going to go into detail on it. Attorney Magrino said if they like, yes, they can do that. But when they come up - the purpose that they are here - all of the wells are going to be on the property that is owned by them. There is one well that just based upon where it needs to be just happens to be just over their property line onto the right of way on Pat Malone Drive so they need a license just to put that one well there. So that is the purpose of that.

A representative for Orange and Rockland said that Mr. Magrino covered most of the issues that we are talking about. When Orange & Rockland inquired to them initiating the remediation down at the Suffern MGP site they developed a groundwater monitoring plan where they would be monitoring the groundwater for the duration of the work and post-remediation to insure that there were no impacts to the Village wells. Within that plan there was contingency that should they see migration of contamination towards the wells there were several treatment options that they could exercise. One of those is use of sparge wells where they would inject air or ozone into the groundwater to treat the water before any contamination reached the Village wells. What they are doing is installing a line or a curtain of these wells around the entire site. All of these wells, with the exception of the one that we are here speaking about today, are on Orange & Rockland property or New Jersey Transit property. Because of all the gas mains and infrastructure that is along Pat Malone Drive in front of the gas regulator station we cannot install one of these wells on their property so they need to step over the property line onto the Village property. So these wells will not be put into operation unless there is a problem but what they are doing is proactively installing them so that in the event that they do see any impacts in the groundwater they would be in the position to react much quicker and be able to start treatment to prevent any impacts to the Village wells. The Mayor said great. He asked if anyone had any questions on the Board. Trustee Hagen said these wells won't have any impact on anything going on down there or interfere with anything that the Village does, right? We won't have any problem. The spokesperson said right now there are four one inch pvc pipes

installed and until such time as they would hook them up to a compressor to either inject air or ozone there is nothing more than pvc pipe in the ground. Trustee Hertzman asked if she said they would be hooked up to a compressor if needed. The spokesperson said if needed, yes. That would be used - the compressor would be used to inject air or ozone through these injection points into the groundwater. But they are not anywhere near there. They are just essentially getting the wells in the ground. They started this in the middle of April. It is going to take them to probably early June to get them all in. What they didn't want to do is have a problem and have to react. So they wanted to put the wells in the ground ahead of time in the event that they needed them. The Mayor said so we are prepared in the event of any migration of the contaminant and we would be able to protect our own wells and infrastructure. The representative said right.

Trustee Hertzman asked how many wells were there in total? The representative said they are installing 38. Trustee Hertzman said 38? The Mayor said 38 sparge wells. Trustee Hertzman said one compressor can handle it if they all needed to be initiated? The representative said it would be highly unlikely that they would have contamination everywhere. What they don't know is where they might have a problem so essentially they are encircling the whole site so they would be prepared to react to wherever they might see a problem. What would happen is depending on what the extent of the problem was you might need one or more setups to inject it. That design part of the treatment hasn't been done because they don't know - hopefully they are putting these in and they never need to use them. But if they did then that design element would be figured out by their engineer. The Mayor asked if the compressors are on site. The representative said no. There is not going to be anything on site but a well. But a well with four pieces of pvc pipe in it right now. The Mayor said okay. The representative said if we had to do treatment then they would have to bring a compressor on site to inject it. But that would be in the highly unlikely instance where they do see impact. The Mayor said but it would make sense that if we have the wells, 38 wells, in place that we should have a compressor in place. Trustee Hertzman said during the time of remediation in case something did occur that we then would have a compressor - the representative said they would need to do the monitoring and then they would need to determine what they would need to do. So in order to size what the treatment might be they would really need to have a better

handle on what the problem is. The Mayor asked if that was based on the different levels of possible contamination as they spoke about at 50, 75 or 100 feet. The representative said it depended on both what contaminants what migrate. Again, they are not expecting any to migrate but this is a belt and suspenders type of plan that they have in place. And then they wouldn't know at this point what depth we might see impact. These injection points are at different depths. 25, 50, 75 and 100 feet. So that they are prepared to treat anywhere within the water column that they might see a problem. So there are a lot of elements that would still need to be finalized and designed should they find a problem. So the point of this is to essentially just get the hardware in the ground because it is a time-consuming process and then should they see a problem they would work with DEC and DOH and their engineers and come up with the exact engineering that they would need in order to institute the treatment. The Mayor said okay.

The Mayor asked if there were any other questions from the Board. The representative said just to mention. They did have to get a permit from the Rockland County Department of Health to put these wells in so they are on board and aware. Trustee Hertzman said if she could ask her again. Why wouldn't it be cautionary practice, when we talk about belts and suspenders, if you are going to drill wells into the ground that you wouldn't have also on site the equipment needed to perform an emergency action if necessary. The representative said because at this point they are not aware of any problems and they will be monitoring on a weekly basis. They would be able to bring equipment out there quickly if they needed to react. They are going to be monitoring several wells on a weekly basis reporting them to the regulatory agencies and then developing whatever treatment they might need. She said they could have a compressor sitting out there. It is something that she can go back and talk to the engineer about whether that makes sense to do but at this point - again, this was proactive on their part. It wasn't required by the DEC or the Department of Health. They just want to be in a position where they can react quickly should there be a problem. At this point there was no plan to have a compressor on site. She can certainly discuss it with their engineer if the Village feels that that is something they would like them to look into. The Mayor asked if we could get some options from the engineers on what type of treatment may be or might be needed in the event of movement and see what type of compressors or compressor that we need. The representative said they already

know that air or ozone would be effective. They did a treatability study on the groundwater and they have identified air and ozone would be effective to inject. It is just a matter of would it have to go into one or two wells or would it have to go in several wells. And that would probably affect the size of the compressor that you would use out there. She said she can get some. We can talk theoretically if we saw this then we would do that. The Mayor asked how many different types of applications could be used with these wells. Are there numerous applications of how to pump air into them - the representative said no. It is just a matter of whether it would be a couple of wells or several. The Mayor said so we need a compressor. The bottom line is that you need a compressor on site to pump the air in. But depending on the size of the compressor. The representative said correct. The Mayor asked if we could explore that. The representative said certainly. Trustee Hertzman said if something did leach - you mentioned that it was only weekly monitoring. From the contaminant that is there if something is to leach what the spread rate is. The representative said the migration rate that any of these contaminants would have would be on the order of years - not anything that is going to happen quickly which is why again they are putting this line of wells in which would be in a position to intercept any migration that might be coming towards the wells. Nothing is going to happen overnight in a week, in a month timeframe. Trustee Hertzman said okay. The representative said she just wants to emphasize. They do not anticipate there being a problem out here. This is just really in the interest of being very, very cautious and aware that there is a water supply downgrade of the site. The Mayor said great. He asked if there were any other questions.

