

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, March 8, 2022 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, March 8, 2022, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, via GoToMeeting.com, commencing at 7:00PM.

PRESENT:

Joseph P. Tursi, Mayor
Bernadette Tarantino, Trustee
Terry Rice, Village Attorney (online)
Eve Mancuso, Village Engineer
Scott Shedler, Village Assessor

ABSENT:

Bonnie O’Blenis, Trustee (Bereavement)
Thomas Conklin, DPW Superintendent (Personal)

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

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The Hon. Mayor Joseph P. Tursi called meeting to order. Village Assessor, Scott Shedler, led in the Salute to the Flag.

Minutes of the 2/22/2022 Meeting - Approved by Village Board.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

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

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

Police Commissioner’s Report – No report.

Village Water System – No report.

DPW Report - DPW Supt. Conklin – Not present – no report.

H.F.D. Report – Chief Starr reported:

Requests for purchases:

(-1) Pair of Bunker Boots – Vendor: Witmer Public Safety: \$489.00 **Approved by Village Board**
(-1) Wireless Printer – Vendor: Amazon: \$179.00 **Approved by Village Board.**

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

RE: P.O. #2104 issued to NJEV on 9/15/2021 for Annual Preventive Maintenance of 2009 CFR, 2005 Quad & 1986 MP
Chief Starr reported there has been a change in personnel at NJEV and, as of this date, no service has been done to the fire trucks. Chief Starr recommended that the P.O. #2104 be voided and Hendrickson Fire be approved to do the annual preventive maintenance of the HFD vehicles. There will be no change in the cost.

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi to void P.O. #2104, in the amount of \$6,100.00, issued to NJEV on 9/15/2021, and to authorize the issuance of a new Purchase Order to Hendrickson Fire upon receipt of a quote in the equal amount of \$6,100.00.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

RE: New Junior HFD Member

Chief Starr requested authorization for Christian Scott to get a physical to become a Junior HFD member. **Approved by Village Board.**

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

Chief Starr reported his term as HFD Chief will expire at the end of March 2022. He stated it has been a pleasure working with the Village Board.

LOSAP

-Penflex– Service Award Program (LOSAP) – The 2021 Data Request Package has been completed by the H.F.D. Chief.
Approved by Village Board.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

-RBS Wealth Management – February 2022 Account Statement

SAM Capital Funding Grant Applications

-SAM Grant #24626 - Sponsored by Assemblyman Lawler’s Office – Revised Funding Application: Pre-Fab Building and Back Hoe – Submitted.

-SAM Grant #24595 – Sponsored by Senator Elijah Reichlin-Melnick’s Office – 6/30/2021 Letter Request for Funding - Proposed Project Application: Veterans Memorial Park Pond Restoration – Awaiting receipt of the Grant Disbursement Agreement (GDA)

Tropical Storm Isaias – FEMA - Disaster DR 4567 – Awaiting further information.

Hurricane IDA – FEMA – Disaster DR 4615 – Projects: 6th Street Culvert, Suffern Road Water Main Armoring, and the Mountain Avenue Drainage Construction - The next conference call with representatives from FEMA is scheduled for 3/10/2022.

DR-4480 COVID-19 Pandemic Hazard Mitigation Grant Program (HMGP) – Federal Funding Available. Deadline for filing: 4/1/2022. Determination of proposed project is needed.

NYS Archives – Local Records Management Improvement Fund (LGRMIF) Grant – Authorization for the Village to seek 2023 Grant Funding. **Approved by Village Board.**

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

Village Engineer's Report – Engineer Mancuso reported:

RE: FEMA – Disaster DR 4615 – Notification was received from the FEMA requesting an onsite inspection of the three project areas. However, since an onsite meeting was already held with FEMA representatives, she will determine if it is necessary, or if photos would be acceptable.

2021 Repavement Project – Funding: CHIPS Program - Project Areas: 5th St (from Mountain Ave. to Hickory Ave.), Hickory Avenue (from 5th St. to 6th St.), 6th St. (from Hickory Ave. to Rockland Ave.)

-Reimbursement by CHIPS and PAVE NY is expected by mid-March.

Village Attorney's Report – Village Attorney Terry Rice reported:

Draft Local Law – RE: Maximum Weight of Garbage/Refuse Receptacles – Submitted 1/25/2022 - Tabled for review.

Draft Local Law for Amendment of Zoning Law and Comprehensive Plan – Submitted 1/25/2022 – Amendments/revisions are being made by the Village Planner, Bonnie Fransen of Nelson Pope & Voorhis.

-Claim Dated 2/25/2022 - Nelson Pope Voorhis – Invoice #26469: \$1,015.00. **Approved by Village Board.**

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

\$125,000 BAN – Dated 1/14/2021 (DPW Vehicle, DPW Pre-Fab Garage & Misc. Office Equipment)

-A Financial Report at 3/08/2022 was supplied.

