

**VILLAGE OF HILLBURN**  
**Board of Trustees Meeting**  
**Tuesday, February 14, 2023 – 7:00PM**

**MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, February 14, 2023, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.**

**PRESENT:** Joseph P. Tursi, Mayor  
Bernadette Tarantino, Trustee  
David H. McNally, Trustee  
Terry Rice, Village Attorney (online)  
Eve Mancuso, Village Engineer  
Thomas Conklin, DPW Superintendent

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

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The Hon. Mayor Joseph P. Tursi called meeting to order. HFD Captain Andrew Stryko led in the Salute to the Flag.

*A Moment of Silence was held in remembrance of former Village of Hillburn Engineer Alan M. Garfinkel, who passed away on January 27, 2023.*

**Minutes of the 1/24/2023 Meeting - Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino and McNally  
Noes: None

**Street & Water Commissioners' Reports – Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

**Police Commissioner's Report** – No report.

**Village Water System** – Veolia Bill of 2/3/2023: \$9,814.74 **Payment Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

-Testing and/or replacement of 2 meters: #55240190 (4<sup>th</sup> St.) and #55255384 (Route 17). DPW Supt. Conklin reported the 4<sup>th</sup> St. meter has been tested; the Route 17 meter testing has to be rescheduled.

-County of Rockland Environmental Health – January 2023 water sample results.

**DPW Report - DPW Supt. Conklin**

**Keep Rockland Beautiful** – Date Scheduled: 4/1/2023 (Rain Date 4/8/2023) Kick-off: 8:30AM – Lunch: 12:00PM - Community Room. Fliers will be provided by KRB.

-Expenditure for refreshments: Not to exceed \$300.00 - **Approved by Village Board.**

-Expenditure for Tote Bag Sponsor – \$250.00 - **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

**Collection of Hazardous Waste/E-Waste** – Saturday, March 4th, 8:00AM – 12:00noon. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

**NYS DOT Annual Certification of Local Highway Mileage** – DPW Supt. is following up on completing the report.

**Rockland Green** – 2/7/2023 Notice – Increase of Tip Fee: at least \$99/ton effective 1/1/2024.

**Proposed County-Wide Road Opening Permit** – To be reviewed by Village Engineer.

**2023 Gas Education & Outreach-UDIG-New York** – The DPW staff will attend on 3/21/23 (RC Fire Training Center)

**H.F.D. Report – Chief Irving Stryko reported:**

**Firefighter Training** – Invoice #23-10 County of Bergen Dept. of Public Safety - Firefighter One 2023 Course – Scott, Christian: \$465.00. (This course is not offered at the RC Training Center at this time - Reimbursement will be looked into)  
**Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

**AED – Replacement of Pads/Batteries** – 2/13/2023 Quote from Zoll: \$385.00. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

**CPR-AED Training** One quote has been obtained (via text): \$800.00 (training for 15 people). Official quote forthcoming. A second quote will also be obtained.

**AED for 5-UTV** – The HFD is working with companies to obtain a donation/grant. This AED would be useful when responding to brush fires/emergencies.

**Portable Radios** – Request to order 20 batteries, 5 antennas and 1 mic from Amazon at the total cost of \$565.84. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

-The HFD is also looking to replace the radios, as they are obsolete and can no longer be repaired.

**5-CFR – Charging System** – Chief Stryko reported that the part for the charging unit was ordered by Hendrickson Fire and is expected to arrive 2/20/2023. Cost has not been determined.

**2022 Volunteer Fire Assistance Grant** (12/6/2022 Notice of Award) – Grant Share: 50% of Purchase up to \$3,000.00. The parts have been purchased from Home Depot. Actual cost: \$3,711.99 (\$28.00 above approved quote of \$3,683.99) – Grant Share: \$1,500.00 / Village Cost: \$2,211.99. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

-DEC has been contacted to schedule an inspection of the purchased equipment in order to qualify for reimbursement.

Knox Box Key – As requested by Chief Stryko at the 1/24/2023 meeting, a replacement key has been provided to Assistant Chief Nelson Scott.