Michael Curley of 84 Orange Avenue said as you mentioned he was very concerned with the weekly testing. As we know what happened with water in Flint, Michigan and other places throughout the country - it's a dangerous thing going on right now. And he doesn't think weekly testing should even be an option. He thinks it should be daily, even hourly. You shouldn't let that even come close to happening. Unless we see a specific report showing about the migration - he trusts the competence of the attorney representing, Mr. Magrino, very well. But to take a chance with our water supply - he said he happens to have a good relationship with Orange & Rockland. He has been in litigation with them. He has been in front of the public service commission many times and he has won every hearing with them. So he has an understanding on how things may work or not work. But to just

leave this go so easily, and he appreciates the questions here, but whether they teach us to qualify one of our employees or they pay for an employee to stand there and monitor - that is too dangerous to sit back and wait. Now they say - it can happen like that. Anything can happen in a minute. We all know that. Just like you want the compressors here, which he agrees. But he thinks somebody monitoring and checking is - it would be irresponsible if we didn't. And the monitor should not just be them. The monitor should be an outside person that they pay for or however it's paid for and we hire. That we can trust. But without looking at a report of showing the migration - to just accept it would be foolish and reckless.

The representative said Orange and Rockland has been monitoring the ground water down at that site since 1999. They have done an enormous amount of sampling out there and they continue to sample. With the contaminants in the ground that have been there since the plant operated from 1903 to 1935 and materials have been sitting there - there have been no impacts to the Village wells. The DEC and the Department of Health asked us to step up the monitoring while we were doing our remediation just because there was a remote chance that the activities that we were conducting to remove the contamination might cause some migration contaminants. However, the migration rate of these contaminants and the low levels that are there are not something, as she was responding earlier, that are going to migrate to the wells with any kind of rapid rate of speed. The plan, the monitoring plan, that they have in place has been reviewed and developed in conjunction with the DEC, the State Department of Health and the Rockland County Department of Health. The results that they will get from the sampling will be provided to all those agencies as they are being collected. So she wants to assure everyone that they are very cognizant of the sensitivity of the wells. But they are not just trying to skirt around this issue. They have been sampling, there have been no impacts - the remediation that they are implementing is excavation and insitu solidification which should not cause any migration of the contaminants. So all of these actions that we are taking are in the interest of being proactive and insuring that we don't have the types of issues that you raised. That obviously everyone is concerned about. The Mayor thanked her.

Jim Giannettino said he thinks this is something that he and the Mayor discussed at their original meeting. He asked if we are going to, as a Village, get copies of these weekly reports. He

said he thinks it would be a good idea. The Mayor said we will take care of that. We will receive them. The Mayor asked the representative if she could make that a point - send the weekly reports to him, please.

Attorney Magrino said he refers to Mr. Sawicki. He asked if he was getting them at this point. He said he hasn't been getting them. Attorney Magrino said with respect with the issue that is before the Board tonight - it is just the one. They certainly can go ahead and put in 37 other wells without the Board's doing anything. This is just a matter of giving them permission of that one in the right-of-way. But many of the issues that Mr. Curley brought up have been addressed and he can discuss it with them afterwards - where we had the additional license agreement and agreements and assurances that are in writing with O&R in terms of hopefully the unlikely event of anything occurring - remedial activities that they are required to take with respect to DEC and also with respect to the Village in terms of the wells. The Mayor asked Mr. Magrino to present the resolution.

Mr. Magrino said he will go through it just briefly.

RESOLUTION NO. 35, 2016
ORANGE AND ROCKLAND LICENSE
SPARGE WELL ON PAT MALONE DRIVE

WHEREAS, pursuant to Resolution 2016-21, the Village agreed to grant a temporary licenses to Orange and Rockland Utilities for permission to access the Village owned commuter parking lot located adjacent to Pat Malone Drive, Suffern, NY for the purposes of permitting Orange and Rockland Utilities, Inc. to install, maintain and operate a temporary aboveground water discharge pipe on the property for Orange and Rockland Utilities, Inc. in order to implement its remedial activities as outlined in the NYS DEC March 2014 Record of Decision and the DEC approved Remedial Design Report dated August 13, 2015 and in accordance with the requirements of a SPDES Permit Equivalent issued by the NYS DEC related thereto the New York State Department of Environmental Conservation, Division of Remediation, issued a Record of Decision dated March, 2014 and approved a Remedial Design Report dated August 13, 2015 for remediation of the former Suffern Manufactured Gas Plant located at 3 Pat Malone Drive, Suffern, New York, both of which are incorporated herein by reference and

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WHEREAS, Orange and Rockland Utilities, Inc. has requested that the Village grant a further license for the right to use a specific portion of Pat Malone Drive for the purpose of (a) installing a groundwater sparge well ("Well SW-08") on and (b) if required by the New York State Department of Environmental Conservation ("DEC") under the DEC-approved Groundwater Monitoring Plan During Remedial Construction, dated February 1, 2016 operate Well SW-08 on the Property, and

WHEREAS, the Village Board hereby determines that the granting of the proposed license 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, and protection of public works in that the installation of the sparge well in furtherance of the remediation of the subject property located at 3 Pat Malone Drive will provide for groundwater treatment of water in the event there is contamination at the site and thus is desirable for the Village, its property adjacent thereto, and to the health, safety and welfare of its residents, and

WHEREAS, the proposed license agreement has been reviewed and approved by the Village of Suffern Department of Public Works and the Village Attorney's Office, and

WHEREAS, the terms and conditions of Resolution 2016-21 are incorporated herein by reference insofar as applicable here

NOW THEREFORE, BE IT RESOLVED, that the Mayor or his designee is hereby authorized to grant a temporary license, in a form approved by the Village Department of Public Works and Village Attorney's Office with the conditions referenced above, to Orange and Rockland Utilities, Inc. to permit Orange and Rockland Utilities, Inc. to locate, install, maintain and operate a sparge well on Pat Malone Drive, Suffern, NY, pursuant to a written license agreement to be executed by the parties and in accordance with the permits issued by the Rockland County Department of Health and the requirements of a SPDES Permit Equivalent issued by the NYS DEC related thereto.

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute said license on behalf of the Village, and

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BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute the Water Supply Reimbursement Agreement with Orange and Rockland as more fully set forth herein.

The foregoing Resolution was moved by Trustee Morris, seconded by Trustee Hagen. Upon vote, the motion was carried.

Attorney Magrino said he had one other item. It is to set a public hearing for code enforcement pursuant to Village of Suffern code 205-6 for 27 Hillside Avenue for June 6, 2016 at 7:45 p.m. He said they will be providing paperwork in support of that prior to the meeting. The motion was made by Trustee Morris, seconded by Trustee Hagen. Upon vote, the motion was carried.

Attorney Kraushaar returned at 8:40 p.m.

