

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, August 18, 2020 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, August 18, 2020, via GoToMeeting.com, commencing at 7:00PM.

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

RECORDER OF MINUTES: Robin G. Miele, Clerk-Treasurer

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The Hon. Mayor Joseph Tursi called meeting to order. Patricia Osterhoudt of “Matt’s Movement” led in the Salute to the Flag.

Minutes of the 7/14/20 Meeting - Approved by Village Board.

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

Street & Water Commissioner’s Report (6/18/2020 – 8/17/2020) – Approved by Village Board.

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

Water

-Summary of 4-Month Water Period Ending 7/31/2020 – The Village Board acknowledged receipt of same.

-SUEZ Water New York – 8/10/20 Water Bill (7/9/2020 – 8/06/2020) - \$23,610.21

Mayor Tursi stated he has spoken to Bill Madden of SUEZ regarding the billing that has almost doubled. As reflected in the Summary Report, the disparity between the Village’s billing to its customers and SUEZ Water NY’s billing to the Village is substantial. Mayor Tursi stated he has spoken with DPW Supt. Conklin regarding investigating possible illegal water usage; and he has reached out to former Village Trustee and Water Commissioner David Farrison for assistance regarding negotiations with SUEZ Water New York.

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino authorizing payment of the 8/10/20 bill from SUEZ Water New York, in the amount of \$23,610.21.

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

-RC Health Department – Sampling of Water Supply - 2nd Half of 2020: \$460.00 **Approved by Village Board.**

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

Police Commissioner’s Report – Mayor Tursi reported the Village is quiet.

-Trustee O’Blenis stated that compliance to the Stop Sign at Sixth St./Fox Hollow Road is “so-so”.

Village Auditor’s – Berard & Associates CPA’s, PC

-Auditor’s Report – FYE 5/31/2020 – Village Justice Court

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

WHEREAS, the Hillburn Village Justice Court was audited by the Village’s independent auditor, Berard & Associates, CPS’S, P.C., for year ending 5/31/20; and

WHEREAS, the report has been filed by Berard & Associates, CPS’S, P.C.,

THEREFORE, BE IT RESOLVED that the Hillburn Village Board hereby acknowledges receipt of the Auditor’s Report for year ending 5/31/20 for the Village Justice Court, as prepared by Berard & Associates, CPS’S, P.C., and

FURTHER BE IT RESOLVED, the Village Justice Court Audit Report is hereby accepted and approved.

Ayes: Joseph P. Tursi., Mayor
Bernadette Tarantino, Trustee
Bonnie R. O’Blenis, Trustee
Noes: None

RESOLUTION was unanimously adopted.

-Berard & Assoc. CPA’s P.C. Invoice #2596 dated 7/13/2020 – Justice Court Audit FYE 5/31/2020: \$2,100.00
Approved by Village Board.

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

DPW Report - DPW Supt. Conklin reported:

Supt. Conklin extended best wishes and appreciation to seasonal DPW employee Daniel Stryko, who is heading off to college after working his last day on 8/12/2020.

-RE: DPW Trucks – 3 Trucks are presently out of service: 2004 (Motor knocking); Red Truck is at Suffern Sales (Welding); and 2016 is at Terrace Ave. garage (brakes will be installed). 2 trucks should be back in service by tomorrow.

-Quote from John to Go, Inc. - 8/22/2020 Concert at the Park: \$150.00. **Approved by Village Board.**

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

-8/11/20 Quote from GameTime – 2 Swings for 5th St. Recreation Field: \$521.49. **Approved by Village Board.**

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

-Dedication of a Portion of 4th Street: “Brian Miele Way” – Supt. Conklin stated he received a quote for a sign that was too large. He is waiting for a revised quote for a 42” sign (same size as existing signs). Estimated cost for sign and pole: \$820.00.

-Mayor Tursi reported he has been in contact with the children of Brian Miele. The dedication ceremony (tentatively scheduled for October 2020) may have to be postponed until next year as his son, Gregg, lives in California and there may be logistical issues due to COVID-19.

-Stop Signs – Supt. Conklin stated some signs are faded. He will obtain quotes for replacement.

-RE: 2020 Repavement Project – Project Funding: CHIPS -

Two Quotes have been received. After reviewing the proposals, the Village Board concurred that the scope of the project be modified by deleting Item #3 – Fifth Street – Section 1 from each proposal.

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to enter into contracts with Tilcon New York, Inc. and Cavaliere Industries, Inc. for the 2020 Road Improvement Project, subject to receipt of revised proposals reflecting the following project modification:

		LESS Item #3		Revised
		<u>Fifth St. Sec. 1</u>		<u>Amount</u>
Tilcon New York, Inc. - 6/30/20 Quote (Paving):	\$74,310.50	11,980.00	=	\$62,402.50
Cavaliere Industries, Inc. - 8/18/20 Quote (Milling):	\$14,160.00	983sys	=	\$11,887.26

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

-Tim Williams (31 Sixth Street) questioned when work would be done to correct the drainage issue in front of his home.

