

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, April 9, 2019– 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, April 9, 2019, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Joseph P. Tursi, Mayor
Bernadette A. Tarantino, Trustee
Bonnie O’Blenis, Trustee
Terry Rice, Village Attorney
Thomas Conklin, DPW Superintendent

ABSENT: Eve Mancuso, Brooker Engineering

RECORDER OF MINUTES: Robin Miele, Clerk-Treasurer

Meeting called to order by the Hon. Joseph P. Tursi, Mayor. Trustee O’Blenis led in the Salute to the Flag.

Minutes of the 3/26/19 Meeting – (Prior Village Board) - Approved by Trustee O’Blenis.

Minutes of the 4/01/19 Annual Organizational Meeting - Approved by Village Board.
Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Street & Water Commissioners Reports – Approved by Village Board.
Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

SUEZ Water New York – Correspondence received 4/9/19 – RE: PSC Mandated Water Meter Testing - Scheduling of appointment. (DPW Supt. Conklin will contact SUEZ and schedule the appointment).

Police Commissioner’s Report – Mayor Tursi stated there was no report at this time.

DPW Report – Supt. Thomas Conklin
American Recreation Products – 4/9/19 Estimate #15807 – RE: 60 Cu. Yds of Fibar – Total Cost: \$2,220.00 – Supt. Conklin stated the fibar at the Youth Center and East Hillburn playgrounds are replaced every two years.
Approved by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

-Additional Swings at Recreation Field – As authorized at the 3/26/19 meeting, Supt. Conklin contacted GameTime regarding a quote to install one regular swing and one baby swing (maximum cost: \$2,500). An appointment with a GameTime representative is scheduled for Tuesday, 4/16/19 at 10:30AM to determine if there is enough room to add the additional swings.

-Trustee O’Blenis stated she would like to be present.
Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw
Noes: None

-DPW Vehicles – The 2004 and 2008 trucks need repairs, including front end work. A quote will be obtained from Suffern Sales & Service.
-Tires for the vehicles will also be needed.

-4th Street Bridge – The bridge was swept and blacktop will be installed in potholes tomorrow.

-RC Center for Environmental Health – 4/2/19 Correspondence –RE: Mosquito Control Compliance Check – Terrace Avenue DPW Garage – Supt. Conklin stated that a fly-over is done to inspect if there are any conditions (tires, tarps) that can collect standing water.

Hillburn Clean-Up Day – 3/30/19 - Supt. Conklin reported that a total of 1,640lbs of litter was collected. Appreciation was extended to all volunteers.

-Mayor Tursi stated that he had been approached by residents who were unable to attend Clean-Up Day but would still like to volunteer to clean up other areas on a different day. Mayor Tursi will coordinate with Supt. Conklin.

Suffern Sales and Service – The following two invoices were received:
-Estimate Ref. 2360 (dated 2/26/19) – 2004 Ford F 350 – (Weld Broken Pieces on Plow): \$283.13
-Estimate Ref. 2411 (dated 4/09/19) – 2008 Ford F 350 – (Straightened/Welded Plow Bracket): \$399.00

Approved by Village Board.
Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

4th Street Railroad Bridge
Notice for bids has been published by the Town of Ramapo – Bid Opening: 4/23/19, 11:00AM.

7:15PM
A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to suspend the regular meeting in order to hold the duly scheduled Public Hearing.
Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Public Hearing – Proposed Introductory Local Law 1 of 2019 – A Local Law to Override the Tax Levy Limit Established in General Municipal Local §3-c

The duly posted and published Notice of Public Hearing was read aloud by Mayor Tursi.

Village Attorney Rice summarized the purpose of the local law. The local law would allow the Village, if necessary, to exceed the established tax cap.

The Public Hearing was opened for public comment.

Patricia Van Dunk (23 Mountain Avenue) requested further explanation of the local law.

-Mayor Tursi explained that New York State has imposed a 2% Tax Cap and the implementation of this local law would allow the Village to exceed the Tax Cap, if it was necessary. Mayor Tursi noted that the Tentative 2019-2020 Budget does not exceed the tax cap.

With no comments, the Public Hearing was closed.

