

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, October 15, 2019 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, October 15, 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  
Eve Mancuso, Brooker Engineering  
Thomas Conklin, DPW Superintendent

**RECORDER OF MINUTES:** Robin Miele, Clerk-Treasurer

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

**Minutes of the 9/24/19 Meeting - Approved by Village Board.**

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

**Street & Water Commissioners Report - Approved by Village Board.**

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

**Water -RC Health Department – Water Supply Sampling – 2<sup>nd</sup> Half of 2019: \$560.00 Approved by Village Board.**

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

**Police Commissioner’s Report – Police Commissioner Mayor Tursi – No Report.**

**DPW Report – Supt. Thomas Conklin**

**2019 Road Repavement – Portion of Brook Street/Sixth Street and 4<sup>th</sup> St. River Bridge –**

-Cavaliere Industries – Milling of Roads: Completed on 9/25/19. Invoice #13330 Received 10/7/19: \$14,000.00

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to approve payment to Cavaliere Industries in the amount of \$12,800, reflecting the contract amount of \$14,000 less the cost for traffic control that was provided by the Hillburn DPW, in accordance with the 10/14/19 letter from Engineer Mancuso.

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

-Purchase of Signs: “Rough Road Ahead” and “Slow” from Traffic Safety Direct – Two invoices totaling \$287.50.  
**Purchase was ratified by Village Board.**

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

-Tilcon Industries - Supt. Conklin reported that the paving portion of the project was completed on 10/7/19. There will be an increase to the contract cost of the project due to additional asphalt was needed as follows: Contract Quantity: 402 tons / Actual Quantity: 439.89 tons. Receipt of invoice from Tilcon Industries is pending.

-Precast Concrete Sales Co. – Purchase of water caps / risers – RE: Sixth Street

-NYS DOT – CHIPS Program -10/11/19 Notification – December CHIPS reimbursements (Deadline to File Reimbursement Claim: 11/14/19)

Hudson Valley Water Works Conference – November Seminar: 11/13/19 – Registration for DPW Supt. Conklin to attend: \$30.00. **Approved by Village Board.**

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

**RE: DPW Uniform Service**

The Contract Agreement with Unifirst will commence on 11/1/19. A 10/8/19 letter was sent to the current provider, Cintas Corporation #616, cancelling service as of 10/31/19.

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

Youth Center – Campbell Fire Systems, Inc. - 10/3/19 Range Hood Systems Report – The requirements noted on the report will be addressed by DPW Supt.

**7:15PM**

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 - Proposed Revocation of the Franchise Agreement between the Village and Cablevision**

Representatives of Municipal Audit Services, LLC (MUNI): Joseph J. Messina, CPA, Managing Director  
Gerard Fishberg, Attorney

Representative of Cablevision/Altice: Robert Hoch, Counsel – Government Affairs

(Full Transcript of record tapes is pending)

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

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino to reserve decision on the proposed revocation of the Franchise Agreement between the Village and Cablevision.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

**DPW Report – Supt. Thomas Conklin (continued)**

RE: Auctioning of Village Vehicle(s) Absolute Auctions & Realty, Inc. –

-The following quotes were received: 2003 Expedition: \$ 475.00 / Back-Hoe: \$20,500.00

Supt. Conklin stated the tires on the 2003 Expedition are new and have value. Supt. Conklin stated the trade-in value for the back-hoe is \$28,000.00.

-The 2003 Expedition is to be removed from the Village's insurance. A discussion was held regarding possibly donating the 2003 Expedition to BOCES for their automotive program.

**12/18 Damage to HFD Chief's Car – 2017 Ford F-150 – Repair by Suffern Sales & Service: \$695.11 Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

Trustee O'Brien commented on Chief Starr's report at the 9/24/19 meeting stating that the 12/18/18 damage to the HFD Chief's car in December of 2018 was not reported to the Village Office at the direction of the previous Mayor. As she was Trustee at the time, she confirmed that neither the previous Mayor nor HFD Chief Starr brought this matter to her attention at the time of the incident and, if they had, she would have insisted it be properly documented and reported.

