

**VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, September 10, 2019 – 7:00PM**

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, September 10, 2019, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Bernadette A. Tarantino, Deputy Mayor
Bonnie O’Blenis, Trustee
Terry Rice, Village Attorney
Eve Mancuso, Brooker Engineering
Thomas Conklin, DPW Superintendent

ABSENT: Joseph P. Tursi, Mayor (Vacation)

RECORDER OF MINUTES: Robin Miele, Clerk-Treasurer

Meeting called to order by the Hon. Bernadette Tarantino, Deputy Mayor. HFD Chief Starr led in the Salute to the Flag.

Cancellation of Public Hearing – The Clerk-Treasurer reported that, due to a determination by the Village Attorney that the Village’s Fee Schedule could be updated via Resolution and does not require a Local Law, the Public Hearing scheduled to be held on this date, 9/10/19 at 7:15PM, has been cancelled.

-The Resolution to Update the Standard Fee Schedule of the Village of Hillburn will be addressed later in meeting.

Minutes of the 8/20/19 Meeting - Approved by Village Board.

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

Street & Water Commissioners Reports at 8/20/19 and 9/10/19 - Approved by Village Board.

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

Police Commissioner’s Report – No Report.

DPW Report – Supt. Thomas Conklin

-**Gazebo** – Add Ventures–Quoted Cost for Asphalt Shingles: \$2,900.00; PO #1917, 8/13/19 Inv. #19-01083: \$3,550.00
DPW Supt. reported he had spoken with Todd Vignola of Add-Ventures who stated that the original quoted price of \$2,900.00 is payable by the Village of Hillburn.

2019 Road Repavement – Portion of Brook Street/Sixth Street and 4th St. River Bridge – Project Date: 10/7/19.

A Preconstruction Meeting will be coordinated with the Village Board, Village Engineer, DPW Supt. and representatives from Tilcon Industries and Cavaliere Industries, contractors for the project.

-Engineer Mancuso advised that Cavaliere Industries is available on 9/28/19. Confirmation is still pending from Tilcon.

Annual Hydrant Flushing – Scheduled for the week of 9/23-27/19, between 9:00AM and 1:00PM. Notification will be placed on the Village’s marquee and distributed to homeowners.

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

RE: DPW Uniform Service – Matter was tabled until the next meeting of the Board.

RE: Garbage Truck – Invoice #3645386 from RG Group – (Oil and Hydraulic Hose Assembly): \$110.94. **Approved by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

Unifirst Fire Aid & Safety – 8/29/19 quote for a new OSHA compliant 3 Shelf First Aid Cabinet. Maximum Cost: \$200.00. **Approved by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

RE: Veterans Memorial Park- 7/17/19 Proposal from Princeton Hydro (Cattails in Pond) – Tabled until next spring.

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.

4th Street Railroad Bridge

-Deputy Mayor Tarantino reported she had spoken with Phil Tisi of the Town of Ramapo who advised that the required permits from the railroad are still pending. The project start date is scheduled for 10/1/19. A meeting will be scheduled with all interested parties to discuss concerns and logistics.

-Supt. Conklin confirmed that this project would not affect the Village of Hillburn’s 2019 Road Repavement Project.

HFD Report – Chief Shane Starr reported:

Active911, Inc. - Device Purchase – 12 Month Renewal: \$390.00 **Approved by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

Request to Take 5-CFR and 5-Quad to Ruscon for Servicing

-The Village Board tabled the request and directed HFD Chief Starr to obtain an estimate.

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

Full Grant Writing Services: \$4,000.00, less 25% = \$3,000.00 per application (*if project is awarded, the grant writing fees can be included and reimbursed through FEMA up to a maximum of \$1,500 per application)

Chief Starr reported he and Mayor Tursi had met with a representative regarding retaining their services to file a grant application in the amount of \$300,000 for the purpose of purchasing a fire truck to replace the 1986 MP. **Tabled.**

LOSAP

RBS Wealth Management – Correspondence: Portfolio Account Statement (8/1/19 – 8/31/19).

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. – No further report.
-7/15/19 Notice – 2% System Threshold Replacement Program (upgrade to LED).

RealTerm Energy LED Street Light Proposal – No further action.