FAÇADE PROGRAM:

The Mayor said we will now have an update of our façade program that is currently underway in the Village of Suffern by Carrine Kaufer.

Carrine Kaufer said she has an update of the façade program, which we know has been underway for a number of years and is funded by our Community Development Block Grant which was received from the county, which is ultimately HUD funding. She said she had provided a couple of documents to the Board at the workshop that included a status of how the funds have been spent, before and after pictures of all the projects that we have completed and the balance of funding that we have available at this time and what we anticipate doing with the remaining funds. Ms. Kaufer said so you know we have completed a total of six buildings, twelve storefronts because some of the buildings had more than one storefront in them and we have one currently under construction, which is Royal Tees, 29 Lafayette Avenue, and should be done hopefully by the end of the month. The Mayor said it is looking good. Ms. Kaufer said we are getting there. She said they had rain for a week and a half straight otherwise we probably would be done. That being said we have approximately \$70,000-\$75,000 left in grant funding. The program guidelines limit the amount of funding an owner can get. They can get to \$45,000 with another \$5000 coming from the owner because the owner puts in 10%. So that would leave us enough money to do one project at a maximum of the \$45,000 and then leave a small

amount of money left to do a smaller scale project at about \$30,000 or so. Ultimately we have a project that is in the pipeline that we are looking at getting a cost estimate on and a preliminary design work to see what the cost of that project would be. And from there we can make a determination as to how we are going to proceed. There could be the possibility that that project - the cost estimate - would exceed the \$50,000 program maximum that we currently allow for and then we can make a determination as to how we want to proceed at the time. Ms. Kaufer said that is scheduled and the architect is meeting with the owner at that project on Thursday. We should have an estimate hopefully within a week and we can make a decision. The Mayor said we will touch base after that. Ms. Kaufer said yes. We will touch base as to how we are going to utilize the balance of the funds at this point. The Mayor asked if anybody from the Board had any questions. Ms. Kaufer said she did want to ask - she had given them the before and after pictures. It would be up to the discretion of the Board if you wanted them to be posted to the Village website so that people could see them if they wanted to. The Mayor said good idea. Will do. Trustee Hertzman said one of the after pictures was a before. Ms. Kaufer said okay. The Mayor thanked her.

FIRE DEPARTMENT:

A) New Member - Hook & Ladder - Manuel Gutierrez:

Chief John Salmon said he just had a couple of things. He said they have a new member for the Suffern Hook & Ladder. His name is Manuel Gutierrez and he has to be put on the Village insurance. A motion to accept Manuel Gutierrez as a new member in the Hook & Ladder - the Mayor asked if he was a junior - Chief Salmon said no, he is over 18 - was made by Trustee Morris, seconded by Trustee Hagen. Upon vote, the motion was carried.

B) Hook & Ladder - 19-EQ Dedication and Wetdown - June 4, 2016 - Time TBD:

Chief Salmon said also the Suffern Hook & Ladder would like to have a dedication for the rescue truck on June 4, a Saturday. The motion was made by Trustee Morris, seconded by Trustee Hertzman. Upon vote, the motion was carried.

CULTURE & RECREATION:

Mrs. Cathy Mills said they have a few things coming up. This Thursday, May 12, will be the Recreation Board meeting upstairs in the community room at 7:00 p.m. The nutrition evening workshop - the next one that they have is Wednesday, May 18 starting at 7 p.m. in the community room. She said they have LEAD on May 20 - that's a Friday night - at 8 o'clock to 11 o'clock at the community center. They have the Memorial Day Parade with the American Legion coming up on Monday, May 30. And that will be kicking off at 11 a.m. starting from Lot A and coming up to the Soldier's Monument. The Suffern pool - the registration, believe it or not, is going to be starting soon - June 13, which is a Monday, will be the first day. They have a week of registrations so hopefully people will take advantage of that first week. So they have it from Monday to Saturday starting June 13. And then the pool will be opening Saturday, June 25, for the summer. She said those are the upcoming events that they have.

Mrs. Mills said she would like to talk about a few things. She said they have a surplus printer in Recreation that they would like to discard. If the Board can approve that this evening. A motion to declare the printer surplus was made by Trustee Morris, seconded by Trustee Hagen. Upon vote, the motion was carried.

Mrs. Mills said the next item she would like to discuss is the lifeguards for the 2016 summer season. She said she is not sure how she should do that. Should she mention names and see if she could get them approved so they can send letters out. The Mayor said so you are looking for approval for all of the hires. Mrs. Mills said correct. They interviewed lifeguards and she would like to send a letter out accepting them for positions for the summer. Trustee Hagen asked if she interviewed or her staff interviewed everybody - he said he thinks there are 18 people - Mrs. Mills said yes we did. She said herself and Lou Ciaccio in Recreation interviewed all of the people who are on this list and they all did very good. And we are excited to have them here for the summer. The Mayor said okay. You can request the 18 names listed. You don't have to go through each name. Mrs. Mills said can I please request the 18 names that are listed in this packet to be accepted for the 2016 season. The motion was made by Trustee Morris, seconded by Trustee Hagen. Upon vote, the motion was carried.

DEPARTMENT OF PUBLIC WORKS:

Attorney Kraushaar said we are going to table item (b) on the agenda. The Mayor said we need to review it.

A) Training - Nicholas Fabbricatore:

Mr. Charles Sawicki said the first item is a training item. This is a training request for Mr. Nick Fabbricatore. Mr. Fabbricatore is the assistant chief operator at the wastewater treatment plant and he has requested training as required by the NYS DEC that is required for his 3A wastewater operator's license. He said he believes there is a resolution prepared for that. The Mayor said yes we do.

VILLAGE OF SUFFERN

RESOLUTION NO. 36 , 2016

A RESOLUTION AUTHORIZING NICK FABBRICATORE TO
ATTEND A TRAINING COURSE OFFERING 6 CONTACT HOURS
TOWARDS HIS NYSDEC 3A WASTEWATER OPERATORS LICENSE

WHEREAS, the Village Board adopted Resolution No. 27, 2015 authorizing attendance at Municipal Conferences at its re-organization meeting on December 7, 2015 with prior approval by the Board of Trustees, and;

WHEREAS, Nick Fabbricatore currently has 32 contact hours and will require an additional 28 contact hours before July 1, 2017, in which a total of 60 contact hours are required within a five year cycle; and

WHEREAS, Nick Fabbricatore is requesting authorization to attend a training course offering 6 contact hours towards his NYSDEC 3A Wastewater Operators License at Rutgers Cooperative Extension in New Brunswick, NJ on June 22, 2016 at a cost of \$280.00.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Suffern hereby authorizes Nick Fabbricatore to attend the training course at Rutgers Cooperative Extension in New Brunswick, NJ on June 22, 2016 at a cost of \$280 (prepaid by

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the Village) and reimbursement for his tolls and gas upon submission of a voucher with supporting documentation with the Village Clerk.

