



**VILLAGE OF SUFFERN
BOARD OF TRUSTEES SPECIAL MEETING MINUTES
WENESDAY, SEPTEMEBER 7, 2022**

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

Absent : Frank Hagen, Trustee

CALL TO ORDER

Mayor Curley called the meeting to order at 11:00 AM and led everyone in the Pledge of Allegiance and a moment of silence for all of our veterans and all of our loved ones.

RESOLUTION NO. 172 OF 2022

AUTHORIZING ENGINEERING REPORT ON WATER IRON AND MANGANESE REMOVAL SYSTEM

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

WHEREAS, the Village of Suffern's water treatment plant iron and manganese removal system has reached the end of its useful life and requires replacement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the Mayor is authorized to sign a contract with Pitingaro & Doetsch Consulting Engineers, P.C. for professional services to consist of the preparation of an engineering report for the replacement of the water treatment plant's iron and manganese removal system in the amount of \$14,400.00, subject to approval of the terms of the contract by the Village Attorney.

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

Absent: Trustee Hagen

Adopted: September 7, 2022

RESOLUTION NO. 173 OF 2022

DECLARING THE BOARD OF TRUSTEES TO BE LEAD AGENCY FOR THE VILLAGE OF SUFFERN IRON AND MANGANESE SYSTEM REHABILITATION, AND CLASSIFYING THE ACTION AS A TYPE II PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

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

WHEREAS, the Village of Suffern ("Village") owns and operates a community water system ("CWS"), which includes a water treatment plant and distribution system which provides potable water to over 11,000 Village residents, commercial and industrial customers, and several customers beyond the Village boundaries; and

WHEREAS, a large presence of iron and manganese exists in Well 2 that requires removal to supply water under the secondary maximum contaminant limits (SMCL); and

WHEREAS, in order to reduce iron and manganese concentrations in the Village’s finished water, by report dated August 2022, Pitingaro & Doetsch Consulting Engineers, P.C. (P&D) has proposed that the existing Iron and Manganese Filter System be rehabilitated at the Village’s Water Treatment Plant (WTP); and

WHEREAS, the Village currently owns an Iron and Manganese Filtration System that was installed in 1975; and

WHEREAS, many of the components of the system are beyond their useful life and require rehabilitation; and

WHEREAS, the Engineer’s report recommended that the filter media be removed and replaced, the actuated valves be replaced, and that the control system be replaced; and

WHEREAS, it is proposed that the internal components of the filter tanks and the chemical injection systems be modified, and the backwash pump station rehabilitated.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Suffern that the Board of Trustees declares itself lead agency for the purpose of the Iron and Manganese Filter System Rehabilitation; and

BE IT FURTHER RESOLVED that the foregoing is a Type II action pursuant to 6 NYCRR Part 617.5(c)(1) and (2) in that the action consists of the maintenance or repair of an existing structure or facility involving no substantial changes in the facility and, additionally consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. A motion to approve the foregoing resolution was made by Trustee Alpert and seconded by Trustee Corrigan, passed by the board.

Absent: Trustee Hagen

Adopted: September 7, 2022

RESOLUTION NO. 174 OF 2022

Meeting of the Board of Trustees
of the Village of Suffern,
in the County of Rockland, New York
September 7, 2022

* * *

A meeting of the Board of Trustees of the Village of Suffern, in the County of Rockland, New York, was held at the Village Hall, 61 Washington Avenue, Suffern, New York, on September 7, 2022.

There were present: Hon. Michael F.. Curley, Mayor; and
Trustees: Stephen Alpert, Jo Meegan-Corrigan, and Fred Sauberman

There were absent: Trustee Frank Hagen

Also present: Melissa B. Reimer, Village Clerk

* * *

Mayor Michael F. Curley offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF SUFFERN, NEW YORK, ADOPTED
SEPTEMBER 7, 2022, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL
AMOUNT NOT TO EXCEED \$2,000,000 TO FINANCE THE CONSTRUCTION OF
IMPROVEMENTS TO THE VILLAGE WATER SYSTEM, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$2,000,000 AND APPROPRIATING SAID AMOUNT FOR
SUCH PURPOSE

THE BOARD OF TRUSTEES OF THE VILLAGE OF SUFFERN, IN THE
COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less
than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Suffern, in the County of Rockland, New York (herein called the "Village"), is hereby authorized to issue bonds in a principal amount not to exceed \$2,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the construction of improvements to the Village water system, consisting of the installation of an iron and manganese filtration system and any related or ancillary work in connection therewith. Any funds received from grants and/or other sources are hereby authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes. All or part of the cost of the project may be financed through the New York State Environmental Facilities Corporation (EFC) State Revolving Fund (SRF) and/or a Water Infrastructure Improvement Act (WIIA) grant, and any authorized officer of the Village is hereby authorized to submit an application and perform any other acts necessary to arrange for such financing.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$2,000,000 to finance said appropriation, and the collection of water rates and/or the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the official newspaper of the Village, having a general circulation within said Village, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the form appearing in Exhibit A hereto.

Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the official newspaper of the Village, having a general circulation within said Village, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

A motion to approve the foregoing resolution was made by Trustee Sauberman and seconded by Trustee Corrigan. The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	YES	NO	ABSENT
Trustee Alpert	X		
Trustee Hagen			X
Trustee Meegan-Corrigan	X		
Trustee Sauberman	X		
Mayor Curley	X		

The resolution was declared adopted.

