

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, September 8, 2020 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, September 8, 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 (arrived late)
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. Asst. Clerk-Treasurer Mary Boone led in the Salute to the Flag.

Minutes of the 8/18/20 Meeting - Approved by Village Board.

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

Village Attorney’s Report – Attorney Rice reported:

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

A conference is scheduled to be held before the next Board Meeting. The Court has been waiting to confirm Noved’s compliance with the Order. However, Attorney Rice will present the Judge with a number of documented incidences whereby Noved has violated the Order.

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

Soil Testing – The Order required Noved to establish an escrow amount of \$50,000.00 with Rockland County for soil testing.

-8/24/2020 Claim filed by Nelson Pope & Voorhis – RE: Creelman Road Soil Testing: \$490.00. Attorney Rice will determine if this claim could be reimbursable through the required escrow. **Tabled by Village Board.**

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

RE: Pending Claim filed 5/29/2020 – Terry Rice – Village of Hillburn v. Cianciuruso (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: Purchase of Chain and Hooks to Block Creelman Road Access – Receipts Submitted from Rainbow Ace: \$86.18. Approved by Village Board.

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

Cablevision Franchise Fee Audit –The Settlement Agreement and Release between the Village of Hillburn and Cablevision of Rockland/Ramapo, LLC was signed by Mayor Tursi and returned to Robert Hoch, Attorney for Altice (Cablevision) on 9/4/2020.

TBS vs. Village of Hillburn – 3/10/20 Stipulation of Discontinuance without Prejudice

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

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

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

Proposed Revisions to the Zoning Local Law – Mayor Tursi stated he had approved the 8/20/20 email proposal from Village’s Planner, Bonnie Franson of Nelson Pope & Voorhis: Time needed to make required amendments to the Zoning Code would be approximately 2½ to 3 hours. **Approved by Village Board.**

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

-Attorney Rice stated Ms. Franson has been informed of three pending amendments. The Building/Fire Inspector also has been in contact with Ms. Franson to discuss the Zoning Code.

Street & Water Commissioners’ Reports – Approved by Village Board.

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

Water

-SUEZ Water New York – Mayor Tursi reported on a Public Notice by Suez Water New York that was published in the the Journal News 8/20/20. The notice reflects a rate decrease for the Village of Hillburn from \$2.2240 to \$2.0000 per hundred cubic feet.

Police Commissioner’s Report – Mayor Tursi reported the Village is quiet, with the exception of the incident on Creelman Road. A chain had been placed across Creelman Road to restrict access to the site. The chain, along with the hooks attaching it to two cement blocks, were cut. The matter has been reported to the RC Sheriff’s Office and the Township of Mahwah Police Dept. The Ramapo Police Dept. has also been requested to increase their efforts in this matter.

DPW Report - DPW Supt. Conklin reported:

-Dedication of a Portion of 4th Street: "Brian Miele Way" – Supt. Conklin stated he received a revised quote for a sign measuring 42" (same size as existing signs). Vendor: Traffic Lane Closures – 8/18/20 Quote: \$794.13.

-At the 7/14/2020 meeting, the Village Board approved the purchase of three signs at a cost not to exceed \$1,000.00. The Marquee sign and James R. Brown Gazebo sign were previously purchased from Custom Car Crafts for a price of \$500.00.

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Brien to modify the 7/14/2020 Village Board action and to increase the \$1,000.00 limit for the purchase of 3 signs (Marquee sign, James R. Brown Gazebo sign and Brian L. Miele Way road sign) to a total cost of \$1,794.13 (Funding: Verizon Franchise Grant and PEG Grant Received 8/19/2019: \$3,750.00); and

FURTHER, to approve the 8/18/20 quote submitted by Practice Company in the amount of \$794.13

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-Mayor Tursi reported the dedication ceremony for the James R. Brown Gazebo and Brian L. Miele Way will be held in the spring of 2021 in order to accommodate family members.

-RE: DPW Trucks – Status:

2004 truck - Out of Service - Motor knocking.

2016 truck - Back in Service – Brakes installed at Terrace Ave. garage.