**Preparation for 10/26/19 Fall Festival –**

-Ace Hardware is donating pumpkins. (DPW Supt. stated they will be placed in storage shed at Youth Center)

-DPW Personnel –

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Brien authorizing overtime hours on 10/26/19 for DPW employee Nelson Scott, and

FURTHER, Daniel Stryko and Andrew Stryko (2019 Summer Laborers) are authorized to work on 10/26/19, at the minimum wage rate of \$11.10.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-Hay Ride - Trustee Tarantino advised DPW Supt. Conklin that the trailer can be picked up either on Thursday or Friday.

**Greenchip Recycling** – Mayor Tursi reported on the correspondence received from Greenchip advertising free service for state and local government electronic recycling programs. He stated he had sent a reply via email and is awaiting a response.

**Rockland County Shared Services - RE: Intermunicipal Shared Services and Collaboration Agreement** – Pending: Confirmation that the Village of Hillburn is listed as additional insured on all participating municipalities insurance.

**4<sup>th</sup> Street Railroad Bridge – Town of Ramapo Project**

-Mayor Tursi stated that, as recommended by Asst. Clerk-Treasurer Mary Boone, Old 4<sup>th</sup> St., that runs under the 4<sup>th</sup> St. Railroad Bridge, will be closed during the project to avoid possible damages/injuries.

-DPW Supt. Conklin will contact Salomone Bros. to obtain jersey barriers and will speak with Danny, Manager for TBS Realty & Hillburn Park.

**HFD Report** – Chief Starr not present

-**Proposed Standard Operating Guidelines (SOG) Driver's Accidents and Prevention** – Updated/Revised at 10/15/19.

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Brien to approve the Standard Operating Guidelines (SOG), dated 10/15/19.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

**RBC Wealth Management** - Portfolio Focus Account Statement (9/1-30/19), Portfolio Review (P/E 9/30/19)

**FireGrants Help – Proposal: Grant Writing Services - Assistance to Firefighters Grant (AFG) for FY 2019**

Information requested by FireGrants Help is being compiled and will be supplied.

**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** – Theresa Johnson of O & R will advise the Village of the number of free street light upgrades available to the Village of Hillburn.

**RealTerm Energy LED Street Light Proposal** – Mayor Tursi reported he had sent an email to Theresa Johnson of O & R Util. requesting a quote for buyback of the streetlight arms.

**Village Engineer's Report** – Engineer Mancuso reported

-**4<sup>th</sup> Street Railroad Bridge Project** – Engineer Mancuso reported she had received an email from Paul Gdanski of the Town of Ramapo advising a start-up date of 10/21/19 and providing a detour plan for the closure of the 4<sup>th</sup> Street ingress/access to the Village.

-Trustee Tarantino stated she would reach out to the Town to insure that all emergency response departments have been notified of the detour.

-**2019 Road Repavement–Portion of Brook St/Sixth St & 4<sup>th</sup> St. River Bridge** – Restriping of the roadway(s) will be done.

-**MS-4 Stormwater Mapping Grant**

RE: Reimbursement – Q2-2019 – Check #1026, in the amount of \$627.00, was received 9/30/19 (6/1/19 Billing Claim)

RE: 10/7/19 Notification regarding 10/15/19 Meeting – Vote on Distribution of Remaining Grant Money – Engineer Mancuso reported that the meeting was held this afternoon. Two villages opted out of the program and it was determined that the additional monies would be re-distributed to the respective Towns.

**Village Attorney's Report – Village Attorney Terry Rice**

**Moratorium** – The Moratorium on Land Use Approvals and Building Permits, originally enacted under Local Law No. 2 of 2017, and extended under Local Law No. 2 of 2018 and Local Law No. 2 of 2019 will expire on 10/23/19. Attorney Rice presented the Village Board with a draft Local Law No. 5 of 2019 to extend the Moratorium for an additional 3 months, up to and including 1/24/2020.

-The Village Board scheduled a Public Hearing on Proposed Local Law No. 5 of 2019 for Tuesday, 10/29/19, at 7:15PM.

-**Village of Hillburn vs. Losner** – An interior and exterior inspection of the dwelling by the Building/Fire Inspector and Village Engineer, originally scheduled for 9/17/19 (property owner failed to attend), was held today, 10/15/19. A report will be provided by Brooker Engineering. Matter is scheduled in Court next week.

