

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, December 17, 2019– 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, December 17, 2019, in the Hillburn Community Room, 37 Fifth Street, 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
Eve Mancuso, Brooker Engineering
Thomas Conklin, DPW Superintendent

ALSO PRESENT:
Bonnie Fransen (Nelson Pope & Voorhees)
Elizabeth Cassidy (Special Counsel-Master Plan)

RECORDER OF MINUTES: Robin Miele, Clerk-Treasurer

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Meeting called to order by the Hon. Mayor Joseph Tursi. Ramapo Lenape Indian Chief Dwaine Perry led in the Salute to the Flag.

Minutes of the 11/19/19 Meeting - Approved by Village Board.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None
Abstention: Trustee O’Blenis (Absent from meeting)

Street & Water Commissioner’s Report - Approved by Village Board.

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

Police Commissioner’s Report – Police Commissioner Mayor Tursi reported:

A meeting was held with Ramapo Police Chief Weidel, Captain Hyman and Lt. Jackson. Topics discussed included violations of the seasonal parking restrictions, speeding on Route 17 and Terrace Avenue, and failure to stop at stop sign on Sixth Street. Mayor Tursi stated a Police Officer was supposed to be present at tonight’s meeting (not present).

DPW Report – Supt. Thomas Conklin

Seasonal Parking Restriction – Supt. Conklin reported that several cars were parked on the streets during last night’s snow event. He spoke to the Ramapo Police Officer and stated only some of the cars were ticketed and advised him of others that were not.

Violation of “No Parking” Sign on Mountain Avenue (at 5th Street) – Supt. Conklin reported a car continues to park in the respective “No Parking” area; making it difficult for DPW plows and HFD vehicles. No tickets have been issued by the Ramapo Police.

-Mayor Tursi stated he will contact the Ramapo Police Chief regarding matter.

E-Waste Drop-Off Day – 12/7/19 – Supt. Conklin reported that a full truckload of e-waste was collected at the Terrace Avenue DPW Garage.

Mayor Tursi stated that another collection day will be scheduled in the spring.

DPW Uniform Rental – Unifirst – Supt. Conklin reported that service has started and is going well.

DPW Vehicles

-Tires for 2008 F350:

-2008 F-350: 12/17/19 Quote from EST (State Bid): (2) Front Tires + Installation: Total = \$397.32

Approved by Village Board.

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

-Blades for (2) Plows – Supt. Conklin requested authorization to purchase the (2) plow blades from Traffic Safety & Equipment, at a cost not to exceed \$500.00. **Approved by Village Board.**

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

-2004 Ford F-350 – Repair by Suffern Sales & Service, Inc. (PO #1952, Inv. #5597):

-Replace tank drain & refill, repair/replace filter line fitting, filter, spark plugs, etc.: Total: \$2,456.97

Ratified by Village Board.

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

-Leasing of DPW vehicles is being reviewed.

Terrace Ave. DPW Garage–Connection to Sewer Line – Supt. Conklin reported he is still waiting for a second quote.

Road Salt – An order has been placed for two truckloads of salt.

4th Street Railroad Bridge – Town of Ramapo Project

Mayor Tursi reported the Town of Ramapo has advised that due to recent snow storms, completion of the project may be delayed to mid-January 2020.

HFD Report – Chief Starr reported:

-The HFD has responded to 127 calls in 2019, including an extrication on 12/3 and a structure fire on 12/8. (approx.. 30 more calls than 2018)

-SOG Forms – Chief Starr reported he had submitted the signed forms for all but one qualified HFD driver (military deployment).

-11/22/19 Emergency Repair of Scott Air Pack – MES (PO #1953, Inv. #IN1400672): \$650.37 **Ratified by Village Board.**

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

-Batteries for Radios – Quote #15463 from Goosetown Communications: 23 Batteries – Total: \$2,307.00 **Approved by Village Board.**

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

-Batteries for Flashlights – Quote #121719PS01 – Fire-End Croker Corp.: 15 Batteries – Total: \$ 510.00 **Approved by Village Board.**

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

-Service for 5-Quad & 5-CFR - Two quotes were received:

5-Quad:	Firematic - \$5,956.40	Ruscon - \$5,858.29
F-CFR:	Firematic - \$7,382.40	Ruscon - \$7,221.13

Chief Starr reported that Ruscon would not be able to service the trucks until spring.

The Board requested Chief Starr to contact Firematic and request that they match the price quoted by Ruscon.

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis that the servicing of the 5-Quad and 5-CFR be done by Firematic at the price quoted by Ruscon, if possible.

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

LOSAP

-PIMCO All Asset All Authority Fund Matter – Check #473591 in the amount of \$438.96 – Village’s portion of proceeds from an advisory fee waiver calculation correction.

-RBC Wealth Management – Portfolio Focus Account Statement (November 2019).

FireGrants Help – Grant Application: Brush/Quick Attack Truck Replacement Project – The application has been submitted.

SAM Capital Funding Grant Application – Sponsored through Assemblywoman Jaffee’s Office – Funding Application: Purchase of Scott Air Packs and Back Hoe - A preliminary application has been filed.