Red truck - Back in Service – Welding done at Suffern Sales & Service – Inv. #5665: \$1,087.82. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

RE: 2020 Repavement Project – Project Funding: CHIPS

At the 8/18/2020 meeting, the Village Board modified the scope of the project and requested revised proposals.

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino to accept the following revised proposals and to enter into contracts with Tilcon New York, Inc. and Cavaliere Industries, Inc. for the 2020 Road Improvement Project:

Tilcon New York, Inc. – 8/26/2020 Revised Quote - Paving : \$62,402.50

Cavaliere Industries, Inc. – 8/27/2020 Revised Quote - Milling: \$11,887.26

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-Drainage – Area of 31 6th St.– Drain Installed 9/1/2020 – Purchase of Catch Basin: Precast Concrete Sales – \$535.00 **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-Application to Enroll as a General Motors Qualified Fleet User - Mayor Tursi reported that in order to qualify for State Bid pricing, the application will be completed and submitted.

-RE: 193 Route 17 - Complaint Received from Resident – Trash and Dogs Barking

Trash - Supt. Conklin stated that, although the trash is placed in cans, the bears get into them. Trustee O'Brien stated that the cans are never removed from curbside. Dogs Barking – Police should be contacted.

-RE: 53 Rockland Ave. - Complaint Received from HFD Chief – Vehicles Parked on Street blocking access for emergency vehicles – Supt. Conklin will check with HFD Chief to determine status.

-RE: Brandt Road – Complaint by DPW Supt. – Inordinate amount of Trash placed at curbside – Mayor Tursi reached out to property owner to advise that, since the trash appears to be from a commercial use, it would have to be placed in a private dumpster. Supt. Conklin stated that the situation has gotten better.

Village Office – Emergency Lights – DPW Supt. reported the batteries have been installed.

Trees – O & R has been contacted for removal of tree branches in wires. Perfect Cut will be contacted regarding a tree on 1st Street.

Garbage Truck – The seal is leaking on the main cylinder. Quotes for repair are being obtained.

Tractor – New Radiator is needed – Vendor: Sosler's – Maximum Cost: \$800.00 (Labor to be done in-house) **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-Replacement of Faded Stop Signs – Supt. Conklin is obtaining a second proposal from Traffic Safety.

-Tropical Storm Isais – Public Assistance - NYS Dept. of Homeland Security & Emergency Services – Additional information has been supplied.

H.F.D. Report – Chief Shane Starr

Purchase of Turn-Out Gear (Nelson Scott) – Mayor Tursi reported he was in contact with Chief Starr who advised of the following cost (Coat, Pants & Helmet): \$2,700.21. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-H.F.D. Membership – A new member was approved by the H.F.D. on 8/27/2020: Vincent Skokos. Membership and Physical at Mahwah Medical were **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

RBC Wealth Mgmt -Portfolio Focus Account Statement (August 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 spoken with a representative who advised that awards are being disbursed; however, there has been no action on the Village of Hillburn's application.

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:

Veterans Memorial Park Pond – Mayor Tursi and Engineer Mancuso will meet to discuss possible methods to make the pond retain water (Salomone has offered assistance).

Verizon Wireless – SoNY Migration – Telecommunication Connectivity Services (“TCS”) Contract – Replaces expired New York State Comprehensive Telecommunications Service Contract - RE: Village of Hillburn cell phones. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

Assessment Roll

-NYS Dept. of Taxation and Finance – Notice of 2020 Final 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).

-Scott Shedler, Property Appraiser – (Proposal Accepted 7/14/2020) - Mayor Tursi reported that Mr. Shedler came to the Village Office last week and gathered information.

Insurance –

Selective Insurance – Bill of 8/26/2020 - RE: Commercial Package Policy S1322748 and Policy S1540005 – Balance Due: \$19,690.10. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

NYS and Local Retirement System – 2021 Employer Contribution Estimate – Prepayment Due 12/15/2020: \$56,529 (Savings: \$466.00)

Approved by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

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 at 8/18/2020 meeting - pending proposed revisions to Zoning Code.