7:20PM

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to resume the regular meeting of the Board of Trustees.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

The following Resolution was offered by Trustee Tarantino and seconded by Trustee O’Blenis who moved its adoption:

WHEREAS, Introductory Local Law 1 of 2019, A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-C was introduced at the Village Board’s regular meeting held on March 26, 2019;

WHEREAS, a duly noticed public hearing was held on April 9, 2019 at 7:15PM;

WHEREAS, the Village Board declared itself to be lead agency in accordance with the State Environmental Quality Review Act on March 26, 2019;

WHEREAS, the Village Board determined that the adoption of Local Law 1 of 2019 is a Type II action and no further environmental review is required;

NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law #1 of 2019 as Local Law #1 of 2019. Said Local Law will take effect immediately upon filing with the Secretary of State.

**Ayes: Joseph P. Tursi, Mayor
Bernadette A. Tarantino, Trustee
Bonnie R. O’Blenis, Trustee**

Noes: None

Resolution was unanimously adopted.

HFD Report – Chief Shane Starr reported:

-Chief Starr reported that the HFD responded to a large brush fire on 4/7/19 in the area of Chestnut Ridge Transit. Three fire departments were called for Mutual Aide.

RE: Repairs to Mini-Pumper – While responding to 4/7/19 brush fire, it was determined that repairs are needed to Mini-Pumper, including replacement of primer valve (cannot prime the pump for water). Onsite repairs were made by Firematic Supply Co. today and an estimate was submitted for required additional repairs in the amount of \$4,500 (does not include repairs made today). Mahwah Fire Dept. is providing back-up while the truck is out of service.

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to ratify the emergency repairs made to the Mini-Pumper made by Firematic Supply Co. today (cost to be determined); and

FURTHER, authorizing the additional repairs to the Mini-Pumper by Firematic Supply Co. at the estimated cost of \$4,500.00.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

RC Fire Advisory Board – 4/1/19 Correspondence – RE: Fire Advisory Board Overview – Chief Starr acknowledged receipt of the correspondence.

RBC Wealth Management – Account Statement – March 2019.

LED Street Lighting Upgrade

-O & R – RE: NY Public Service Commission Case 16-E-0226; O & R’s Add’l LED Street Lighting Options Available to Municipalities – Upgrade of 9 streetlights to LED along 4th St. – Response is still pending. Mayor Tursi will contact Trish Austin or O & R Utilities to determine the status of the project.

-RealTerm Energy LED Street Light Proposal – Information will be supplied to Mayor Tursi and Attorney Rice for review.

Village Engineer's Report – Engineer Mancuso not present – no report.

Village Attorney's Report – Village Attorney Terry Rice

Attorney Rice stated he will be meeting with former Village Attorney Ellsworth to discuss pending matter.

Proposed Local Law 2 of 2019 – Extension of Moratorium

Attorney Rice provided the proposed Local Law to extend the Moratorium originally enacted under Local Law 2 of 2017, and extended under Local Law 2, 2018.

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino that a Public Hearing be held at 7:15PM on 4/23/19 regarding proposed Local Law 2 of 2019, a local law to extend the period of the Moratorium for an additional six (6) months to provide additional time to complete the Comprehensive Plan and Amendments to the Subdivision and Zoning Local Law.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien
Noes: None

-Attorney Rice stated that the proposed Local Law is to be sent to the RC Planning Department for GML Review.

Services of Jacobowitz & Gubitz – Special Counsel

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino that the legal services of Jacobowitz & Gubitz, Special Counsel regarding the matters of Hillburn vs. Nicholas Ciancioruso, et.al. (Creelman Rd) and Noved Building Mgmt. – Moratorium Request and Planning Board Application are no longer required and are discontinued effective immediately, and

FURTHER, legal services regarding the pending litigation and application matters will be provided by Village Attorney Terry Rice.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien
Noes: None

Claim filed by Jacobowitz & Gubitz - Invoice #278848: \$4,465.57

Hillburn vs. Nicholas Ciancioruso, et.al. (Creelman Rd)	3,697.79 (includes 50% of Expenses)
Noved Bldg. Mgmt.–Moratorium Request & P/Board Appli.	\$ 767.78 (includes 50% of Expenses)

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino to approve payment of a portion of Invoice #278848 that pertains to Hillburn vs. Nicholas Ciancioruso, et.al., in the amount of \$3,697.79, and FURTHER, the balance of Invoice #278848, in the amount of \$767.78, is hereby tabled pending the establishment of an escrow account by Noved Building Mgmt.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien
Noes: None

Establishment of Escrow Account by Noved Building Management, LLC

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino to require Noved Building Management, LLC establish an escrow account, in the amount of \$5,000.00, to cover the professional services rendered prior to filing of Planning Board Application.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien
Noes: None

Pending Litigation – Village of Hillburn v. Losner

3/1/19 Claim filed by for Village Attorney Richard Ellsworth: \$787.50. Tabled by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien
Noes: None

2019 Assessment – Petition - Small Claims Assessment Review – RE: 47.18-3-32.14 – Property Owner: Mario Hanna – Attorney Rice acknowledged receipt and will review same.

