

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, December 15, 2020 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, December 15, 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 (arrived late)

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

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The Hon. Mayor Joseph Tursi called meeting to order. Village Engineer Eve Mancuso led in the Salute to the Flag.

Minutes of the 11/17/2020 Board Meeting and 12/7/2020 Special 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

Village Water System

Water Leak in Area of 12 Suffern Road – One proposal has been received at this date from J. Fletcher Creamer & Sons, LLC in the amount of \$26,869.78. Proposal was tabled at the 12/7/2020 meeting in order to obtain additional quotes, as required by the Village’s Procurement Policy.

-Mayor Tursi reported that the RC Sewer District had provided the names of several contractors: Montana Construction, Inc., Environmental Construction and Hauser Brothers.

-Engineer Mancuso stated that she would not recommend Environmental Construction, due to her experiences with this contractor on several past projects in other municipalities. If the Village accepts their quote, the contractor should be closely monitored. She stated she will also reach out to another contractor for a quote: Billy King of King Construction.

4 Month Water Summary Report at 11/30/2020

The 12/10/2020 report had been provided to the Village Board, Village Attorney, Village Engineer and DPW Supt. and reflects a large disparity between the bills from SUEZ Water to the Village of Hillburn and the bills from the Village of Hillburn to Customers.

-SUEZ Water New York – Bill of 12/09/2020: Current Charge: \$35,475.43 (Includes COW: \$12,879.20) + Previous Balance of \$15, 029.28 for COW (Cost of Water) Fee (Protested by Village) – 12/9/2020 Bill authorized, less \$12,879.20 COW Fee (Protested) – Payment Approved: Consumption: \$19,514.02 + Reconciliation: \$3,082.21 = \$22,596.23.

Mayor Tursi stated that he is unclear as to why the consumption has not decreased since the repair to the water main leak at 143 Route 59. Further, the Village of Hillburn never received prior notification from SUEZ Water regarding the implementation of a “Cost of Water” fee.

-Village Attorney Rice reported he had contacted the PSC several times but was unable to locate a representative who could give him information regarding this matter. Attorney Rice requested that the bills from SUEZ reflecting the COW fee be supplied to him.

-The possibility of hooking up to the Village of Suffern’s water system was briefly discussed and will be looked into.

Police Commissioner’s Report – No report.

H.F.D. Report – Chief Shane Starr reported:

-Quotes for Purchase of Portable Generator:

- Liberty Small Engine, LLC: \$1,429.00
- Pomona Power Equipment: \$4,438.00

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to accept the quote from Liberty Small Engine, LLC and to purchase two generators at the total cost of \$2,858.00.

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

-Quotes for Portable Radios – A discussion was held on the need for 3 digital radios for the 3 HFD Chiefs in order to be compatible with the system presently used by Rockland County. The following quote was obtained:

- Goosetown Communications: \$6,282.30 (3 Radios)

-Trustee Tarantino questioned if it would be more economical to lease the radios and upgrade as needed.

-Chief Starr stated that the County switched to the new system only 3-4 years ago and will not be changing.

-Trustee Tarantino questioned if there will be warranties on the new radios. Chief Starr stated there is a 5 year warranty.

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to approve the purchase of 3 digital radios from Goosetown Communications at the total cost of \$6,282.30.

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

-RE: Solicitation for Funds by HFD – Purchase of UTV – Estimated Cost: \$29,000.00 - Chief Starr reported that the response to solicitation letters, distributed to property owners by the HFD on 12/2/2020, has been good.

-Mayor Tursi reported that the vehicle would be the property of the Village of Hillburn.

-Attorney Rice stated that although the H.F.D. is a Not-for-Profit organization, it is a department of the Village of Hillburn. Therefore, any donations collected are to be remitted to the Village of Hillburn.

-Mayor Tursi advised Chief Starr of the need for proper accounting of donations received

-Chief Starr stated he is keeping proper records and will submit a check to the Village in January 2021.

-Attorney Rice stated his approval of the procedure.

RE: Repair to 5-Quad – 12/3/2020 Invoice from NJEV – PL Custom Body & Equipment Co. Inc. (New vendor approved by Village Board on 10/13/2020): \$784.95. **Ratified by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

-RBC Wealth Mgmt – Portfolio Account Statement (November, 2020) and Prospectus Statement

DPW Report - DPW Supt. Conklin reported:

Trees – Supt. Conklin reported he had received a quote from Perfect Cut in the amount of \$1,500.00 – Prune Tree on Ramapo Avenue, remove one tree and saplings on 1st Street and remove one tree at Veterans Memorial Park.

Approved by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

Layout and Striping of Roadway – Area of HFD Building – Quote from Jason Duncan: \$700.00 - Work has been completed.

-DPW Trucks –

Due to the forecast for a heavy snowstorm on 12/16-17/2020, the two trucks that have been out of service are needed.

-2004 Truck – The truck presently has a rod knock (?) Work has been done to get the truck in running condition (battery, oil change) and a plow has been installed.