The foregoing Resolution was moved by Trustee Hagen, seconded by Trustee Hertzman. Upon vote, the motion was carried.

B) Bid Approvals:

Mr. Sawicki said he has some bid approvals that he would like to get approved. The first one is the Phase I Sanitary Sewer Abatement - James Street Sanitary Sewer Replacement. Mr. Sawicki said that bid is in the amount of \$303,500.

VILLAGE OF SUFFERN

RESOLUTION NO. 37 , 2016

RESOLUTION AUTHORIZING ACCEPTANCE OF THE
LOW BID FOR THE PHASE I - SANITARY SEWER ABATEMENT -
JAMES STREET SANITARY REPLACEMENT

WHEREAS, the Board of Trustees has consulted with the Director of Public Works with respect to the awarding of the low bid for the Phase I - Sanitary Sewer Abatement - James Street Sanitary Replacement; and

WHEREAS, the low bid is in the amount of \$303,500 from Gemrose Utility LLC of Tenafly, New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Suffern accepts the low bid for the Phase I - Sanitary Sewer Abatement - James Street Sanitary Replacement in the amount of \$303,500 from Gemrose Utility LLC, of Tenafly, New Jersey subject to receipt of bonding money and all required documents and review of same by Village Attorney. A Notice of Award will be issued in May, a Notice to Proceed will be issued in June and construction will commence in July, 2016.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the contract on behalf of the Village of Suffern.

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The foregoing Resolution was moved by Trustee Morris, seconded by Trustee Hertzman. Upon vote, the motion was carried.

Mr. Sawicki said the next bid approval request is for the other section of this Phase I Sanitary Sewer Abatement - the Cast in Place Liner. And that low bid is in the amount of \$268,762.50.

VILLAGE OF SUFFERN

RESOLUTION NO. 38, 2016

RESOLUTION AUTHORIZING ACCEPTANCE OF THE
LOW BID FOR THE PHASE I - SANITARY SEWER ABATEMENT -
CAST IN PLACE LINER

WHEREAS, the Board of Trustees has consulted with the Director of Public Works with respect to the awarding of the low bid for the Phase I - Sanitary Sewer Abatement - Cast in Place Liner; and

WHEREAS, the low bid is in the amount of \$268,762.50 from En-Tech Corp. of Closer, New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Suffern accepts the low bid for the Phase I - Sanitary Sewer Abatement - Cast in Place Liner in the amount of \$268,762.50 from En-Tech Corp. of Closer, New Jersey subject to receipt of bonding money and all required documents and review of same by Village Attorney. A Notice of Award will be issued in May, a Notice to Proceed will be issued in June and construction will commence in July, 2016.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the contract on behalf of the Village of Suffern.

The foregoing Resolution was moved by Trustee Morris, seconded by Trustee Hagen. Attorney Kraushaar asked if we knew whether or not the bonding went through on these things? Mr. Sawicki said his understanding is that everything has been submitted to the EFC. There was the shipo - the one last item that we did send in. So everything has been submitted. The Mayor said the shipo was returned. They sent us a letter. Mr. Sawicki said yes, that was complete. Attorney Kraushaar said what he built in was that

this is all subject to the bonding actually coming through. Mr. Sawicki said good idea.

Upon vote, the motion was carried.

C) Resolution - Acceptance of low bid for Water Department Chemical - Liquid Sodium:

Mr. Sawicki said the next item is for water department chemicals - liquid sodium - and the unit cost is \$1.75 per gallon.

VILLAGE OF SUFFERN

RESOLUTION NO. 39, 2016

RESOLUTION AUTHORIZING ACCEPTANCE OF THE
LOW BID FOR THE WATER DEPARTMENT CHEMICAL
LIQUID SODIUM

WHEREAS, the Board of Trustees has consulted with the Director of Public Works with respect to the awarding of the low bid for the Water Department Chemical Liquid Sodium; and

WHEREAS, the low bid is in the amount of \$1.75/gallon from Cold Springs Chemicals, Warwick, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Suffern accepts the low bid for the Water Department Chemical Liquid Sodium in the amount of \$1.75/gallon from Cold Springs Chemicals, Warwick, New York and authorizes the Mayor to execute a contract agreement with Cold Springs Chemicals with an end date of May 31, 2017.

The foregoing Resolution was moved by Trustee Morris, seconded by Trustee Hertzman. Upon vote, the motion was carried.

D) Resolution - Authorizing Mayor to Execute Stormwater Consortium/Cornell Cooperative Extension Program Agreement:

Mr. Sawicki said his last request is for membership of the Stormwater Consortium of Rockland County - \$1000.

VILLAGE OF SUFFERN

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RESOLUTION NO. 40, 2016

RESOLUTION AUTHORIZING THE MAYOR
TO EXECUTE THE STORMWATER CONSORTIUM OF
ROCKLAND COUNTY/CORNELL COOPERATIVE EXTENSION
PROGRAM AGREEMENT

WHEREAS, the Village of Suffern is a member of the Stormwater Consortium of Rockland County/Cornell Cooperative Extension Program; and

WHEREAS, the annual membership fee is \$1,000 per year.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Suffern authorizes the Mayor to execute the Stormwater Consortium of Rockland County/Cornell Cooperative Extension Program Agreement in the amount of \$1,000 and that said funds be deducted from the appropriate budget line item as provided by the Village Treasurer.

The foregoing Resolution was moved by Trustee Morris, seconded by Trustee Hertzman. Upon vote, the motion was carried.

AUDIENCE PARTICIPATION:

Joe Miraglino of 65 Wayne Avenue said he had a couple of things to talk about Wayne Avenue. He said the Department of Public Works did a very good job next door at his neighbor's house. She has been sick with cancer. She wasn't able to come out tonight. He said they took down a tree months ago. As a request from her could they please come out and stump-grind the tree that they removed. The Mayor asked what number. Mr. Miraglino said 67 Wayne Avenue. Mr. Miraglino said he would also like to thank the Department of Public Works. They have been doing a very nice job. They have been cleaning up the weeds that seemed to grow up across the street from his house. The wing wall of the Thruway Authority and the sidewalk also. Last week the weeds were this high and about an inch thick. The Mayor said great. Mr. Miraglino said he wanted to know if they could use a herbicide because it always seems to come on back. If they could just place some herbicide over there - across the street from his

house at 65. The Mayor asked if that was possible to Mr. Sawicki to spray some herbicide over there on Wayne Avenue.