Zoning Board of Appeals –

-RE: Application for Interpretation/Use Variance filed by NISHA Realty - Public Hearing was held on 8/24/2020 and continued on 9/3/20. Request for Interpretation - ZBA Action: The use of the property as for automotive repair is a permissible non-conforming use of the property, in accordance with Section 250-29 of the 2020 Zoning Law.

Planning Board – Next meeting is scheduled for 9/23/2020 via GoToMeeting.

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

Habitat for Humanity – Request for Waiver of Building Permit Fees – RE: Rehabilitation of Dwelling at 32 Second Street. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-Engineer Mancuso, who is a member of the Habitat for Humanity Board, stated the work is done by volunteers and they would like to begin the project as soon as possible. The footprint of the dwelling will remain the same.

-Mayor Tursi stated he would like to volunteer and, if requested by Habitat for Humanity, he can place a notice on the Village's facebook page soliciting for volunteers. Engineer Mancuso will bring the Mayor's offer to the Board.

Escrow – Status of Escrow Accounts Report @ 8/31/20 was supplied.

Senior Citizens – No report.

Recreation – No report.

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

Hillburn Sewer Committee – As reported at the 8/18/2020 meeting, Mayor Tursi reported he has had discussions with the RC Sewer District and RC Attorney in regards to revising the Intermunicipal Agreement to allow the purchase of Scott Air Packs for the H.F.D. out of the Special Hillburn Sewer Fund. (No response as of this date)

“Keep It Moving” – Narcan Training Class – Saturday, 9/26/2020, from 5:00PM – 8:00PM, at the Youth Center
Mayor Tursi reported that this program, will be sponsored by the Village of Hillburn in collaboration with “Matt’s Movement”.

-Patricia Osterhoudt of “Matt’s Movement” reported that in addition to training and distribution of Narcan kits by “Keep It Moving”, “Friends of Recovery, Rockland” will be present to distribute information about their program. The maximum number of participants allowed would be 70 (most likely it will be closer to 50), social distancing will be observed and masks will be required. A \$10 registration fee will be required and will benefit “Matt’s Movement”. Use of the recreation field for parking is also requested.

Approved by Village Board.

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

Proposed Eagle Scout Project - 5th St. Recreation Field Basketball Court Renovations – 8/22/20 email from Brandon Stock – RE: Scope of Proposed Project and request for approval to proceed with seeking final approval of the project from the Boy Scouts of America. **Approved by Village Board.**

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

NYCOM – 2020 Virtual Fall Training School: Sept. 22-24, 2020 – Registration of Village Office Staff: \$99.00 each.
Approved by Village Board.

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

Public Comments –

Delores Hunter (16 Fox Hollow Road)

-Thanked Patricia Osterhoudt for the great work that she does for opioid addiction awareness.

-Questioned how the bands are selected for the Village’s concerts in Veterans Memorial Park. (Mayor Tursi stated that bands of various genres provided proposals and were approved by the Village Board.

Patricia Osterhoudt (159 Sixth St.)

-Recommended that anyone with Narcan that is past the one year expiration date obtain a free Narcan kit on 9/26/20.

-Suggested that Habitat for Humanity reach out to people who have been assigned community service.

-Suggested that the Village consider doing a community “Trunk or Treat”. Mayor Tursi stated it will be given consideration.

Timothy Williams (31 Sixth St.) thanked the Village Board and the DPW for the installation of a drain in the area of his home.

Richard Mellon (24 Lake Ave.) advised that he was a previous owner of 32 Second St., recently purchased by Habitat for Humanity, and would be willing to share information regarding the house.

2020 Census – After a report received from Trustee Tarantino of a woman going door to door in the Village, it was confirmed she was from the 2020 Census. She was advised that prior to canvassing homes, she must report in to the Village Office.

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

-Shining Lights Helping Hands Corp. – 8/25/2020 thank you letter – RE: 8/10-14/2020 Use of Youth Center for Back to School Bookbag preparation. Mayor Tursi read the letter aloud.

-RC Dept. of Planning – RE: Executive Order 202.60 extending the ability to hold remote public meetings and hearings through 10/4/2020.

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

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

Annual Organizational Meeting - Monday, September 21, 2020 – 7:00PM - (Community Room)

A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to adjourn the meeting at 8:15PM.

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