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 – O & R Utilities has been notified of the following areas that have been designated for free upgrade to LED: Terrace Ave/Suffern Road, Post Office and Hickory Ave/Chestnut St.

RealTerm Energy LED Street Light Proposal –

Attorney Rice reported he had spoken to RealTerm representative Paul Vesel to obtain more information regarding the process.

Village Engineer’s Report – Engineer Mancuso stated she has no report.

-MS-4 Stormwater Mapping Grant – The Village Clerk reported that a reimbursement claim for Quarter 4 of 2019 has been filed.

2019 Road Repavement Program – Reimbursement from NYS DOT CHIPs, in the total amount of \$62,803.44, is pending.

7:30PM

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis 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 – Introductory Local Law No. 6 of 2019 – Draft Comprehensive Plan

A Local Law to Repeal and Replace Chapter 250 of the Village of Hillburn Code Entitled “Zoning”

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

-The Village Clerk confirmed that all Return Receipt Cards were received for the certified letters sent to: County Clerk-County of Rockland; County Clerk-County of Bergen; Town Clerk-Town of Ramapo; Town of Ramapo-Township of Mahwah; Village Clerk-Village of Suffern and Palisades Interstate Park Commission.

The required GML Review by the RC Planning Department and written comments from the RC Sewer District were received today and distributed to the Village Board, Village Attorney and Village Engineer; as well as Master Plan Special Counsel Elizabeth Cassidy and Bonnie Fransen of Pope Nelson & Voorhees.

-Attorney Cassidy stated that the requested changes listed on the GML Review are minor typographical and text corrections; and the comments by the RC Sewer District will be addressed.

-Zoning Maps were supplied by Bonnie Fransen and distributed to attendees. Ms. Fransen gave an oversight of the purpose of the proposed local law, which is to implement the new Comprehensive Plan.

The Hearing was opened for public comments.

Aaron Cela - Land Preservation Specialist with The Land Conservancy stated his support of the Village of Hillburn's Draft Comprehensive Plan and the interest in preserving the Split Rock area.

-Mayor Tursi confirmed the Village's commitment to preserve the area of Split Rock that has significant historic value. The property is presently owned by the RC Sewer District and he has been working with the County of Rockland and Ramapough Lenape Nation Chief Dwaine Perry to have the area declared as Open Space.

-Bonnie Fransen stated that the area is presently located in the R-60 Zone.

Dwaine Perry – Chief – Ramapough Lenape Nation thanked the Committee for their hard work and gave a brief synopsis of the important history of the Split Rock area and the spiritual value it holds for the Ramapough Indians. Chief Perry submitted a "Protect Split Rock Petition" with 24 signatures.

Susan Shapiro – Counsel to Ramapough Lenape Nation stated her appreciation to the Village's interest in preserving the Split Rock area and suggested the following changes to the proposed zoning:

RE: Zoning Code

-Request that the site be included in the OS zone map and the zone be changed from R-60 Zone to either R-80, R-120.

RE: Comprehensive Plan

-Page 111-16 – Change the specified area from 5 acres to "encompass approximately 5 acres or more, if needed which needs to be further determined through investigations of environmental and historic considerations".

(Bonnie Fransen stated the top 5 acres of the property has the most significant historical attributes; however, the entirety of the property is zoned OS or R-60)

-Request that the Comprehensive Plan include a statement to support the Ramapough Lenape rights to continue to have access and use the Split Rock site.

Jackie deVris (24 Split Rock Rd, Mahwah, NJ) stated her support of keeping the Split Rock area as open space.

Mayor Tursi reviewed the Zoning Map that was provided by Bonnie Fransen.

Aaron Cela questioned when the Comprehensive Plan and Zoning Local Law would be adopted.

-Attorney Cassidy stated the Moratorium expires on 1/24/20. Comments received will be addressed and a SEQR determination is required.

-Mayor Tursi stated action may be taken at the next Village Board meeting, scheduled for 1/14/20 and will become effective upon filing with the Secretary of State.

Mayor Tursi thanked everyone who served on the Master Plan Committee for all of their hard work on behalf of the Village of Hillburn.

With no further comments,

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Blenis to close the Public Hearing.

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

Regular Meeting Continued.

Village Attorney's Report – Village Attorney Terry Rice

Hillburn vs. Noved/Nicholas Ciancioruso, et. al. -

-Contempt Complaint filed against Village of Hillburn – Attorney Rice reported the Judge rescheduled the 12/13/19 court date to late December/early January.

-Last week, a pre-fab office building was placed on the side of the road and it is now on the Creelman Road property. A Violation has been issued by the Building/Fire Inspector and Attorney Rice will send a letter to the Judge regarding the additional violation of the Stipulation Agreement.

Village of Hillburn vs. Losner – Attorney Rice reported there may be a resolution to the matter.

Small Claims Assessment Review (SCAR) – RE: Mario Hanna – Village Attorney Rice stated he is waiting to hear from the Court regarding the matter.