Mr. Miraglino said back to Wayne Avenue and the DOT. Were you able to discuss with the Department of Transportation about the changes on Wayne Avenue that were discussed between you and I. From Pavillion Road going westbound it is two lanes. In the future, when they go to repave Wayne Avenue, are they going to make that a single lane? It would definitely discourage people from cutting each other off and speeding in that vicinity. They are flying over there - believe him. The Mayor said we did discuss it. He said he did reach out to the DOT and we did request the speed reduction. It was denied. Mr. Miraglino said the speed - they are just going to ignore it. He said he is just really concerned - the Mayor said the pavement markings and the lane structure - the Mayor said we are currently still discussing that and we are discussing the overall repaving of Wayne Avenue and remarking. So he doesn't have an answer for him tonight. Mr. Miraglino said that double lane is horrible, it's horrible. They think they are coming on Queens Boulevard or something. And they always cut each other off. It is continually. Somebody is going to get killed. Mr. Miraglino said we don't want to witness that because last year at this time a lady got struck and eventually died.

Mr. Miraglino said sidewalks on Wayne Avenue. He said he thinks this is the month we were supposed to find out whether or not the CHIPS program from the federal government if we were going to get sidewalks on the north side of the street. The Mayor said we actually submitted for a grant. He said we didn't receive word back from the grant for that project for the sidewalks on the north side of Wayne Avenue. Mr. Miraglino said okay. So we are still waiting. The Mayor said yes. Mr. Miraglino said hopefully that gets done. We really need it.

Mr. Miraglino said on the corner of Washington Avenue and Lafayette Avenue - when you are going southbound on Washington Avenue - a few months back he asked if the DOT could put a delayed green light. He said he watched Youtube and he wasn't here for a couple of months and he thinks you said you were discussing it with the DOT to see if they could put a delayed green light especially going southbound because the traffic builds up 10-12 cars and you are there for 5/6 or 10 minutes and if you had a delayed green going you could at least alleviate some of that traffic in that vicinity and they could move on and

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then the green light hits and then everybody else can basically move along. Because there are times that you are there - especially at the 4 o'clock hour - and you are there for quite a while and nobody is moving anywhere. The Mayor said we have received numerous complaints about that and we did reach out to the DOT and they are still evaluating it or looking at it. Trustee Joe Russo has been in contact with them. The Mayor said he would provide him with an update. Mr. Miraglino said that would be nice because that is another funny area because it is really basically certain times. The Mayor said right. Mr. Miraglino said it is not continual but when it is there especially when the kids are going to CCD like today - 4 o'clock, 4:30 - it is crazy. The Mayor said understood.

Mr. Miraglino said he keeps seeing message boards out on the road about paving. One day it is May 2, then May 9, then May 16. When are they going to start repaving anywhere in this Village? The Mayor said that is the state of New York. He said it all depends on when they finish the gas main replacement. And we are also doing the curbs and sidewalks on Orange. The gas main they are still doing tie-ins. They still have to go up Chestnut. They still have to down and up Orange. He said he believes they are finished on Lafayette. The Mayor asked Mr. Sawicki if he could add to that. Do we have any timeframe on repaving? Mr. Sawicki said he spoke to O&R today regards to their work on Orange Avenue and they have been working into a delay because they run into rock - the Mayor said he saw them out there with the - Mr. Sawicki said the ram hoe so they are jacking that rock out. Mr. Sawicki said they are trying to coordinate with the curb and sidewalk contractor and we are continuing to try to do that and he thinks we are going to be successful in doing that but in terms of their completion of the gas main it looks like they are probably a week and a half or so away from finishing their work and then subsequent to their completing their work then the DOT can come in. Mr. Sawicki said he believes they are going to be starting up by the hospital and working down to the business district. As you know on Orange Avenue they are starting on the Jersey line and they are going into Hillburn by the old dog food factory. So it is the one strip there on Orange Avenue and then into Hillburn and then continuing up to Lafayette to where they left off a couple of years ago by the hospital. It sounds like they are most likely a week and a half to two weeks away. He said he saw a sign and that is pretty typical for the DOT. They keep on changing those dates. But he thinks the 16th might be a fairly solid date. What they have to do is they need to come in

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and make some repairs in the road and that is their first order of business. And then they are going to come in and mill and then they are going to pave. So he would say we are going to be into June before it is completed. The Mayor said okay. He said he was thinking that we should reach out to Northfork Southern and make sure that they are still on board with the crossing over there on Wayne and Orange. Mr. Sawicki said the last meeting that they had they were but the representative from the railroad wasn't actually at the meeting. Someone had talked to them prior to the meeting. He said he will see if he can get an update from them. The Mayor said great. Thank you.

Mr. Miraglino said forgive him. He forgot to mention something about Wayne Avenue also that we discussed. Crosswalks - signage saying pedestrian crossing also. Again, when the road can be completed or hopefully like he said when you get rid of the two lanes underneath the Thruway overpass and get rid of that transition sign and put a pedestrian crossing and crosswalk. You need these things to be illuminated because they have no crosswalks on Wayne Avenue. Another thing is when they go to pave the road it seems the way the road is crowned they get an awful lot of - the curbing itself - he took a measurement - across the street from his house is 3 inches out. On his side of the street it is like a half inch, and inch and a half and the highest is two inches and he thinks when the water comes it goes towards 75 Wayne Avenue towards the Thruway overpass. That is a main storm drain over there. And what occurs is water goes on top of the sidewalks so when these guys go to do their job hopefully they don't overcrown this road when they mill it down and maybe - in front of his driveway - he shares a driveway with 67 Wayne and it is like a pond. It shouldn't be like that. He thinks the curbing has something to do with that. To get that water to flow towards where it has to go without encroaching it on the sidewalk. So that is something with the DOT. The Mayor asked Mr. Sawicki if that is something that we would be able to look into when they mill 202 and repave. Mr. Sawicki said we can take a look. As we did on Orange Avenue with the drains. Mr. Miraglino said on the other side of the street there is an apartment complex and their drain - many times the owner of that property does not clean out his drain and he thinks it turns into Lake Antrim over there too but he doesn't take care of cleaning out that drain - it is full of leaves, debris, whatever. The other drain is clear. It is the way the water crowns over to his side of the street - it goes out to almost three quarters of the road. The Mayor asked him if he was

talking about the apartments on the north side of Wayne Avenue? Mr. Miraglino said yes. Mr. Miraglino said 50 Wayne Avenue. The Mayor said the ones up on the hill. Mr. Miraglino said yes - their drain - they have one on the bottom of the driveway. The Mayor said so it is their drain? Mr. Miraglino said it is on Village property. He said he looked at it like they should clear it. He said he thinks it is Village property. If there was a sidewalk there he would say it is in the middle of the sidewalk. The Mayor said we will take a look at it. The Mayor asked Mr. Sawicki if that would be our drain outside of 50 Wayne Avenue - that apartment complex on the north side. Mr. Sawicki said anything outside of the roadway we have to take care of. The Mayor said if you could take a look at that. Mr. Miraglino thanked them for their time.