Personnel Manual – Manual is to be updated to include COVID-19 protocol.

Insurance –

April 2022-April 2023 Insurance (Present Policy Expires April 15, 2022) - The Village's insurance agent, Seeley & Durland, has provided an updated Municipal supplemental application from Selective Insurance and requested confirmation as to whether the Village will be holding the Summer Camp Program this year.

The Village Board stated that insurance renewals proposals should include the Summer Camp.

7:15PM

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi to suspend the regular meeting in order to hold the duly scheduled Public Hearing.

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

Public Hearing – Introductory Local Law No. 1 of 2022 - A local law to Override the Tax Levy Limit established in General Municipal Law §3-C.

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

-The purpose of the local law is to allow the Village, if necessary, to exceed the established tax cap. The 2022 NYS Tax Cap is 2%.

Hearing was opened for public comments.

-**Tony Powell (121 Sixth St)** questioned if the Village Board plans on exceeding the tax cap.

-Mayor Tursi stated that it is likely, as it is very difficult for small villages to stay under the tax cap.

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi to close the Public Hearing.

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi to reopen the regular Board meeting.

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

The following Resolution was offered by Trustee Tarantino and seconded by Mayor Tursi who moved its adoption:

WHEREAS, a duly noticed public hearing was held on March 8, 2022 regarding Introductory Local Law No. 1 of 2022, A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C;

WHEREAS, the Village Board determined that the adoption of Local Law No. 1 of 2022 is a Type II action and no further environmental review is required;

NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law No. 1 of 2022 as Local Law No. 1 of 2022. Said Local Law will take effect immediately upon filing with the Secretary of State.

Ayes: Joseph P. Tursi, Mayor

Bernadette A. Tarantino, Trustee

Noes: None

Absent: Bonnie R. O'Blenis, Trustee

Resolution was unanimously adopted.

General Code

Updating of Village Code Book - Pending adoption of amended Zoning Law and Comprehensive Plan.

2022 Assessment Roll - Grievances

Grievances filed by: TBS Realty Mgmt, LLC, Realty Management/Hillburn Park Corp., ACA Holding Corp. and TOKNY Realty Group, LLC.

At the workshop meeting of the Board of Assessment Review/Village Board held at 6:30PM this evening, the Board reviewed the documentation supplied by the property owners/representatives in response to letters sent by the Village Attorney requesting additional information.

Action taken on 3/8/2022 by the Board of Assessment Review/Village Board:

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|---------------------------------|---|
| TBS Realty Mgmt, LLC | - Denied: Insufficient proof to substantiate a reduction in assessment. |
| Realty Mgmt/Hillburn Park Corp. | - Denied: Insufficient proof to substantiate a reduction in assessment. |
| TOKNY Realty Group, LLC | - Denied: Insufficient proof to substantiate a reduction in assessment. |
| ACA Holding Corp. | - Denied: Insufficient proof to substantiate a reduction in assessment. |

Approved by Village Board.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

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

-A Financial Report at 3/08/2022 was supplied.

Village Website

Mayor Tursi reported that the new Website is near completion; however, there has been meeting scheduling conflicts with equaTek for finalization.

Zoning Board of Appeals – No report.

Planning Board – No report.

Building/Fire Inspector's Report

-The Village Board acknowledged receipt of copies of correspondence from the Bldg/Fire Insp. & Asst. Bldg Insp.

Escrow – A Status of Escrow Accounts Report dated 3/08/2022 was supplied.

In accordance with the 2/28/2022 memo received from the Hillburn Planning Board recommending payment, the following two claims against escrow accounts filed on 2/9/22 by Brooker Engineering were paid on 3/2/2022:

-RE: L. Rightmyer/TOKNY Fuji Realty Group – Invoice #162243: \$267.00 **Ratified by Village Board**

-RE: Jay Kim – Invoice #162240: \$623.00 **Ratified by Village Board**

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

RE: Thomas Scott – Escrow for Engineering Review - Bldg Permit #091220 Issued 9/3/2020 - Single Family Home
Engineer Mancuso confirmed there were no outstanding claims against the escrow account.

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi that the 3/8/2022 escrow balance, in the amount of \$1,46.50, be refunded to Thomas Scott.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

Noved Building Mgmt

-4/4/2019 Planning Board Application - Additional escrow to be filed by Noved Building Mgmt. for outstanding claims of Nelson Pope Voorhis - 8/6/2021 Statement (Invoice #20848 & 211542, 21994): \$490.00 – Payment remains pending).

-*Outstanding Escrow due to the Village of Hillburn from Noved for Escrow Claims Paid 4/30/2020: \$5,429.57.