Town of Ramapo – 2019 Agreement - Fire District #1 and Fire District #5

On 4/01/19, Check #409942 in the amount of \$100,500 was received from the Town of Ramapo, representing the fee for Fire District #1.

A fully executed copy of the Agreement was received on 4/9/19.

Pending: Receipt of fee for District No. 5

NYS Firefighter Cancer Benefit Program - No further information received.

Insurance

2019-2020 Insurance Policy (Expires 4/15/19) – The insurance policy renewal has been received.

-Selective Insurance - Bill as of 3/26/19, in the amount of \$19,578.70 (Due 4/15/19) **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien
Noes: None

Various Capital Improvements (In accordance with 9/1/16 BAN) –

The Village Board acknowledged receipt of a Financial Report as of 4/09/19, as prepared by the Asst. Village Clerk-Treasurer.

-3/26/19 Claim filed by Nelson Pope & Voorhis, LLC:	\$ 87.50	Approved by Village Board
-3/26/19 Claim filed by Elizabeth K. Cassidy, PLLC:	\$ 612.50	Approved by Village Board

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien
Noes: None

2016 Master Plan Committee –

-Mayor Tursi reported a meeting was held on 4/8/19 at 4:30PM.
The next meeting of the Master Plan Committee was scheduled for 5/4/19 at 10:00AM.

2019-2020 Tentative Budget – The Public Hearing on the 2019-2020 Tentative Budget is scheduled for Tuesday, 4/23/19 at 7:15PM.

Garbage Contract (Present 3 Year Contract Expires 5/31/19)

Attorney Rice was authorized to prepare bid specifications for a one year and three year contract. Notice to Bidders is to reflect a bid return date of May 14, 2019 at 4:00PM.

Cablevision Franchise Fee Audit

At the 3/26/19 meeting, the representatives from Cablevision/Altice stated that a response/proposed offer would be provided. Pending at this date.

Zoning Board of Appeals – Next Meeting: 4/29/19.

Planning Board – Next meeting: 4/24/19

Brooker Engineering, Inc. – Inv. #154434 - 3/15/19 Claim - TBS - Symmetry Med. Escrow (Dust Collectors): \$160.00
Approved by Planning Board on 3/27/19. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Building/Fire Inspector’s Report – Misc. correspondence was acknowledged.

-The Building/Fire Inspector is attending training classes from 4/9-11/19.
-The Building/Fire Inspector will be on vacation from 4/20-29/19.

Escrow - Status of Escrow Accounts Report @ 4/9/19 was supplied.

-4/1/19 Inv. #421.1-13 filed by Spence Engineering – (RE: SUEZ Water New York - 8/16/18 Building Permit #082218): \$638.00. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Recon Construction – 1/22/19 Planning Board Application Escrow

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino that, in accordance with the recommendation by the Hillburn Planning Board, Recon Construction be required to increase the escrow account in the amount of \$1,452.50 to cover claims filed for professional reviews.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Cornell Cooperative Extension – 2019 Stormwater II Education Program Agreement (Contract Term: 4/1/19-3/31/20)

Village Funding Cost: \$1,250.00. Agreement was reviewed and approved by Village Attorney Rice. **Approved by Village Board.** Mayor Tursi signed the Agreement.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Senior Citizens –

-RE: 3/21/19 Trip to Westchester Theatre – The Hillburn Senior Citizens submitted a Refund Check of \$105.00.

Recreation – A written Report was read by Trustee O’Blenis:

Annual Easter Egg Hunt – Saturday, 4/13/19 (Rain Date: 4/20/19) - DPW will bring tables to Veterans Memorial Park on Friday, 4/12/19.

2019 Summer Camp Program – Space is still available.

-Request to work extra hours to prepare for Summer Camp – **Approved by Village Board (Not to exceed 15 hours)**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

-CPR Class Given by the Town of Ramapo: 5/23/19

-Rockland County Camp Permit Application – Not received at this date.