Village Engineer’s Report – Engineer Mancuso reported:

RE: 7/17/19 Proposal from Tilcon New York, Inc. for Installation of “Speed Humps” and Traffic Stripes (Tabled by Village Board at 8/20/19 meeting). Engineer Mancuso advised that, if the Village Board wishes to accept the proposal, it could be coordinated to be done at the same time as the Village’s 2019 Road Repavement Project. (Tabled)

Escrow – Brooker Engineering, PLLC – The Planning Board recommended approval of the following claims:

-Inv. #155426 – Escrow: Noved Bldg. Mgmt (July 2019):	\$ 330.00	Approved by Village Board
-Inv. #155083 – Escrow: Noved Bldg. Mgmt (May 2019):	\$ 320.00	Approved by Village Board

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis

Noes: None

Village Attorney’s Report – Village Attorney Terry Rice

-Hillburn vs. Nicholas Ciancioruso, et. al. – Attorney Rice submitted copies of papers he prepared and filed in opposition to Ciancioruso’s Motion to hold the Village and Planning Board in contempt. Papers included Affidavits from the Bldg/Fire Inspector, Ben Gailey of Jacobowitz & Gubits, and Bonnie Franson of Nelson Pope & Vorhees. The matter will be before Judge Eisenpress tomorrow morning.

-Noved – Planning Board Application – Appeal filed by Noved’s Attorney regarding RC Drainage Agency being designated as Lead Agency. Attorney Rice reported that he had appeared in Court last week, along with an Attorney from the RC Attorney’s Office. Neither a representative of Noved or their Attorney appeared. The matter has been adjourned to 9/18/19.

-Personnel Manual – Attorney Rice reported he had supplied Mayor Tursi with a draft of proposed changes.

-Village of Hillburn vs. Losner – An interior and exterior inspection of the dwelling by the Building/Fire Inspector and Village Engineer has been scheduled for 9/17/19 at 11:30AM. The property owner will also be present.

Moratorium Waiver Request – TJG Realty of Rockland, LLC/Recon Construction Corp.

Attorney Rice reported that he was unable to contact the applicant by phone. He will send written notification that the filed request does not meet the criteria set forth in Local Law No. 2 of 2017, inasmuch as establishing a hardship.

Village Fee Schedule – As reported earlier, the scheduled Public Hearing will not be held, as a Local Law is not required.

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

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

Section 1. The Standard Schedule of Fees of the Village of Hillburn is amended to provide as follows:

(Full Fee Schedule is attached)

Section 2. This Resolution shall take effect immediately.

AYES: Bernadette Tarantino, Deputy Mayor
Bonnie O’Blenis, Trustee

NOES: None

ABSENT: Joseph P. Tursi, Mayor

RESOLUTION was unanimously adopted.

Installation of No Parking Signs

At the 8/20/19 meeting, HFD Chief Starr requested an area at the corner of Mountain Avenue and Fifth Street be designated as No Parking, so that drivers of HFD trucks can make the turn from Fifth St. to Mountain Avenue.

RESOLUTION PROHIBITING PARKING ON A PORTION OF MOUNTAIN AVENUE

The following RESOLUTION was offered by Trustee O’Blenis and seconded by Deputy Mayor Tarantino 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:

- On the east side of Mountain Avenue, south of its intersection with Fifth Street, from Fifth Street to a point 48 feet south;
- On the west side of Mountain Avenue, south of its intersection with Fifth Street, from Fifth Street to a point 40 feet south.

Section 2. This resolution shall take effect immediately.

AYES: Bernadette Tarantino, Deputy Mayor
Bonnie O’Blenis, Trustee

NOES: None

ABSENT: Joseph P. Tursi, Mayor

RESOLUTION was unanimously adopted.

Insurance

-Selective – Account Bill as of 8/26/19 - Commercial Package Policy S1322748 and Policy S15400005 (Policy Year 4/15/19 – 4/15/20) – Balance: \$21,630.00. **Approved by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

-Comp. Alliance – Invitation to 25th Anniversary Leadership Symposium – 10/11/19 in West Point, NY. Member Loyalty Awards will be distributed.

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

The Village Board acknowledged receipt of Financial Report at 9/1/19, as prepared by the Asst. Village Clerk-Treasurer.

2016 Master Plan Committee - Committee Secretary, Parquiris DeLeon, reported on the 9/4/19 email from Bonnie Franson of Nelson Pope & Voorhis inquiring about potential dates to hold a public meeting.

Cablevision Franchise Fee Audit

Resolution - Scheduling of Public Hearing to Revoke Agreement between the Village of Hillburn and Cablevision

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

WHEREAS, on or about October 7, 2013, the Village entered into a Franchise Renewal Agreement (“Agreement”) with Cablevision of Rockland/Ramapo, LLC (“Cablevision”), and

WHEREAS, the Village is to receive franchise fee revenue pursuant to said Agreement, and

WHEREAS, the Village retained Municipal Audit Services, LLC (“MUNI”) to audit the franchise fee revenue received, and

WHEREAS, MUNI submitted a franchise fee audit claim to Cablevision on April 25, 2018, and

WHEREAS, Cablevision has refused to pay the claim, and

WHEREAS, on December 28, 2018, the Village sent a Compliance Notice to Cablevision pursuant to Article 8.0 of the Agreement, and more than sixty (60) days have past and Cablevision has failed to cure the default noted in the Compliance Notice.