-**Hillburn vs. Nicholas Ciancioruso, et. al.** – Attorney Rice reported that the Judge had directed Mr. Ciancioruso/Noved to supply soil testing information. The information provided was soil-testing reports from sites that the soil purportedly came from –not from the Creelman Road site.

**Waiver Requests**

**TJG Realty of Rockland, LLC/Recon Construction Corp. (Rec'd 7/9/19) and Jimi Van Dunk (Rec'd 9/20/19)**

Attorney Rice reported that no response has been received from either party regarding his 10/2/19 letters requesting additional information required in Section 7 of Local Law No. 2 of 2017. A second letter will be sent notifying that formal action will be taken on the requests at the 11/19/19 meeting.

**Insurance**

-NYSIF – Check #03364875 received 9/30/19, in the amount of \$37.46 - RE: Return of Premium Award (p/e 12/31/18)

-NYS Comp Alliance - Member Loyalty Award to be distributed on 10/11/19.

- Workers' Compensation Selective Loss report at 9/30/19.

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

The Village Board acknowledged receipt of a Financial Report at 10/1/19, as prepared by the Asst. Village Clerk-Treasurer.

-9/24/19 Claim filed by Nelson Pope & Voorhis, LLC: \$375.00 **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

**2016 Master Plan Committee** – The Committee has scheduled a Public Hearing for Thursday, 10/24/19 at 7:00PM in the Hillburn Community Room located at 37 5<sup>th</sup> Street. Notices have been published and posted and a copy of the draft Comprehensive Plan is available for review at the Village Office and online at the Village's website.

**Zoning Board of Appeals** – No report.

**NYCOM** – Planning and Zoning Webinars: 10/31/19, 11/7/19, 11/14/19 and 11/21/19 – Cost for participating in each webinar: \$30.00 (members) – to be paid by Village of Hillburn. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

**Planning Board** – Next Meeting: 11/15/19

Escrow Accounts: 10/9/19 Planning board Recommendations: **Approved by Village Board**

**D. Brennan/Recon Constr.** – 1/22/19 Site Plan Update App. – Escrow Balance: \$ 0.00

-9/13/19 Claim from Brooker Engineering (Invoice #155798) Approved \$ 330.00

-Additional Escrow to be posted: Approved \$ 3,000.00

**20 & 60 Torne Valley Road, LLC** – 4/4/19 Site Plan Application

-9/13/19 Claim from Brooker Engineering (Invoice #155797) Approved \$ 495.00

-9/24/19 Claim – Nelson Pope & Voorhis, LLC.: Approved \$ 470.00

-Claim-Postage – Village of Hillburn: Approved \$ 65.20

**Noved Building Management, LTD, 4/4/19 Site Plan Application**

-9/24/19 Claim – Nelson Pope & Voorhis, LLC.: Approved \$ 1,015.00

-Claim-Postage – Village of Hillburn: Approved \$ 15.65

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

-Request for Authorization to attend a "Passive Fire Protection" Course on 11/14/19 – Tarrytown, NY. (Registration fee of \$75.00 to be shared with the Village of Montebello)

**Escrow** –

**SUEZ Water New York - 8/16/18 Building Permit #082218** - The required additional escrow, in the amount of \$1,500.00, was posted on 10/3/19 by Buck Seifert & Jost, Inc. on behalf of SUEZ Water New York.

-**Escrow Pending Establishment**: Noved Bldg. Mgmt – \$5,429.57 - RE: Prof. Ser. rendered prior to filing P/Bd App.

(Payment of Claims filed by Brooker Engineering & Jacobowitz & Gubits on hold pending receipt of escrow)

**Senior Citizens** – President, Diana DeGroat, reported:

-Police Sgt. Sanchez and his Police Dog attended the 10/7/19 meeting and provided a demonstration.

-A Halloween Costume Party will be held at the 10/21/19 meeting.

-Assemblywoman Ellen Jaffee has expressed an interest in attending an upcoming meeting.

-A trip to Medieval Times will be held on 11/7/19.

-A craft fair will be held at the meeting in early December.

**Recreation** – Trustee O'Blenis read the written report:

Things are going well at the Youth Center.