2020 Agreement with Town of Ramapo - Fire Protection Districts #1 and #5

The Town of Ramapo has adopted its Budget reflecting the following appropriations; however, the Village of Hillburn has no notification or Agreement from the Town of Ramapo:

Fire District #1: \$120,525

Fire District #5: \$ 64,000

-Attorney Rice stated he will follow up on matter with the Town of Ramapo.

Cablevision Franchise Fee Audit – Public Hearing held Tuesday, October 15, 2019 – Village Board reserved decision on the proposed revocation of the Franchise Agreement between the Village and Cablevision.

-Mayor Tursi reported he and Attorney Rice met with Attorney Hoch, counsel for Cablevision, who stated he is open for negotiations and will speak with his client. Matter was adjourned until the 1/14/20 meeting.

Insurance

-NYS Municipal Workers' Compensation Alliance – January 2020 Renewal Quotes:

One Year Quote: \$34,040

Two Year Quote: \$68,713 (increase 1% Increase in Payroll)

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Blenis to accept the One Year Renewal Quote from NYS Municipal Workers' Compensation Alliance in the amount of \$34,040.00.

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

-NYS Volunteer Firefighter Cancer Benefit Program – The 2020 Census Request was completed and returned.

Zoning Board of Appeals – No report.

Planning Board – Next Meeting: 1/22/20

Building/Fire Inspector's Report - Misc. correspondence was acknowledged.

Escrow — Status of Escrow Accounts Report @ 12/17/19 was supplied.

SUEZ Water New York - 8/16/18 Building Permit #082218 – Balance of Escrow at 12/17/19: \$52.17.

Building/Fire Inspector Adam Gordon submitted a 12/17/19 recommendation to the Village Board that additional escrow be required from SUEZ Water New York, in the amount of \$1,000.00, to cover projected future claims by Spence Engineering. **Approved by Village Board.**

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

Escrow Accounts Pending Establishment:

-McIntosh, Robert – RE: 5/23/17 Building Permit Application – Landscaping (Engineer Review) – The Building/Fire Inspector submitted a 12/17/19 recommendation to close out the matter, as Mr. McIntosh did not pursue the project. **Approved by Village Board.**

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

-Noved Bldg. Mgmt – RE: Prof. Ser. rendered prior to filing of P/Bd App. – Escrow Required: \$5,429.57* (Payment of Claims filed by Brooker Engineering & Jacobowitz & Gubits on hold pending receipt of escrow) (Attorney Rice to follow up on matter)

Senior Citizens

Mayor Tursi reported he will be attending the 1/6/19 Senior Citizens meeting to administer the Oath of Office to the newly re-elected Officers for the two year term ending January 2022.

Recreation – Trustee O'Brien read the written report:

Annual Christmas Party – 12/14/19 – The event was a success, with more than 40 children and their parents in attendance. Appreciation was extended to Jody Van Dunk for doing a wonderful job as Santa; to Mr. & Mrs. Conklin, Toys for tots and Hillburn Senior Citizens Organization for all the donated gifts; and to all the volunteers.

-Aldo Hernandez and Erica Zepeda received thanks for volunteering to be Frosty and Rudolph at the 2019 Christmas Tree Lighting Celebration.

NYSER – Resolution – Standard Work Day

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

BE IT RESOLVED that the Village of Hillburn hereby establishes standard work days for these titles and will report the official to the New York and Local Retirement System based on time keeping system records or the record of activities: (Full Resolution attached)

Mayor Joseph P. Tursi: 8.0 Days/month
Trustee Bernadette Tarantino: 2.7 Days/month

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

2020 Tentative Assessment Roll – A Board of Assessors workshop will be held on Monday, 1/6/20 at 3:30PM.

RC Dept. of Finance and Budget – 12/2/19 Notice – Chargebacks/Reduction to 2019 Village Tax Warrant to County (Resolution No 335 dated 6/6/18). Matter was referred to the Village Attorney for review and follow up.

2020 Village Election – Wednesday, March 18, 2020

Hillburn Sewer Committee – No new applications have been filed.

Public Comments –

HFD Chief Shane Starr mentioned the poor condition of Brandt Road.

Tim Williams (31 Sixth Street) questioned the status of his complaint regarding the icing condition in front of his home.

-DPW Supt. Conklin reported he and Village Engineer Mancuso inspected the area. Matter will be further reviewed.

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

-RC Office of Community Development – 12/5/19 Notice – Mandatory HUD Training – Mayor Tursi reported he had contacted the CD Asst. Director and confirmed that, as the Village of Hillburn does not qualify for funding under the current criteria, attendance is not required.

-Brooker Engineering, PLLC – Proposal for Services (2020-2021) – Proposal was tabled for action at the April 2020 Organizational Meeting.

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

Holiday Work Schedule

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino that the Village Office and DPW will be closed on the following days: December 25 & 26, 2019; January 1 and 2, 2020

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

January 2020 Meeting Schedule: Tuesday, 1/14/20 and Tuesday, 1/28/20.

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino to adjourn the meeting at 8:40PM.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None