NOW, THEREFORE, BE IT RESOLVED that the Village shall hold a public hearing on Tuesday, October 15, 2019 at 7:15PM on the proposed adoption of a resolution to revoke the Agreement between the village and Cablevision.

AYES: Bernadette Tarantino, Deputy Mayor
Bonnie O’Blenis, Trustee
NOES: None
ABSENT: Joseph P. Tursi, Mayor

Zoning Board of Appeals – Next Meeting: 9/23/19.

RE: Application filed by Daniel Johnson -

The Village Board was in receipt of a copy of the RC Planning Board’s GML Report dated 8/6/19.

Planning Board – Next Meeting: 10/09/19.

Close Out of Escrow Accounts

In accordance with the Hillburn Planning Board’s 8/30/19 letters of recommendation,

A MOTION was made by Deputy Mayor Tarantino and seconded by Trustee O’Blenis to close out the following escrow accounts and, upon receipt of certified voucher claims, to return the balances:

Leonard Gluck – RE: 6/2/17 Site Plan Application – Balance at 9/10/19: \$660.00

Symmetry Medical – 1/14/19 Planning Board Application – Balance at 9/10/19: \$350.00

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

RE: Application filed by 20 & 60 Torne Valley Road, LLC -The Village Board is in receipt of the following:

-Hillburn Planning Board’s 9/3/19 Notice of Intent for Designation of Lead Agency.

-RC Dept. of Planning – 8/30/19 GML Review.

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

Escrow – The Village Board acknowledged receipt of a Status of Escrow Accounts Reports @ 9/05/19.

Claims Against Escrow

-8/30/19 Inv. #421.1-18 filed by Spence Engineering – (RE: SUEZ Water New York - 8/16/18 Building Permit #082218): \$552.00. Balance in Escrow Account at 9/5/19: \$46.17. (Building/Fire Inspector to provide written recommendation to the Village Board for additional escrow to be posted by SUEZ Water New York) **Tabled by Village Board**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis
Noes: None

-Additional Escrow Posted:

Noved Bldg. Mgmt - RE: 4/4/19 Planning Board Application – Additional Escrow Posted 8/28/19: \$3,000.00

Recon Construction – 1/22/19 Planning Board Application – Additional Escrow Posted 8/28/19: \$1,452.50

-Escrow Accounts Pending Establishment:

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)

Senior Citizens – No ReportRecreation – Trustee O’Blenis read the written reports from 8/20/19 and 9/10/19:

-2019 Camp & Swim Program – The last day of Camp was celebrated with a Carnival Day with games & prizes and a water slide.

-Appreciation to Mr. & Mrs. Herman for doing a special art project of drawing caricatures of the children and decorating T-shirts; and to Kevin Clark who, along with a few of his wrestlers, put on a fantastic show for the kids.

-Need for AED Machine – During recertification for First Aid, Recreation Director Angie Flanagan was advised that an AED Machine should be at the Youth Center. (Matter will be looked into)

RE: 2019-20 After School Program –

-Angie Flanagan and Marcella Perrano worked during the week of August 26th to prepare for registration for the After School Program and to move items into the new storage container.

-At present, there are 13 children registered.

-Request for \$250.00 Petty Cash – Snacks. **Approved by Village Board**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis

Noes: None

-Additional Recreation Aide(s) needed to replace Orianna Lee and Alyssa Flanagan – **Tabled.**

-Request for Replacement of Donated X-Box (no longer works) – **Tabled.**

-Request for Purchase of Supplies from Classroom Direct – The products were not available and; therefore, were purchased from Fern Office Supplies – Total Amount: \$67.23. **Ratified by Village Board**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis

Noes: None

-Request for Replacement of Swing – The Village Board requested DPW Supt. to obtain quotes for 2 swings.

-The After School Program Calendar will follow the Suffern School District Calendar, except that the Youth Center will be open as follows (*Calendar is subject to change):

Early Dismissals: 11:30AM-5:30PM

9/30, 10/1, 10/9 & 3/20: 9:00AM-5:00PM

Approved by Village Board

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis

Noes: None

2019 Fall Festival - 10/26/19 at Youth Center

The next meeting is scheduled for 9/16/19.