-DPW Supt. Conklin reported that a drain is scheduled to be installed next week

NYS Dept. of Transportation – Local Highway Inventory Update – Information to be submitted by DPW Supt. Conklin on or before 12/7/2020.

Village Office – Emergency Lights – Mayor Tursi stated that the Emergency Lights are still in need of batteries. DPW Supt. was requested to purchase flashlights for use by the Village Office staff in the event of a power outage.

H.F.D. Report – Chief Shane Starr

-Renewal of Active911 Service (Expires 9/10/2020) Annual Cost for 30 Device Subscriptions: \$390.00 – **Approved by Village Board.**

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

-Purchase of Four (4) Apple Ipads – Chief Starr stated that he is obtaining estimates for the Ipads that would be used for mutual aid, GPS and help with reporting.

H.F.D. Chief’s Car

-Needs Tires. Quote from Mavis Discount Tire: 4 Tires w/Mount & Balance: \$1,064.84. **Approved by Village Board.**

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

-Needs Inspection – will be taken Suffern Sales for inspection after the new tires are installed.

-A few lights are out - an appointment will be made at Goosetown Communications. The repair/replacement should be covered under warranty.

H.F.D. Trucks

-The 5-CFR and 5-MP have been inspected.

-The 5-Quad will be inspected within the next two weeks.

-5-MP – Siren is not working. Estimates will be obtained.

Equipment

-(15) Streamlight Survivor LED Lights – Quote from Witmer Public Safety Group (w/Freight): \$802.44 **Approved by Village Board.**

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

-Mahwah Medical – 6/30/2020 Invoice – Physical - Alexander, Joseph: \$120.00 **Approved by Village Board.**

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

Penflex, Inc.

-Annual Report – HFD Service Award Program – Actuarial Valuation as of 1/1/2020. (supplied to Village Board and Village Attorney on 7/14/2020)

-Invoice #2020-243 – Fees for Preparation of LOSAP Audit Package, IRS Tax Forms and GASB 73 Disclosure Package – Total: \$2,175.00. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

RBC Wealth Mgmt

-7/17/2020 Annual Recurring Disbursement Notice & Non-Trade Confirmation Notice.

-Portfolio Focus Account Statement (July 2020)

-RE: Quote for 20 Air Packs from MES: \$22,888.80

Mayor Tursi reported he has had discussions with the RC Sewer District regarding the purchase of the Scott Air Packs out of the Special Hillburn Sewer Fund. The RC Attorney stated that the Intermunicipal Agreement would need to be revised. RC Sewer District Chairman George Hoehmann advised it would be done, possibly the next meeting in September 2020.

FireGrants Help – Grant Application: Brush/Quick Attack Truck Replacement Project – The \$3,000.00 Full Application Assembly Grant Writing Fee has been paid by the Village. No further update.

-Mayor Tursi reported he had telephoned the office and left a message.

SAM Capital Funding Grant Application – Sponsored through Assemblywoman Jaffee’s Office – Funding Application: Purchase of Scott Air Packs and Back Hoe – No further update.

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 – Competitive alternatives being offered by O & R regarding LED lighting – no further report.

Village Engineer’s Report – Engineer Mancuso reported:

-2020-2021 Village Engineering Consultant Proposal for Monthly Stipend (Rec’d 7/21/2020) – The Village Board acknowledged receipt of the proposal. Tabled for review.

Claims – Brooker Engineering, PLLC

-Inv. #157791 – Creelman Road Code Violations: \$173.00 **Approved by Village Board**

-Inv. #156946 – General Engineering (June 2020): \$345.00 **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

Veterans Memorial Park Pond – Mayor Tursi stated that the duckweed has been cut down and treatments are being made by Princeton Hydro. The pond is still not retaining water (Salomone has offered assistance).

Village Attorney’s Report – Attorney Rice reported:

TBS vs. Village of Hillburn – Matter forwarded to Selective Insurance on 7/25/19 who appointed Sokoloff Stern, LLP to represent the Village (Public Officials Liability Policy)

-A Stipulation of Discontinuance without Prejudice was signed on 3/10/2020 by Dennis Lynch, Attorney for the Plaintiff, and Brian S. Sokoloff, of Sokoloff Stern, LLP, Attorneys for the Defendants, Village of Hillburn and Adam L. Gordon.

-RE: Summit Risk Services on behalf of Selective Insurance Company - Claim #22015253: \$2,500.00 (Policy Deductible) – Tabled by Village Board.