John Drew of 63 Wayne Avenue said in regards to what Joe was talking about Wayne Avenue and the puddling in front of the aprons of their driveways - it only occurred after the last paving of Wayne Avenue by the DOT which is over ten years ago. From 59 on towards the thruway they did a double layer there. They did an undercoat from 59 on and then a top coat. Ever since they did that their curbs became very low and they have that ponding issue in their aprons. So it was the DOT who originally caused the problem because prior to that the water would flow and they would have a standard 4 to 6 inch curb. He said he just wanted to add that.

Trustee Hertzman asked if it would be possible with the next rain which she is sure will be in a couple of days to take some photos and send it. Have you ever supplied photographs? Mr. Miraglino said yes. The Mayor said yes.

Paul Gerard of 2 Cross Street said first of all - regarding 175 Lafayette - he wanted to thank Mr. Kraushaar for challenging - really expressing your interpretation of the spirit of the law as far as money in lieu of property and while he doesn't believe that if we do have a law on the books which says something he thinks we should abide by that but obviously if you feel that your interpretation is in the spirit of the law is for something different then we should definitely defend that and he thinks with the financial state of this Village we shouldn't be - we should be looking at every opportunity to draw revenue through sources other than from the residents because the resident's tax bill is the plug for all of these budgets that get reviewed and get passed year after year. And if it's the Planning Board's

right to make the decision but the Planning Board needs some legal interpretation of the law or the spirit of the law then by all means. Attorney Kraushaar said he didn't know if Mr. Gerard heard it. He said their attorney represents the Planning Board in Chestnut Ridge and they don't have this law that we have here. They get all the money. The Mayor said the Planning Board may grant that waiver. They don't necessarily have to. Mr. Gerard said the spirit of the law is an important distinction and we are still in financial dire straits here and we still have a long term issue that we have to dig out and every opportunity that we have of other sources of revenue we need to strongly look at those and keep those in fact for ourselves.

Mr. Gerard said the other issue with this property he thinks a lot of residents have brought up is the traffic concern - where that entrance and exit is going to be and where it is at the bottom of that steep decline coming down from where the Salvation Army is. He said he doesn't know if there have been any opinions drawn from the Board or even from the Chief in terms of concerns about that but like he said a lot of residents have brought that up but he doesn't know if that is a concern of the Board in terms of passing this project. There were other suggestions of other ways of entering - the Mayor said the Board members have expressed concerns over the traffic study. Mr. Gerard asked if they are going to be improving the visibility on that. The Mayor said yes. They are bringing the wall down and they are moving it back and they are increasing the visibility. He said he doesn't have it in front of him but whatever the sight distance might be increased 100 feet or something along those lines. Trustee Hertzman said the sight lines were vastly improved. But it is still a concern because of Oakdale Manor having their turn. Mr. Gerard said true. Attorney Kraushaar said if it comes down to them being granted the zone change they have to go to the Planning Board and they also have to go to the Zoning Board and the sight specific aspects have not yet been addressed. That is where all of these things and more will be addressed - lighting and architecture and plantings and lots of other sight-specific features. This is just dealing with the legislation.

Mr. Gerard said different project - the sidewalk project on Orange Avenue. He said that that is extended past Oliver which was the original plan. And he is assuming the cost of that project is probably higher - the Mayor said yes - Mr. Gerard said unless we did better. He said he was just curious. What is

the process for approving those additions. He is not saying that he is opposed to that. It looks great and it is better to do it now while you are doing the rest of the project but he was just curious as to what is the process for approving those additional. Attorney Kraushaar said he actually had to call up NYCOM on this - New York Conference of Mayors. Based on the fact that at the time there wasn't enough time to go out for competitive bid it created an emergency situation which was an exception under Section 103 of the General Municipal Law and the bidder who already won the bid was granted an extension at the same exact linear foot price that was competitively bid. So there was an emergency declaration. It had at the time - if it hadn't been done that way as far as everyone knew the State was coming in on May 2 and if they had paved it would have eliminated the existing sidewalks and there wouldn't have been which are already two inches - the Mayor said the existing curbs - Attorney Kraushaar said the existing curbs and it would have created a hazard and it would have prevented the ability to put in the curbs and sidewalks, walkways in the future. The Mayor said without damaging the newly repaved road. So in order to keep the curb and prevent flooding and to replace the curb without destroying the newly repaved remilled and repaved road we opted to replace the curbs before they paved. Because when they started to pull the curbs out the curbs, the existing curbs, were connected to the road - the concrete road - which had a swale built into them for drainage - a curb and a gutter of concrete and when they ripped that out they needed to rip out at least two feet into the road bed. So to the Board it made sense to go out and seek this relief before they paved the road to put in the new curbs. Mr. Gerard said okay. He said he just knows that when we approved the project initially we had to have a public hearing and we had CHIPS money and all that and it was a pretty contentious debate about whether or not to do it but then when we are expanding the project there is no additional - whether it is a hearing - the Mayor said there was a special meeting but no public hearing. Mr. Gerard said not a public hearing. The Mayor said no. Attorney Kraushaar said correct him if he is wrong but he thinks there was still enough money in the CHIPS funding to pay for this. The Mayor said yes, it is being funded through CHIPS money. Mr. Gerard asked if we got additional CHIPS money. The Mayor said yes we did. Trustee Hertzman said we got additional CHIPS money that allowed us to pay for that project and still have a remaining CHIPS balance plus pay for the additional funds that were needed to balance out the grant on the original amount. So the original went up to

Oliver and now down to the corner of Lafayette for basically the same amount of money and we have the opportunity to extend the current project and not have to seek, bid and start again. Mr. Gerard said it seems to make sense especially when you found out how much it is going to cost. He is just puzzled by the fact that you had to go through this process to get it approved for a certain amount and the fact that it's been increased where we used other CHIPS funds that we didn't have to go through some more process. Trustee Morris said again that is because it was let out as an emergency contract. We only had x amount of days before DOT was coming in to repave and had we put it out to bid, DOT, on that time with that issue, DOT would have been repaving while we were trying to rip up the sidewalks. So consequently we put it out for an emergency contract and that is why there was no public hearing. Attorney Kraushaar said it is Section 103d of the General Municipal Law. Mr. Gerard said okay.