-Health Director Services – Agreement with Rosita Benjamin – Fee: \$1,200.00. **Approved by Village Board.** Mayor Tursi signed the Agreement.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

-Quotes for bus transportation for the following trips are needed:

7/10/19 - Dave & Busters/AMC Movies, Nyack, NY	10:00AM – 4:00PM:	\$294.59
7/17/19 - Medieval Times, Lyndhurst, NJ	10:00AM – 2:30PM:	\$496.54
7/24/19 - Liberty Science Center, Jersey City, NJ	9:30AM – 4:15PM:	\$620.07
7/31/19 - Splash Down Beach, Fishkill, NY	9:15AM – 4:15PM:	\$704.62
8/07/19 - Rye Playland, Rye, NY	10:00AM – 4:00PM:	\$598.26
Spook Rock Pool (Mondays, Tuesdays & Thursdays)	12:30PM – 4:00PM:	\$253.30 (per day)

Approved by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Youth Center – Range Hood Systems Report - Campbell Fire Systems, Inc. – Report indicates that the link line and piping line need to be grease sealed.

Hillburn Sewer Committee

Applications are still being accepted.

-Supt. Conklin stated that a quote for Terrace Ave. DPW Garage sewer connection will be submitted.

Protected Harbor - Quote for Village Office Server Migration: \$500.00 – Protected Harbor, the Village’s Computer Maintenance Service, has notified that the current Hillburn server needs to be updated, as it no longer supports Internet Explorer. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

Pitney Bowes – Postage Meter Update – No cost to Village. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

Public Comments –

Chevron Torres (54 Fifth St.) – stated her concern regarding cars being parked on Route 17 in the area of TransDev, obstructing site distance.

-Supt. Conklin stated he had spoken with a representative of the NYS DOT Traffic & Safety. A site evaluation can be done and a determination made regarding the need for signs.

-Patricia Van Dunk (23 Mountain Ave.) stated she is a member of the Planning Board and, as a condition of the approval given to TransDev, the foreman promised that cars would be able to park in an area in the back of the property. Cars are also parked along route 17 in the area of Magic Gardens. Chestnut Ridge Transit has signs posted not to park along Route 17 and allows cars to park on their property located across the highway.

Mayor Tursi stated he will reach out to property owners.

Village Attorney Rice stated he will look into the NYS Vehicle & Traffic Law.

Carolyn Caccamo (27 Terrace Ave.) questioned if the sides of the 4th Street NYS Thruway bridge could be re-painted.

-**Mayor Tursi** suggested that in order to eliminate re-painting the sides of the bridge, the paint be sandblasted off. Supt. Conklin will look into matter.

Mrs. Caccamo questioned what has been done regarding the installation of signs to deter traffic from Terrace Avenue.

Mayor Tursi stated that he had only taken office on 4/1/19. However, he is researching the matter, and will be reaching out to the Ramapo Supervisor to discuss ways of redirecting truck traffic.

Village Attorney Rice recommended meeting with the Ramapo Supervisor, Ramapo Police Chief and NYS DOT.

Mary Boone (9 Follow Road Rd) stated the speed limit on the section of Route 59 in Hillburn is 40mph and is 30mph in the Route 59 section entering Suffern. She recommends that, in light of recent accidents and increased truck traffic, the speed limit on Route 59, from Jan’s Tire to Suffern, be reduced to 30mph

-A discussion was held and it was determined that the matter be brought to the attention of Senator Carlucci.

Application for Use of Community Room

-Yvonne Van Dunk – Fri., 5/10/19 and Sat., 5/11/19 – Ladies Auxiliary Plant Sale **(Approved)**

-Diana DeGroat – Thursday, 5/2/19, Friday, 5/3/19 – Hillburn Senior Citizens – Military Bridge **(Approved)**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

Mayor Tursi stated that he will be available at Village Hall on Saturday, April 13, 2019 from 10:00AM to 12:00noon for a “Collaboration Session with the Mayor”. This is an opportunity for residents to stop by and discuss their concerns and issues.

Correspondence - The Village Board acknowledged receipt of correspondence, regular and email, including:

-Kimberly Cleary – Suffern High School – Invitation for Village Board members to participate in a “Suffern Celebrates Civics” event for elementary students on 5/20/19, 6:00PM-7:30PM at the Suffern High School.

-NYCOM – Advocacy Update publication – Mayor Tursi and Trustee Tarantino stated their interest in attending the 110th Annual Meeting from 5/5-7/19 in Cooperstown, NY.

Voucher Claims were reviewed by the Board who approved payment of same.

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to adjourn the meeting at 8:43PM.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None