Cablevision Franchise Fee Audit – Attorney Rice reported that the Settlement Agreement will be provided to Mayor Tursi this evening for signature.

Hillburn vs. Noved/Nicholas Ciancioruso, et. al - RE: Status of 5/28/20 Order signed by Judge Eisenpress:

-Reimbursement of Village Expenses in the amount of \$127,276.52 - As allowed by Judge Eisenpress, Mr. Ciancioruso paid \$46,000.00 (representing 36% of the total due). The next payment is due on 9/11/20.

-Removal of Tenants/Equipment – The County of Rockland has towed away vehicles.

-Soil Testing – An amount of \$50,000.00 was to be posted by Mr. Ciancioruso for soil testing.

-Noved has been dumping on the property owned by Outdoor Properties. Mayor Tursi stated he had spoken to the Village’s Prosecutor, Eric Holzer, regarding the matter.

RE: Pending Claim filed 5/29/2020 – Terry Rice – Village of Hillburn v. Ciancioruso

(Tabled at 6/16/2020 and 7/14/2020 Board Meetings)

-Inv. #550 – Legal Services - Litigation (Other than Contempt Hearings) \$11,745.00 (No action)

-RE Pending Claim filed by Nelson Pope & Voorhees – Invoice #21118 – Noved Litigation Support: \$1,350.00

Approved by Village Board

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

Assessment Roll

-NYS Dept. of Taxation and Finance – Notice of 2020 Tentative State Equalization Rate: 15.38 (for 2021 Assessment Roll)

-TOKNY Realty Group, LLC v. Hillburn Board of Assessors – Index No. 031947/2020 – Petition: Tax Year 2020/2021 (Received 6/1/2020) – Forwarded to the Village Attorney (cc: Village Board).

-Montalbano, Condon & Frank, P.C. – RE: Morris Grunfeld v Town of Ramapo, et al – Index 033288/2020 - Copy of the Notice of Electronic Filing (County of Rockland Supreme Court) Notice of Petition, Petition (with attachments, where indicated), and Request for Judicial Intervention. (copy supplied to Village Attorney)

-Scott Shedler, Property Appraiser – (Proposal Accepted 7/14/2020) - Mr. Shedler has advised that he will schedule a time to review the Village's Assessment Roll.

Insurance –

Selective Insurance – Notice of Commercial Policy Changes (No change in premium) – One addition to HFD Driver's List: Justin Galfo.

-Comp Alliance – Email requesting information regarding the status of the Village operations since the pandemic. Information supplied.

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

-No change to 6/1/2020 Financial Report.

-General Code Publishers - Code Supplement Estimate Received 8/5/2020: Between \$6,985.00 and \$7,630.00. Tabled until proposed revisions to Zoning Code are made.

2016 Master Plan Committee – Comprehensive Plan & Related Zoning – Adopted 1/14/2020

Proposed Revisions to the Zoning Local Law – At this date, proposals have not been received from Elizabeth Cassidy, Esq. or Bonnie Franson of Nelson Pope & Vorhis. Attorney Rice will follow up.

Zoning Board of Appeals –

-RE: Application for Interpretation/Use Variance filed by NISHA Realty - Public Hearing will be held 8/24/2020.

Planning Board – Next meeting is scheduled for 8/19/2020 via GoToMeeting.

Appointment of Planning Board Member to fill Vacancy – Mayor Tursi appointed Stacy McIntosh to serve on the Planning Board for the balance of the unexpired 5-term of Sheree Edwards, that will end in April 2022.

Building/Fire Inspector's Report – Adam Gordon reported:

-Creelman Road – He has been making inspections. Property is basically empty.

-Fire Inspections – The 2019-2020 Fire Permit inspections are ongoing.

-Asst. Building Inspector Larry McMannis is doing a great job.

-Zoning Law – A meeting with Bonnie Franson is being coordinated to review proposed changes to the Zoning Law.

The Village Board acknowledged receipt of copies of various correspondence from the Building/Fire Inspector and Asst. Building Inspector.

Escrow –

-8/10/2020 Email from Building/Fire Inspector Gordon – Request for escrow account establishment by Scott Development in the amount of \$1,500.00, for Engineering Fees – Inspections in relation to a Building Permit for a Single Family Dwelling. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

RE: Noved Building Mgmt, Ltd - Site Plan Application filed 4/04/2019 (*Required Escrow Pending Establishment)

-6/12/2020 Claim filed by Nelson Pope Voorhis - Invoice No. 21542 –\$340.00 – Approved by Planning Board –

Approved by Village Board Pending Escrow Establishment.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

Senior Citizens – No report.

Recreation – It was the consensus of the Village Board to cancel the 2020-2021 After School Program.