Senior Citizens –Upcoming meetings in March: 3/14 & 3/28 – 3:00PM.

Recreation – The Village Board will be reviewing plans for the Summer Camp Program and After School Program.

2022 Village Election – 3/15/2022 – The polls will be open from 12:00noon to 9:00PM.

Annual Reorganizational Meeting – Mayor Tursi reported the meeting will be held on Monday, April 4, 2022 at 7:00PM in the Hillburn Community Room.

LED Lighting in Village Buildings – Mayor Tursi reported he had met with a representative from TASS of New York, Inc. on 2/23/2022 to discuss conversion of the lighting at Village buildings to LED. Two proposals were received as follows:

Hillburn Community Room (Upstairs): SAMJIN Lights: \$27,244.00 LGE/LED: \$22,585.00

Hillburn Municipal Building: SAMJIN Lights: \$15,890.00 LGE/LED: \$13,895.00

Mayor Tursi stated that by converting, the Village would see an approximate 40% savings. Matter is being further reviewed.

7:30PM

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi to suspend the regular meeting in order to hold the duly scheduled Public Hearing.

Ayes: Mayor Tursi & Trustee Tarantino
Noes: None

Public Hearing - -Introductory Local Law No. 2 of 2022 - A local law to opt out of the exemption from taxation of certain energy systems under Real Property Tax Law §487, as most recently amended by Chapter 59 of the Session.

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

-Village Assessor Scott Shedler, explained that the purpose of the law is to protect the Village from major tax exemptions.

Hearing was opened for public comments.

-**Dwaine Perry (13 Boulder Ave)** questioned when the Village would recoup the expense of the LED conversion.

-Mayor Tursi advised that the comments should only be in regards to the proposed local law.

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi to close the Public Hearing.

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

A MOTION was made by Trustee Tarantino and seconded by Mayor Tursi to reopen the regular Board meeting.

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

The following Resolution was offered by Trustee Tarantino and seconded by Mayor Tursi who moved its adoption:

WHEREAS, a duly noticed public hearing was held on March 8, 2022 regarding Introductory Local Law No. 2 of 2022, a Local Law law to opt out of the exemption from taxation of certain energy systems under Real Property Tax Law §487, as most recently amended by Chapter 59 of the Session Laws of 2021.

WHEREAS, the Village Board determined that the adoption of Local Law No. 2 of 2022 is a Type II action and no further environmental review is required;

NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law No. 2 of 2022 as Local Law No. 2 of 2022. Said Local Law will take effect immediately upon filing with the Secretary of State.

Ayes: Joseph P. Tursi, Mayor

Bernadette A. Tarantino, Trustee

Noes: None

Absent: Bonnie R. O'Blenis, Trustee

Resolution was unanimously adopted.

Public Comments

Dwaine Perry (13 Boulder Avenue) stated that the LED conversion was a large investment and questioned when the Village would recoup the expense of the LED conversion.

-Mayor Tursi stated that the savings would be reflected immediately in the energy bills. Further, the Village is looking into the possibility of grant funding and reimbursements for clean energy.

Requests for Use of Community Room

-RC Board of Elections – Primary Day - 6/28/2022 and General Election - 11/8/2022 - **Approved by Village Board**

-Hillburn Community Scholarship Committee – 3/9/2022 – 6:30PM (Meeting) **Approved by Village Board**

-Hillburn Community Scholarship Committee – 6/11/2022 – Scholarship Awards **Approved by Village Board**

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

Items Needing Approval

-ICC Community Dev. Solutions (P.O. #2124 formerly General Code) – Inv. PC0000032277 – Laserfiche: \$7,056.00 - **Approved by Village Board**

-Creative Car Crafts – Decals #2022222 – Sign for Community Room: \$200.00. **Approved by Village Board**

COVID-19 Test Kits – The Village Board authorized the issuance of COVID-19 test kits to the general public (originally only issued to residents 65 years of age & older). One test kit, per person. Proof of residency and age is required.

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

RC Depat. Of Economic Development, Tourism & Film – Request for update on the Village's requirements for filming.

Township of Mahwah – Notice of Public Hearing – Zoning Amendment – 3/10/2022

Town of Ramapo – Notice of Public Hearing – Zoning Amendment – 3/15/2022

Town of Clarkstown - Notice of Public Hearing – Local Law to Prohibit Short Term Rentals – 3/8/2022

Ramapough Mountain Indians – Notice of Free COVID-19 Vaccines being offered at its Tribal Center on 3/12 and 4/1/2022.

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

Ayes: Mayor Tursi & Trustee Tarantino

Noes: None

Upcoming Village Board Meetings: Tuesday – March 22, 2022 - 7:00PM

Meeting was adjourned at 7:48PM.