-8/6/19 Proposal from Alfred Mann of the Manaklin Brothers Band: 3 Hours of Country Rock Music: \$800.00 - **Approved by Village Board**

Ayes: Deputy Mayor Tarantino & Trustee O’Blenis

Noes: None

Hillburn Sewer Committee

8/20/19 correspondence from the RC Legislature – RE: Unanimous confirmation of appointment of Mayor Tursi to the Rockland County Sewer District No. 1 Board of Commissioners.

Public Comments –

Frank Lazcares (39A Seventh St) – Request that the current Village Board reconsider the petition for the Village of Hillburn to designate the privately owned portion of Seventh Street as a public street. Matter will be reviewed.

Carolyn Caccamo (27 Terrace Ave.) questioned the status of the resurfacing of the 4th St. Railroad Bridge.

-Deputy Mayor Tarantino restated the information reported earlier in meeting.

-Mrs. Caccamo questioned if the installation of speed humps on Terrace Avenue has been approved and, if so, has the location of the speed humps been determined.

-Deputy Mayor Tarantino stated that there has been no decision made regarding installation of speed humps. Other options are being looked into.

-DPW Supt. stated that if approved, the speed humps would be located so as not to interfere with any driveways.

-Mrs. Caccamo suggested that a quote for a handicapped swing for the Recreation Field be considered.

Dwaine Perry (13 Boulder Ave.) suggested the Village Board considered portable speed humps rather than permanent. This way, they could be repositioned to determine the best location.

Tim Williams (31 Sixth St.) requested the installation of a drain in front of his home.

-DPW Supt. Conklin stated that this matter has been reviewed in the past. There appears to be several options including installation of drain from the corner of Rockland Ave. & Sixth St. to the corner of Lake Avenue & Sixth St. (which would involve tearing up the roadway); run a pipe to the stream (which may not be feasible due to road salt run-off); and the installation of a seepage pit (to be discussed with the Village Engineer).

David Stein (Suffern, NY) stated his appreciation to the HFD for their participation in the 9/7/19 Rockland County Parade in Suffern, NY.

Chief Starr stated the HFD had won 1st Place Pumper and 2nd Place Best Dressed.

Application for Use of Hillburn Youth Center

Applicant: Katherine Eugene – Dates: Friday, 10/24/19-Monday 10/28/19 – Purpose: Storage of Tables and Chairs for 3 Year Old's Birthday Party on 10/27/19 (previously approved on 8/20/19) – **Denied by Village Board** (Village's Fall Festival scheduled for 10/26/19)

Ayes: Deputy Mayor Tarantino & Trustee O'Brien
Noes: None

Applicant: Hello Eugene/Strong Tower Ministry – Dates: Every Other Friday Starting 9/27/19 / Time: 8:00PM-10:00PM – Purpose: Youth Group/Bible Study **Denied by Village Board**

Ayes: Deputy Mayor Tarantino & Trustee O'Brien
Noes: None

Application for Use of Hillburn Community Room

Applicant: Sandi Jeanette/Hillburn Ladies Aux. – Date: Tues., 10/1/19 / Time: 7:00PM-9:00PM – Purpose: Committee Meeting. **Approved by Village Board**

Ayes: Deputy Mayor Tarantino & Trustee O'Brien
Noes: None

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

-Patti Economides (Resident) - Email Recommendation for a special pick-up of electronic devices by the DPW once or twice per year. (DPW Supt. stated that it may be a good idea, since the DPW has found electronics illegally dumped in and around streams. Matter will be considered)

-Keep Rockland Beautiful – Invitation to 10/25/19 Annual Awards Gala at The View on the Hudson.

Appointment of Prosecutor

-Robert Yodowitz had provided notification to Mayor Tursi that, due to his work schedule, he is unable to continue to serve as Hillburn Prosecutor.

A MOTION was made by Deputy Mayor Tarantino and seconded by Trustee O'Brien to approve Mayor Tursi's appointment of Eric Holzer to the contractual position of Hillburn Prosecutor, effective 9/1/19, and FURTHER, the rate of pay will be in accordance with the Fiscal Year 2019-2020 budget (\$8,000.00).

Ayes: Deputy Mayor Tarantino & Trustee O'Brien
Noes: None

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

October 2019 Board Meeting Schedule - Meeting dates: 10/5/19 and 10/29/19. **Approved by Village Board**

Ayes: Deputy Mayor Tarantino & Trustee O'Brien
Noes: None

A MOTION was made by Deputy Mayor Tarantino and seconded by Trustee O'Brien to adjourn the meeting at 8:16PM.

Ayes: Deputy Mayor Tarantino & Trustee O'Brien
Noes: None

NOTE: Next Meeting of Village Board: 9/24/19.