2020 Village Election – Tuesday, September 15, 2020 - 12noon to 9:00PM (Governor's Executive Order 202.26)

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Brien to ratify the following Resolution that was adopted by the Village Board on 7/17/2020:

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

WHEREAS, the duly scheduled March 18, 2020 was not held due to COVID-19, and

WHEREAS, in accordance with Executive Order 202.26, the next General Village Election for Officers will be held on Tuesday, September 15, 2020,

BE IT RESOLVED that the September 15, 2020 Election will be held at the Municipal Building, 31 Mountain Avenue, Hillburn, New York, between the hours of 12:00 noon and 9:00 PM.

**Ayes: Joseph P. Tursi, Mayor
Bernadette Tarantino, Trustee
Bonnie O'Brien, Trustee**

Noes: None

RESOLUTION was unanimously adopted.

Appointment of Election Inspector

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino to appoint Stephen Harvey as an Election Inspector to serve on Election Day at the hourly rate of \$11.50.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

Hillburn Sewer Committee – Reported earlier in meeting.

Proposed Eagle Scout Project – Mayor Tursi reported he had received a phone call from Brandon Stock, who stated he would like to renovate the 5th St. Recreation Field Basketball Court as his Eagle Scout Project. If the Village Board is open to this proposal, a detailed project outline will be provided. The Village Board was interested in seeing the details of the project.

Shining Lights Helping Hands – 8/15/2020 Drive-Thru Bookbag/School Supply Giveaway – Trustee Tarantino reported she had volunteered to help this great organization give out 350 filled bookbags.

Black Poster Project – Mayor Tursi reported that this event, held on 8/15/2020 at Veterans Memorial Park, was well attended and deeply moving.

-Patricia Osterhoudt of “Matt’s Movement” thanked the Village for its collaboration and support of this event. She encouraged everyone to see the exhibit at other venues where it is being held.

Concert in the Park – Mojo Hand Band - Saturday, 8/22/20 – 5:00PM – Veterans Memorial Park.

Public Comments –

Mary Galindez (125 Sixth St.) - Questioned her 8/1/2020 Water Bill that is very high. (DPW Supt. will follow up)
-Thanked the Village for following up with the NYS DOT who did a great job trimming the bushes along Route 17.

Patricia Osterhoudt (159 Sixth St.) -Stated her water bill is also very high. (DPW Supt. will follow up)
-Reported that a tree on Sixth Street (across from 146 Sixth Street) appears dead. (DPW Supt. will follow up)

Trustee O’Blenis reported that she has witnessed many cars parked on the sidewalks, causing damage. (DPW Supt. stated he will follow up with this, as it had previously been brought to the attention of the Ramapo Police Dept.)

RE: Garbage from Brandt Road – DPW Supt. Conklin stated that a tremendous amount of garbage is being placed at the bottom of Brandt Road for pick-up. It appears to be coming from the animal refuge, who should be required to obtain their own dumpster. Mayor Tursi requested DPW Supt. Conklin to take pictures and he will follow up.

RE: Vehicles Blocking Emergency Access – HFD Chief Starr reported that a large number of cars are parked along Rockland Avenue (in the area of 53 Rockland Avenue), blocking emergency access of fire vehicles. He suggests making that portion of Rockland Avenue a no parking zone.

RE: Danziger & Markhoff, LLP – Inv. #138839 – Preparation of GASB #75 Actuarial Services: \$1,138.00

Approved by Village Board.

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

RE: NYS Society of Municipal Finance Officers – Annual Membership Dues (P/E 9/30/2021): \$40.00

Approved by Village Board.

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

Request for Use of Village Property

Community Room

-Census Bureau – Request for Additional Dates for Census Training Session (Preferably Saturdays)

The Village Board stated that the request must be more specific and cannot be on weekends.

-Yvonne Van Dunk – Ladies Auxiliary – 8/11/2020 / 7:00-8:30PM – By Laws Meeting – **Ratified by Village Board**

Youth Center

Shining Lights Helping Hands – 8/10-14/2020 / 8:00AM-2:00PM – Packing & Sorting Bookbags **Ratified by Village Board**

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

Habitat for Humanity – The organization recently purchased 32 Second Street and requests the Village waive the 2020 Village Tax penalty.

-Attorney Rice stated that the Village does not have the authority to waive taxes.

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

Action Forms

–RE: Request for Tree Removal - 44 Second Street (DPW Supt. stated he will inspect and, if necessary, the DPW can remove the tree)

–RE: Garbage on Property at 193 Route 17 (Matter will be followed up by Building Inspector and DPW Supt.)

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

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

Schedule of September Meetings: Tuesday, September 8, 2020 – 7:00PM (location to be determined) and Monday, September 21, 2020 – 7:00PM - Annual Organizational Meeting (Community Room)

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to adjourn the meeting at 9:00PM.

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