RE: LOSAP

-2022 LOSAP Report - Chief Stryko stated that the report was complete and will be submitted for Village Board approval/signatures.

-RBS Wealth Mgmt – January 2023 Acct Statement, January 2023 Prospectus Reports, 1/31/2023 Notice – Trusted Contact email address (correct email address will be provided via next quarterly statement).

-Penflex – 2/3/2023 Email - 2022 Investment Returns and Your Defined Benefit LOSAP

Proposed Legislation to Create of Accessory Dwelling Units in New York State - Mayor Tursi reported that he had received a copy of Rockland County Volunteer Firefighters' Assoc., Inc.'s 1/19/2023 letter to Governor Kathleen Hochul objecting to this proposal. Subsequently, he had also sent the Governor a 1/30/2023 letter objecting to the proposed legislation (read aloud).

**Status on Grant Applications:**

SAM Grant #24626 - Sponsored by Assemblyman Lawler's Office – Pre-Fab Building and Back Hoe –

-Back Hoe - Reimbursement, in the amount of \$75,500.00 (NYS Share), was received on 10/17/2022.

-Pre-Fab Building – Discussed under Village Engineer's report.

SAM Grant #24595 - Sponsored by Senator Elijah Reichlin-Melnick's Office – Veterans Memorial Park Pond Restoration (discussed under Village Engineer's Report).

Hurricane IDA– FEMA – DR 4615 –Proposed Projects: -RE: 6<sup>th</sup> St. Culvert and Suffern Road Water Main Armoring.

-6<sup>th</sup> St. Culvert – 3/31/2023 Project Deadline extended to 3/3/2024. Discussed under Village Engineer's Report.

-Suffern Rd Water Main Armoring – Project denied – Reason: Insufficient documentation to support claim that the damage was a direct result of the disaster. Although the Village can appeal, Engineer Mancuso stated that the Village could not provide the required before/after pictures of the water main taken prior to Hurricane Ida.

DR-4480 COVID-19 Pandemic Hazard Mitigation Grant Pro. (HMGP) – Application filed 6/1/2022 – Project: Purchase of 4 Standby Power Generators for 4 Village owned buildings – 2/14/2023 email received stating that it is in the final review stages – notifications to be sent in the next couple of months.

NYS Archives – Local Records Management Improvement Fund (LGRMIF) Grant – 50% of the grant, in the amount of \$6,425.00, was received on 10/14/2022.

-RE: shredding service – Email quote received from Confidential Shredding: Minimum Charge: \$135.00 for first 95 gallon tote, each additional tote: \$73.50. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

Corona Virus State & Local Fiscal Recovery Funds (SLFRF) – \$100,820.01 - Project: “Veterans Memorial Park Pond Restoration” – Current expenditures at this date total \$4,561.75.

2022 Crest Grant – Proposed Projects: Garbage Truck and Pre-Fab Garage – Application filed. Response pending.

2022 Volunteer Fire Assistance Grant – Proposed Purchase: Search & Rescue Equipment – \$1,500 Grant was awarded. Deadline for completion: 6/30/2025. (reported under HFD Report).

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

-5<sup>th</sup> Street DPW Garage – Engineer Mancuso reported the Bid Notice and Specifications are complete. Bid Filing deadline, 3/14/2023 4:00PM/Bid Opening: 7:00PM.

-6<sup>th</sup> Street Culvert – An analysis has determined that the culvert is sufficient for the volume; however, the length may be increased and construction made in two phases to maintain one lane of traffic.

-Suffern Rd Water Main – It has been determined that there is no leak in the water main.

-Paving of Upper End of Sixth Street – Specifications are being developed. Engineer Mancuso reported the Town of Ramapo has not awarded its bid as of this date.

-Veterans Memorial Park Pond Restoration – (5) Samples for sieve testing have been tested by Frank Getchell of Weston & Sampson. Results will be available by the next meeting.

-4<sup>th</sup> St. Curb and Sidewalk Project – Still awaiting Bond from MFD Quality Construction, Inc. for the retainage.