**After School Program** -The Youth Center will be open for half days on Oct. 18<sup>th</sup> & 23<sup>rd</sup> (Parent/Teacher Conferences)

**Annual Halloween Party: 10/30/19** – Request for \$100.00 for petty cash for supplies. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

-Recreation Aide David Zarbaliyeva will be away from 10/21-11/8/19 (family leave)  
 -The supplies have been moved out of the outdoor bathrooms and placed in the storage container.  
 -Wall Mural Art Project - Mr. & Mrs. Herman's offer to volunteer with the children on Wednesdays & Fridays during the after school Recreation program. A summary of the proposed project was supplied by the Hermans, along with a list of supplies – Estimated Cost: \$250.00. **Approved by Village Board**

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

2019 Summer Camp & Swim Program - Information regarding registration fees is needed

**2020 Village Election – Tuesday, March 18, 2020**

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

**WHEREAS**, the next general election for officers will be held on Tuesday, March 18, 2020, and

**WHEREAS**, the Board of Trustees must designate by resolution and publish the office(s) which are to be filled in such election and the term(s) therefore.

**NOW, THEREFORE, BE IT RESOLVED:**

Section 1. That the Board of Trustees designates the following office as vacant at the end of the current year, and to be filled at the Village Election to be held on Tuesday, March 18, 2020 for the following term:

OFFICE OF TRUSTEE two year term

Section 2. The Village Clerk is hereby directed to publish this resolution in the Journal News.

Section 3. This resolution shall take effect immediately.

Ayes: **Joseph P. Tursi, Mayor**  
**Bernadette Tarantino, Trustee**  
**Bonnie O'Brien, Trustee**  
 Noes: None

**RESOLUTION** was unanimously adopted.

**2019 Fall Festival - 10/26/19 at Youth Center – 2:00PM – 7:00PM**

Chestnut Ridge has been requested to donate a small bus/van to shuttle attendees from the Suffern Central School District parking lot to the 5<sup>th</sup> St. recreation field.

**Interfaith Thanksgiving Service – 11/26/19** – Planning Meeting: 11/4/19 at 4:30PM. Participating clergy will be notified.

**Hillburn Sewer Committee** – No report.

**Public Comments** –

**Debbie Petrosky (42 First St.)** commented on the recent notification from the Building/Fire Inspector regarding required inspections of fire escapes. It is difficult to find a qualified fire escape inspector, and the quoted cost is \$850.00.

-Village Engineer Mancuso will determine if someone from Brooker Engineering is qualified to make the inspection.

-DPW Supt. Conklin reported that Hillburn resident, Eric Hartmann, has offered to donate his home surveillance cameras, consisting of 6 cameras, to the Village.

**Personnel Manual** – The draft revised Personnel Manual will be reviewed and acted upon at the next Board meeting.

**Applications for Use of Hillburn Youth Center**

-Applicant: Katherine Eugene – Sunday 10/27/19 – Request for Use of Youth Center at 2:00PM (1 hour earlier than 8/20/19 approval) 3 Year Old's Birthday Party **Approved by Village Board**

-Applicant: Jamie Chisholm – Saturday, 10/19/19 / 3:00PM – 8:00PM – Birthday Party - **Approved by Village Board subject to receipt of \$150.00 Rental Fee and Required Insurance**

**Applications for Use of Hillburn Community Room**

-Applicant: Bonnie O'Brien – Saturday, 11/16/19 / 3:00PM – 7:00PM - Baby Shower - **Approved by Village Board subject to receipt of Required Insurance (\$150.00 Rental Fee Waived)**

-Applicant: Yvonne Van Dunk – Sunday, 11/17/19 / 1:00PM – 6:00PM – Surprise Party - **Approved by Village Board subject to receipt of Required Insurance (\$150.00 Rental Fee Waived)**

-Applicant: Maryan Hanna – Saturday, 1/11/20 / 1:00PM – 6:00PM – Kid's Birthday Party - **Approved by Village Board subject to receipt of \$150.00 Rental Fee and Required Insurance**

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

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

-NYS Comptroller – RE: Distribution of AIM Funding – (Village will receive AIM-Related payment by 5/15/20)

-Township of Mahwah – RE: Ordinance No. 1888 Amending Chapter XXIV – Zoning.

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

**Scheduling of November & December 2019 Board Meetings** – November 29<sup>th</sup> and December 17<sup>th</sup>.

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Brien to adjourn the meeting at 9:27PM.

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