**RESOLUTION NO. 175 OF 2022
AUTHORIZING CAPITAL PROJECT 2023-004 WATER IRON & MANGANESE
FILTRATION SYSTEM**

WHEREAS, the Village of Suffern Superintendent of Public works has advised that the Village’s water treatment plant iron and manganese filtration system requires replacement; and

WHEREAS, an engineering report developed by an independent engineering firm in August 2022 has estimated the total project cost, including but not limited to engineering, construction, bond counsel and municipal advisor fees, and contingency, to be approximately \$2,000,000; and

WHEREAS, the Village’s grant writer will assist the Village in applying for a Water Infrastructure Improvement Act grant (WIIA grant) that if awarded, would finance up to 60% of total eligible project costs.

NOW, THEREFORE BE IT RESOLVED, the Village Board hereby establishes project 2023-004 Water Iron & Manganese Filtration (the Project) in the estimated project cost of \$2,000,000, to be funded by debt less the amount provided for by the WIIA grant; and

FURTHER BE IT RESOLVED that the Village will not proceed with the Project if the Village is not awarded the WIIA grant.

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

Absent: Trustee Hagen

Adopted: September 7, 2022

RESOLUTION NO. 176 OF 2022

AUTHORIZING VILLAGE TREASURER TO EXECUTE A CONTRACT WITH U-AUDIT ASSOCIATES LLC

WHEREAS, the Village of Suffern pays Orange & Rockland Utilities for electric service and receives franchise fees and utility gross receipts from various companies; and

WHEREAS, the various laws, rules, regulations, and formulas involved in calculating the amounts due for electric services, franchise fees and utility gross receipts are complicated and can result in overpayments from, or underpayments to, the Village; and

WHEREAS, the Village periodically engages the expert services of a firm or firms to audit the payments made for electric services and the payments received for franchise fees and utility gross receipts; and

WHEREAS, the New York Conference of Mayors (NYCOM) offers the NYCOM USA program that provides for such audits using U-Audit Associates LLC, P.O. Box 5599, Endicott, NY 13763, wherein the Village would pay a one-time fee of forty percent (40%) of any and all recovered funds and no fee if funds are not recovered.

NOW THEREFORE BE IT RESOLVED that the Village Treasurer is authorized to sign the agreement with U-Audit Associates, LLC for audits of the Village's payments for electric services and receipts for franchise fees and utility gross receipts.

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

Absent: Trustee Hagen

Adopted: September 7, 2022

PUBLIC WORKS:

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

GRANTS:

Mr. Fred Rella explained that the Village is applying for a grant through the NYS Environment Facilities Corporation ("EFC") to finance part of the water treatment plant iron and manganese filtration project. It is a Water Infrastructure Improvement Act (WIIA) grant. WIIA grants are offered annually. Last year, the Village was awarded a WIIA grant to finance part of the water treatment plant PFOA filtration project. This new WIIA grant can finance up to 60% of the total eligible costs of the iron and manganese filtration project. The estimated cost of the project is \$2 million, so a \$1.2 million grant would provide substantial savings for Suffern residents. The grant submission is due on September 9, 2022. It requires a bond resolution and declaration for SEQRA resolution, which will be voted on at today's meeting. If the grant is awarded, the Village will begin work on the project in 2023.

If we do not get the grant, we will re-apply for the grant next year. This project will be done by the Village only if grant funding is obtained.

TREASURER:

Mr. Michael Genito explained that once you pass the bond resolution to finance the iron and manganese filtration project, it must go through the permissive referendum period. The Village does not have to borrow money if it is not needed. If this project is closed out or deferred, the board can rescind the bond resolution.

Mr. Genito explained that the resolution executing a contract with U-Audit Associates LLC. Every three to four years, the Village hires independent experts (on a contingent basis) to examine various bills to the Village for communication services such as telephone and internet service, as well as the franchise fees and utility gross receipts that the Village collects from utility companies and internet service providers. These audits often uncover overcharges or underpayments to the Village. If there is any recovery, U-Audit Associates LLC will receive a one-time payment from the Village representing 40% of the amounts recovered. If there is no recovery, there will be no fee to the Village. U-Audit Associates LLC offers the special one-time 40% rate to cities and villages through the New York Conference of Mayors NYCOM USA program. This rate is lower than the rates offered by other companies and other companies require a payment representing future savings over the next two to three years in addition to the fee for recovery of past payments.

MAYOR:

MOTION TO ALLOW BLOCK PARTY North-end of Lexington Avenue (between Chadick and the Alley that leads to Utopian) for Saturday, September 10, 2022 (rain date September 11, 2022). The Mayor spoke about walking the neighborhood and speaking to the neighbors. One was not happy about the block party, but after their conversation, they are fine with the party.

A motion to allow block party was made by Trustee Sauberman and seconded by Trustee Corrigan, passed by the board.
Absent: Trustee Hagen

Mayor Michael F. Curley appointed Mr. Andrew Halper to the Planning Board for the period from September 8, 2022, until December 1, 2025, to cover the unexpired term of Mr. Timothy McInerney, who resigned from the Planning Board.

ADJOURNMENT:

A motion to adjourn the meeting at 11:16 a.m. was made by Trustee Corrigan, seconded by Trustee Sauberman, with all in favor.

Respectfully,

Melissa B. Reimer, CPA
Village Clerk