**Claims filed by Brooker Engineering:**

-5<sup>th</sup> Street DPW Garage – Inv. #164961 - \$8,813.50 (Funding: SAM Grant #24626) – **Approved by Village Board**

Inv. #165070 - \$4,195.00 (Funding: SAM Grant #24626) – **Approved by Village Board**

-Veterans Memorial Park Pond – Inv. #165068 – \$732.00 (Funding: SAM Grant #24595) – **Approved by Village Board**

-6<sup>th</sup> St. Culvert Repairs – Inv. #166069 - \$4,475.00 (Funding: FEMA–DR 4615) – **Approved by Village Board**

-MS-4 Mapping Grant – Inv. #65067 - \$138.25 (Funding: V/Share Matching Funds) – **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

MS-4 Annual Report – 1/27/2023 Proposal for engineering Services - \$1,400.00. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

**NYS DOT – CHIPS Program** - Quarterly SFY 2022-23 Request for Reimbursement in the amount of \$42,434.70 was filed on 2/1/2023

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

-Petition filed by Dwaine C. Perry on 1/9/2023 – Parking Rights on Village-owned Lot – (2<sup>nd</sup> Petition filed by Dwaine Perry – 3/31/22 Petition Dismissed by Judge Zugibe on 9/30/22) Attorney Rice he filed motion to dismiss based on several issues, including that it was jurisdictional defective. Subsequently, the Plaintiff withdrew his lawsuit.

Hillburn vs. Noved/Nicholas Cianciaruso, et. al – 12/1/20 Decision and Order signed by Judge Eisenpress.

-Remediation of Site – Attorney Rice reported that he had spoken with an Attorney for the NYS DEC who advised that DEC has been unable to come to an agreement with the plaintiffs and has scheduled a Pre-Trial Conference before going forward with an Administrative Hearing. Subsequently, Attorney Rice sent a 1/31/2023 letter to Judge Eisenpress outlining the current status of the property and requesting a Zoom conference to discuss same. Following the 2/6/2023 Zoom conference at which the Judge ordered that the defendants must remediate the site, he prepared a proposed Order to Remediate the Site with Notice of Settlement. The defendant now has an opportunity to submit a counter Order. The Judge will review the proposed Orders and make a decision.

-A letter has been sent to Mahwah Mayor Wysocki, by Mayor Tursi, requesting assistance/cooperation in this matter.

-Noved – LOMR-F (Letter of Map Revision) Request filed on 2/7/2023 – The request, originally filed with the Building/Fire Inspector, was forwarded to the Engineer Mancuso, the Flood Plain Administrator, as recommended by the Village Attorney. Upon review, Engineer Mancuso supplied a 2/10/2023 memo stating that, due to the respective property is the subject of court ordered remediation, and the extent of the contaminated fill removal has not been determined, she is unable to sign off on this LOMR request.

-Attorney Rice requested Engineer Mancuso to provide information to the RC Drainage Agency.

-Draft of Local Law for Amendment of Zoning Law & Comprehensive Plan

-The Planning Board supplied a 2/14/2023 memo stating that they have no comments or recommendations pertaining to the proposed Zoning Law Amendments.

-Attorney Rice requested a meeting with the Village Board prior to scheduling a Public Hearing.

-Draft Local Law – RE: Maximum Weight of Garbage/Refuse Receptacles – Remains tabled.

-Verizon Franchise Renewal (Current Franchise expires 5/20/24) – Attorney Rice is still awaiting a response.

2023 Agreement with Town of Ramapo - Fire District #1 and District #5 –

As recommended by the Village Attorney,

A MOTION was made by Trustee McNally and seconded by Trustee Tarantino to approve the 2023 Agreement with the Town of Ramapo for Fire Protection Districts #1 and #5, and authorizing Mayor Tursi to sign the Agreement, as follows:

Fire District #1:	\$120,525
Fire District #5:	\$ 70,000

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

Various Capital Improvements (In accordance with 9/1/16 BAN) – A 2/14/23 Financial Report was supplied.

\$125,000 BAN Dated 1/14/2021 (DPW Vehicle DPW Garage & Misc Off. Equip) – A 2/14/23 Financial Report was supplied.