-2008 Truck – Quote from Suffern Sales & Service: \$4,678.61 – Replacement Needed: Rear End Housing.

Approved by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

- Water Leak in Area of 12 Suffern Road –Supt. Conklin reported he had reached out to several contractors to provide additional quotes: Hauser Brothers was not interested in providing a quote, Harris does not do this type of work, Montana Construction, Inc. is scheduled to come in this week, and Environmental Construction is scheduled to come tomorrow.

-Leak Detection Service –Northeast Water Technology – As approved at the 12/7/2020 special meeting, an additional ½ day will be coordinated by Supt. Conklin to recheck the area of 143 Route 59 and to survey the west side of Route 17.

-Terrace Avenue DPW Garage – The soffett is rotted on the left side of the building. Add-Ventures will submit a quote for repair.

-Garbage Collection – Due to the impending snowstorm, garbage collection will be postponed until Friday.

Mayor Tursi stated that a Notice has been posted on the Village’s facebook page, along with the reminder regarding parking of vehicles on streets. Violators will have their vehicles towed.

-Purchase of New Truck –

Specifications have been placed on the OGS Mini Bid Procurement Site. One quote has been received for a 2021 Ford F-550 from Van Bortel Ford in the amount of \$53,556.81. Delivery Date – 16-20 weeks.

Supt. Conklin stated that the 2019 Ford F-550 (Cost: \$61,352 Plus Fees: \$424) is still at All American Ford.

-Attorney Rice reiterated that, in accordance with the Village’s Procurement Policy, the purchase is subject to competitive bidding, unless:

- The vehicle is purchased under State or County Contracts
- Written legitimate proof is submitted by the DPW Supt. that
 - it is an emergency
 - vehicle is not available from any other dealership

-A discussion was held on the difference in price, as the 2021 F-550 is \$ 7,795.19 less than the 2019 F-550. Mayor Tursi and Supt. Conklin with contact All American Ford to negotiate. In the meantime, additional quotes may be received under the OGS Mini-Bid process.

SAM Capital Funding Grant Application – Sponsored through Assemblywoman Jaffee’s Office – Funding Application: Purchase of ~~*Scott Air Packs~~ and Back Hoe – Mayor Tursi stated he will be meeting with incoming Assemblyman Lawler to discuss the grant application. (~~*Scott Air Packs~~ have been purchased with alternate funding. Item on Application to be revised)

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.

-A 12/11/2020 email was received from O & R advising that the Village had been approved to upgrade four streetlights to LED at no cost. Supt. Conklin will follow up on determining the locations.

Tropical Storm Isais – Public Assistance - NYS Dept. of Homeland Security & Emer. Services (DHSES) – The Village clerk reported that on 11/3/2020, several counties, including Rockland, were added to the Major Disaster Declaration (FEMA-4567-DR)., the required DR-4480 Request for Public Assistance (RPA) was submitted to the NYS DHSES on 11/16/2020 for filing with FEMA. An Exploratory Call with a representative of FEMA has been scheduled for 12/22/2020 at 9:30AM.

Proposed Shared Services Agreement between the NYSDOT and the Village of Hillburn

The Village's insurance agent was contacted regarding the indemnification provision and advised that the Village would be covered up to \$100,000.00. The Village Board and DPW Supt. agreed that it would be sufficient.

A MOTION was made by Trustee O'Blenis and seconded by Trustee Tarantino to enter into the Shared Services Agreement with the NYSDOT.

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

Village Engineer's Report – Engineer Mancuso reported:

Specifications for a Pre-Fab Building on 5th Street – Engineer Mancuso stated that it would be more cost effective to demolish the existing concrete building (old jail). Preliminary cost estimate for a 26'x70' butler building, including foundation, overhead door and walk-in door: \$116,000.00. A discussion was held on ways to reduce the cost, including having the demolition done in-house.

RE: 2020 Repavement Project – Project Funding: CHIPS –

-A Certified Reimbursement Form and substantiating documents were submitted to the NYS DOT CHIPS Program, in the total amount of \$83,110.32. No response at this date

Village Attorney's Report – Attorney Rice reported:

RESOLUTION PROHIBITING PARKING ON A PORTION OF THIRD STREET

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

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

Section 1. Pursuant to the authority set forth in § 230-9 of the Village Code, parking is prohibited at the following described locations:

- a) On the south side of Third Street, from its intersection with Mountain Avenue to a point 141 feet to the east;
- b) On the south side of Third Street, from its intersection with Rockland Terrace Avenue to a point 83 feet to the west.

Section 2. This resolution shall take effect immediately.

AYES: Joseph P. Tursi, Mayor
Bernadette Tarantino, Trustee
Bonnie O'Blenis

NOES: None

RESOLUTION was unanimously adopted.

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

On 12/2/2020, Attorney Rice had provided the Decision and Order signed by Judge Eisenpress 12/1/2020 in favor of the Village of Hillburn. Attorney Rice is attempting to locate an attorney specializing in collections.