Mr. Gerard said he knows the last time when we had the budget hearings for the budget - a lot of questions, a lot of back and forth. He said he appreciates the Mayor responding to him on some of the questions that he had. Not all the answers made sense to him. He said maybe it is best with Mr. Genito not being here that he will follow up with him directly with some of his questions. The Mayor said sure. If you would like you could write another e-mail to him with your concerns or you can write directly to Mr. Genito. Mr. Gerard said sure. He will direct it to both of you. Mr. Gerard said if he could ask a couple of high level questions. He said we might have to refer to Mr. Genito. Mr. Gerard said on the revenue side there is about \$150,000 of revenue increases in the budget and he was just curious as to how confident we are in some of these numbers. Like one of them says state and federal aid and it is an \$80,000 increase and is that something - are those numbers that we know that we are definitely getting because the state and federal budgets have earmarked those for Suffern or are those estimates. The Mayor said he would right now just say let's put it together and we will get it to Mr. Genito and himself and they will take a look at it. Mr. Gerard said okay. The Mayor said he doesn't have the budget in front of him at all. Mr. Gerard said that is fine. He said he will save those for Mr. Genito.

Mr. Gerard said on the St. Lawrence indictment - it stands to reason that our debt risk as being part of the Town of Ramapo has gone up and there are going to be rocks turned over and ugly things living underneath them and he thinks the opportunity

increases for us to benefit greater by becoming a city. The Mayor said he thinks Mr. Morris has a response.

Trustee Morris said as you know we sent out to several universities asking for their help. This is not a cheap undertaking. To look at this in the way it has to be looked at would have cost the Village tens of thousands of dollars. Two colleges turned us down. We were finally able to, just this past week we had a teleconference with West Point. West Point - they have various classes who take on real-life projects and speaking to the Colonel in charge of the educational department there they have agreed to take on our project. We have already started with them. We have forwarded them some information and their class will start in August and at that time the class will be given this assignment and it should be completed by December and they will issue a full report as to the feasibility of doing it, the practical impact, the cost, etc., etc. It has been accepted. It is in the works and we will have a report by December. Mr. Gerard said okay. That is good news. He said regardless of whether it is tens of thousands of dollars - we are paying Ramapo about \$600,000 a year for their debt that doesn't ever go down. It seems to be going up, and like he said, after we turn over these rocks it is going to be even more. So tens of thousands of dollars is a one-time investment. He said it's great that we can find another avenue to possibly not have to spend that but we are - the meter on this thing is out of control. Every day we stay part of the Town of Ramapo and like he said the debt is not going down. It keeps on going up and now with all of these corrupt findings that are going to continue to be uncovered that number is going to get higher and higher for us and we have our own debt to figure out. He thanked them.

Michael Curley of 84 Orange Avenue said he just wants to get back to that Orange and Rockland point. The main thing is that all the dirt that is going to be disrupted at that point and whatever thing might be there - water or what not. As you all know if you go in your own backyard and you take a couple of shovels and you dig up your backyard and as these gentlemen were talking how water travels he thinks by testing - he said they said they would test every week - Mr. Curley said he thinks by testing something every week is a little bit too far away. If you test on a Tuesday and something happens on a Wednesday you are not going to find out for another week maybe. He said he thinks that is a little crazy to do with everything we know that is going on in the country right now. With all the different

things and all the water damage. So he respectfully request that maybe you ask them or get them to see if they would test a little more often and give us those - in the day of the computer and the day of twitter and everything else - give us those results almost instantly. As we know it is just being safe. It is just one of those safety issues he really feels strong about. And it shouldn't be unreasonable for them to do. Like she said - the land has been - they have been testing for years and nothing has changed - but the land hasn't been disrupted in years. There is a difference. That is the whole difference here. We are going there. Everyone is taking shovels. Taking dump trucks. Taking tons of dirt out of there. But things are changing then. So because things are changing he thinks it is reasonable - you are a responsible government - to protect the water supply in the Village of Suffern. He thanked them.

Carol Varano of Boulevard said she agrees with him. She really thinks and it should be more than just twice a week. Maybe three times because if there is a sudden rain or something happens and it moves and they are not there testing it and also that the equipment is adequate and that they have generators. She said she didn't hear anybody mention generators. We are always having power problems with storms and stuff and they should have them on site - not that they have to bring it in so that if they need to kick in and get it started they have these generators right there for whatever. The other thing she wanted to mention is Wayne Avenue. There is a short sight distance when you come down off of Pavillion and make your turn onto Wayne in either direction. And the cars come down past Craig's house and they fly. You can't see them until you are pulling out into the road. There are three lanes, not two lanes, under the bridge. The one lane is the left turn lane onto Washington. There is the straight through lane - there are no arrows. The outside lane, the one closest to Pavillion - they need that lane for the cars coming out of Pavillion to make that right turn because they can't go from zero to sixty in three seconds. And when those cars come flying down they need the room for the slow lane to merge into the main lane. You need to indicate that with arrows. The Mayor said that is what they were talking about - the pavement markings. They will be discussing that with the DOT. Ms. Varano said and then going into the opposite direction, towards Lake Antrim when you come off Washington Avenue - if you are going to make a left turn onto Pavillion you have hash marks in your way. You have the straight through lane and to get over there and to get in people come flying up Wayne Avenue blaring

the horn at you and you hardly have time to get over and you are not supposed to drive on hash marks. That is a violation. The Mayor said we are going to have the Suffern Police Department come up and do some more enforcement up there. They have been doing a lot of enforcement up there - Ms. Varano said no, no, no, no, no, no - the Mayor said every day they are up there. But we do need the pavement markings. Ms. Varano said pavement markings yes. Change the hash marks. The Mayor said but they won't change the speed limit. We tried that. Ms. Varano said maybe they will allow you to change the hash marks to left turn arrow for the cars going - the Mayor said we would have to explore that. There's requirements and regulations with the state on road markings so that is something we will have to explore. He can't sit here and say what they are going to do. Ms. Varano said the traffic will be increased with the increased buildings and residents up there. The Mayor said he understands that. This is an issue. Ms. Varano said so you really need to allow for that extra few street with a left turn arrow and do away with hash marks and have a safe place to get off to the side from those guys going through without getting rear-ended.

Joe Miraglino of 65 Wayne Avenue said one of the best things, and he thinks he mentioned it to him, of the same issue that she was talking about with Wayne Avenue with the two lanes and all of that coming from Pavillion Road - one of the best things he can think of is to scare them and the way to scare them is to put up one of those speed limit signs that's radar connected. Believe him. They see that thing light up they slow down. Even if they leave two lanes under that bridge. They see things lit up - he has seen it - he works for the Thruway. The Mayor asked the Chief and Mr. Sawicki if we could look into that. The Chief said it shouldn't be a problem. The Mayor said is that something that would be regulated by the state for us to put up that type of signage? The Chief said he doesn't think it is a problem. The Mayor said we need power, right? The Mayor asked if the Chief would follow up on that and look into it.

Mr. Miraglino said he is sorry to keep mentioning this because last year they had a fatality there. He doesn't want to see it anymore. That is why he pushes so hard. You have to do something. The Mayor said we are trying. Mr. Miraglino said he appreciates the time.