Insurance –

-Package Policy – (Present Policy expires 4/15/2023) – The Village's insurance agent, Seely & Durland, will be requested to seek proposals. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

Annual Training – Workplace Sexual Harassment and Violence Prevention – As approved by the Village Board, all Village employees have been supplied with information to take the online training through Selective Insurance HR Essentials Services.

2023 Tentative Assessment Roll – The 2023 Tentative Assessment Roll was filed by the Village Assessor on 1/31/2023. The Hearing of Complaints will be held on 2/21/2023. Notice has been posted and published.

2023 Village Election – Tuesday, 3/21/2023 – The deadline to file Independent Petitions is today, 2/14/2023. Independent Petitions Received: Two for the Office of Mayor and One for the Office of Trustee.

Zoning Board of Appeals –

RE: ZBA Application Filed 1/9/23 Owner: Fulton Estates, LLC/Applicant: Joseph Levy – A Public Hearing has been scheduled for Wednesday, 2/15/2023.

-The Village Board was supplied with the 2/9/2023 RC Planning Dept. GML Review.

Planning Board – Meeting held on 2/13/2023.

Request for Zone Change - MS Realty of New York – In conjunction with their Planning Board Application for an addition to existing warehouse, the Village Board is in receipt of a 2/14/2023 letter from the applicant's Attorneys, Sarajian & Baum, requesting a Zone Change.

-Attorney Rice stated that this matter should be considered after adoption of the Zoning Law Amendment.

Building/Fire Inspector's Report - The Board acknowledged receipt of copies of the Bldg/Fire Insp's correspondence.

Schedule of Fees – Mayor Tursi stated he would like to schedule a workshop with the Village Board to discuss the feasibility of imposing application filing fees.

Escrow – Status of Escrow Accounts Report dated 2/08/2023 was supplied.

Senior Citizens – No report.

Recreation

Proposed use of Youth Center by Max McClintock for a summer youth program – A workshop will be scheduled.

**Public Comments** –

**Bryan Tanksley (187 Route 17)** – The Village Board and Building/Fire Inspector were in receipt of an Action Form filed by Mr. Tanksley on 2/6/2023.

-Mr. Tanksley reported that the tenants of 193 Route 17 consist of young men who continuously cause disturbances. He has contacted the Ramapo Police regarding parties involving loud music and drinking (he is unsure if they are underage), and the H.F.D. regarding outdoor fires. Property maintenance is also an issue, as garbage is continuously strewn around the property.

Chief Stryko confirmed that the HFD had to respond twice in one night regarding illegal outdoor fires.

-Mayor Tursi advised Mr. Tanksley that he will follow up with the Ramapo Police Department and that the Building/Fire Inspector had issued the property an Order to Remedy.

**Requests for Use of Village Buildings**

- Y. Van Dunk – Hillburn Ladies Aux. – 2/7/2023 – 6:15PM – Hero Night Mtg **Ratified by Village Board**
  - B. Tarantino – Hillburn Scholarship Com. – 2/16/2023 – 6:00PM – Meeting **Approved by Village Board**
  - Y. Van Dunk – Hillburn Ladies Aux. – 2/21/2023 – 7:00PM – Executive Meeting **Approved by Village Board**
- Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

**RC Conference of Mayors** – Invoice – 2023 Annual Membership: \$150.00 **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

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

-RC County Executive’s Office – Info. from Senator Kirsten Gillibrand – RE: Accepting Requests for Congressional Directed Spending.

-Township of Mahwah – Draft of 2023 Land Use Element Amendment and Housing Element & Fair Share Plan Amendment.

-NYS Dept. of Civil Service – Dept. of Labor positions.

-Webster Bank – Rate Adjustment.

-NYCOM – Briefing on the 2023-24 Executive Budget.

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

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None

**Personnel Manual** Updates Needed: Pandemic Protocol, Sexual Harassment-Annual Training and update to Holidays.

**Upcoming Village Board Meeting:** 2/28/2023 - 7:00PM

A MOTION was made by Trustee McNally and seconded by Trustee Tarantino to adjourn the meeting at 8:17PM.

Ayes: Mayor Tursi, Trustees Tarantino & McNally  
Noes: None