-Still Pending – Order regarding Remediation of Site as outlined in the report submitted by Mr. Getchell of Weston and Sampson (Engineering firm selected to do the soil sampling) Judge Eisenpress order is pending the outcome of pending NYS DEC administrative proceedings against Mr. Cianciaruso and the property owner (Van Shaik). In order to expedite the remediation of the site, Attorney Rice will draft a letter to the NJ DEP, to be signed by Mayor Tursi, advising of the status.

Inter-Municipal Agreement between the Village of Hillburn and the Village of Suffern - Purchase of Fuel – Attorney Rice stated he is awaiting a return call from the Suffern Village Attorney.

\$125,000 BAN Resolution – DPW Vehicle, DPW Pre-Fab Garage & Misc. Office Equipment

The Resolution was adopted on 12/7/2020. Notice was posted in the Village on 12/7/2020 and published in the Journal news on 12/11/2020.

2020 Assessment Roll

-TOKNY Realty Group, LLC v. Hillburn Board of Assessors – Index No. 031947/2020 – Petition: Tax Year 2020/2021 (Received 6/1/2020) – Attorney Rice stated that an updated appraisal will need to be made.

2021 Assessment Roll – Taxable Status Date: 1/01/2021.

-NYS Office of Real Property Tax Services:

-Notice of Residential Assessment Ratio: 12.91

-Notice of Tentative Railroad Ceiling: \$25,761

RE: Position of Village Assessor – The RC Personnel Department has approved the creation of the position of Village Assessor.

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to create the position of Village Assessor, and
FURTHER, the rate of pay will be determined.

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

-Scheduling of Assessment Workshop: Tentative date: January 6, 2021 at 6:00PM (to be confirmed with Scott Shedler).

Insurance –

Comp Alliance

-Required Video Conference Training Dates (Workplace Violence, Right-to-Know – Chemical Safety and Blood-borne Pathogens) – Supt. Conklin advised that the DPW has been very busy and unable to participate in the required webinars.

-11/30/2020 Notification – The Village has qualified for the Comp Alliance Safe Workplace Award in the amount of \$3,622.00 for its performance in 2019.

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Emergency Preparedness Plan –

-The Village Attorney is reviewing the draft and will provide input.

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

-A 11/30/2020 Financial Report was supplied.

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

Proposed Revisions to the Zoning Local Law – A phone conference to be scheduled among the Mayor, Village Attorney, Building/Fire Inspector and Bonnie Franson.

General Code Publishers

-Proposal/Estimate for Updating Village Code Book - Between \$6,985.00 and \$7,630.00. (Tabled at 8/18/20 meeting until proposed revisions are made to Zoning Code). Tabled

-Proposal for Laser fiche – Tabled.

2021 Village Election – Tuesday, 3/16/2021.

Zoning Board of Appeals – No report.

Planning Board – No Report.

The Village Clerk reported that NYCOM and the Department of State are providing webinars for Planning and Zoning members (fee for each attendant).

Building/Fire Inspector’s Report – Building/Fire Inspector Gordon

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

Escrow –

Status of Escrow Accounts Report @ 12/15/20 was supplied.

Senior Citizens – No report.

Recreation – No report.

Mayor Tursi suggested the Senior Citizens and Recreation reports be temporarily removed from the Agenda.

Hillburn Sewer Committee (Hillburn Village Board) - No report.

Public Comments –

Mary Galindez (125 Sixth St) RE: Water Account – 12/14/2020 hand-delivered letter to the Village Board requesting a credit for the amount she overpaid for water period ending 7/31/2020.

-Ms. Galindez was advised that the matter is being looked into and the Village Clerk-Treasurer will meet with Mary Galindez on 12/28/2020 to review the status of the water account.

Diana DeGroat, Hillburn Senior Citizens President addressed the Village Board regarding her letter of 12/5/2020 requesting that the balance in the 2020-2021 Budget appropriation for the Senior Citizens be transferred to the Hillburn Fire Department for the purpose of purchasing the UTV.

-The Mayor and Village Attorney stated their approval of the transfer; however, this matter will be followed up with the Village Auditors.

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

-Suffern Central School District – RE: Drafting of a Strategic Plan for the District - Invitation to a virtual focus group on 12/3/2020. (Trustee Tarantino reported she had attended the meeting that mainly focused on the Cherry Lane School area)

-Moody’s – Final version of Moody’s Annual Issuer Comment Report: Current Rating: A1

-NYS Dept. of Public Service – RE: Virtual Public forums – Tropical Storm Isaias and resulting power outages.

-Town of Clarkstown – Copy of Local Law – RE: Short Term Rentals.

January Meeting Dates: January 12 & 26, 2021.

Holiday Closings: December 24, 25, 31, 2020 and January 1, 2021

The DPW will come in on 12/24/2020 and 12/31/2020 to collect garbage.

Voucher Claims and Budgetary Transfers to Cover Approved Expenditures - Approved by Board.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to adjourn the meeting at 8:40PM.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None