Carol Varano said she was just thinking about the lights - the lights under the thruway overpass. Who is responsible for those

lights? Us, the thruway, the state? The Mayor said we actually just repaired them. Ms. Varano asked if the thruway was responsible for those lights. The Mayor asked Mr. Sawicki who was responsible for those lights. Mr. Sawicki said we are.

VILLAGE CLERK:

A) Approval of Minutes of March 7, 2016:

Village Clerk Virginia Menschner asked for approval of the minutes of the regular Board meeting of March 7, 2016. A motion approving the minutes was made by Trustee Hertzman, seconded by Trustee Morris. Upon vote, the motion was carried.

FINANCE DEPARTMENT:

A) Resolution - Mayor to Sign Agreement with Computel Consultants:

The Mayor said next we have a resolution for the Mayor to sign an agreement with Computel Consultants for utility auditing services. Attorney Kraushaar said with the exception of Orange & Rockland Utilities very often when a municipality has franchise agreements with Fios or Verizon or Cablevision they get cute with the accurate numbers that they supply and the payment that they make to municipalities. What this company does is they do a full-blown audit of all of the franchise agreements and what is called the utility gross receipts taxes and if they are not successful it costs nothing. If they are successful they get a one-time 30% fee for any refunds after the Village was to actually receive any such payment. So this resolution is to authorize the Mayor to execute an agreement with Computel.

VILLAGE OF SUFFERN

RESOLUTION NO. 41, 2016

RESOLUTION AUTHORIZING MAYOR TO SIGN AGREEMENT
WITH COMPUTEL CONSULTANTS FOR UTILITY AUDITING SERVICES

WHEREAS, the Village of Suffern desires to have utility audits preformed to identify overcharges or underpayments from utilities gross receipts taxes, cable franchise fees, telecommunications, electric and gas services; and

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WHEREAS, Computel Consultants of Earlville, New York will perform these utility audits through the NYCOM USA program for the one-time fee of thirty percent (30%) of any refunds received and payment of such fee is due only after such refunds are received by the Village of Suffern;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Suffern hereby authorizes the Mayor to enter into an agreement with Computel Consultants, in a form approved by the Village Attorney, to conduct audits of utilities gross receipts taxes, cable franchise fees, telecommunications, electric and gas services.

Attorney Kraushaar said this resolution is to authorize the Mayor to execute an agreement with Computel in a form approved by the Village Attorney. The foregoing resolution was approved by Trustee Morris, seconded by Trustee Hertzman. Upon vote, the motion was carried.

B) Resolution - Authorizing Village Treasurer to Make Year-End Budget Adjustments:

Attorney Kraushaar said the next resolution for your consideration is a resolution authorizing the Village Treasurer to make year-end budget adjustments. Attorney Kraushaar said the way it was originally drafted it made it so that the Board was going to just be given a copy of whatever adjustments were made to the year-end budget. He said he changed this resolution - only upon prior approval of the Village Board. He said he thinks it is very important to have oversight and this Board is fiscally responsible for making sure that the budgets are accurate. As we may have read in some other places it wasn't apparently the case. So this authorizes him to make the adjustments but only upon prior approval of the Village Board.

VILLAGE OF SUFFERN

RESOLUTION NO. 42, 2016

RESOLUTION AUTHORIZING VILLAGE TREASURER
TO MAKE YEAR END BUDGET ADJUSTMENTS

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WHEREAS, the Office of State Comptroller requires that budgets must be adopted and amended by the Village Board at a minimum level of function and object of expenditure or expense, otherwise known as the "legal level of control," and

WHEREAS, part of the fiscal year-end closing process typically involves a variety of accounting and budget adjustments, and

WHEREAS, it is the desire of the Village Board to have the fiscal year-end close performed in the most efficient and effective manner while maintaining the necessary internal controls.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Suffern authorizes the Village Treasurer upon prior approval of the Village Board to make the necessary budget adjustments and inter-fund transfers, and to furnish a copy of said adjustments and transfers to the Village Board when completed.

The foregoing resolution was moved by Trustee Morris, seconded by Trustee Hagen. Upon vote, the motion was carried.

MAYOR:

A) Resolution - Establishing 2016-2017 Parking Fees:

The Mayor said he has a resolution in front of him establishing the 2016-2017 parking fees for municipal parking lots in the Village of Suffern. The Mayor said this will include a non-resident fee and a resident fee and this is pursuant to Article V of Section 255 of the Code of the Village of Suffern parking permits are required to park in municipal parking areas.

VILLAGE OF SUFFERN

RESOLUTION NO. 43, 2016

A RESOLUTION ESTABLISHING 2016-17 PARKING FEES
FOR MUNICIPAL PARKING LOTS IN THE
VILLAGE OF SUFFERN

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WHEREAS, pursuant to Article V of Section 255 of the Code of the Village of Suffern parking permits are required to park in municipal parking areas; and

WHEREAS, in the past the Suffern Parking Authority was responsible for setting parking rates for parking in municipal parking lots; and

WHEREAS, by State enabling statute the Parking Authority was abolished and its functions assumed by the Board of Trustees of the Village of Suffern effective 12/31/14; and

WHEREAS, pursuant to § 254-30 of the Code of the Village of Suffern, application for parking permits shall be made to the Village office and fees for parking permits based on the State enabling legislation is now vested in the Suffern Village Board of Trustees; and

WHEREAS, the Village fiscal year runs from June 1 through May 31 and to establish a consistent schedule for payments to be received in the Village office, the Board of Trustees determines it would be prudent to have annual parking permits run with that same schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Suffern hereby establishes parking fees (plus applicable sales tax), for 2016-2017 to run from June 1, 2016 through May 31, 2017 as follows:

2016-2017 Non-Resident Fee		2016-2017 Village Resident Fee	
Monthly	\$ 45.68	Monthly	\$ 22.84
Daily	\$ 5.90	Daily	\$ 2.95
Monthly Overnight	\$ 47.71	Monthly Overnight	\$ 47.71
Annual	\$ 363.56	Annual	\$ 181.78
Merchant	\$ 51.53		

BE IT FURTHER RESOLVED, that the Village Clerk post a copy of this Resolution on the Village website, and publish same in the Rockland Journal News.

The Mayor said this will coincide with our current fiscal budget year as it did not coincide with our budget year when it was under the Parking Authority. The foregoing resolution was moved by Trustee Morris, seconded by Trustee Hertzman. Upon vote, the motion was carried.

Trustee Hagen said he wanted to thank everybody that supported the Farmer's Market on May 7 and he hopes that we have another good season this year. It is every Saturday until, he believes, the middle of November so he just wants to thank the Village for supporting it.

A motion to adjourn the meeting at 9:44 p.m. was made by Trustee Morris, seconded by Trustee Hertzman. Upon vote, the motion was carried.