

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, June 28, 2022 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, June 28, 2022, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Bernadette Tarantino, Deputy Mayor
David H. McNally, Trustee
Terry Rice, Village Attorney (online)
Eve Mancuso, Village Engineer (arrived late)
Thomas Conklin, DPW Superintendent

ABSENT: Joseph P. Tursi, Mayor (vacation)

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

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The Hon. Deputy Mayor Bernadette Tarantino called meeting to order. Bldg/Fire Inspector Larry McMannis led in the Salute to the Flag.

Minutes of the 6/14/2022 Meeting - Approved by Village Board.

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

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

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

Police Commissioner's Report – No report

DPW Report - DPW Supt. Conklin

LED Lighting in Village Building – HFD Building/Community Room – Contractor: TASS of New York, Inc. - Project has commenced. DPW Supt. is overseeing the project to ensure all lights are installed in accordance with the contract. -Deputy Mayor Tarantino stated that the contractor had left the building in an unacceptable condition and questioned DPW Supt. Conklin if the old lighting and trash that were strewn throughout the rooms had been removed. Supt. Conklin stated that the contractor separated and loaded the items onto DPW trucks for proper disposal.

Concerts in the Park - Sat., July 16th (Country Fresh Band) and Sat., August 13th (Chris Bolger and Red Shoes Band).

- JohnToGo, Inc. – Proposals: (1) Regular John: 7/16/2022 & 8/13/2022: \$195.00 each. **Approved by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

-Supt. Conklin reported he had purchased two lights to illuminate the stairs at the Park.

Trees in Veterans Memorial Park – Trees will be picked up/installed when Mayor is available to determine the location.

Pond Treatment – Contract with Princeton Hydro - Inv. #44712: \$1,250.00 – For 2022 Pond Treatment Service through 6/16/2022 – As of this date, there has been no service rendered by Princeton Hydro. Attorney Rice recommended tabling the invoice until a timely date for service has been scheduled. **Tabled by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

Engineer Mancuso arrived at meeting.

Sanitation Equipment Corp. – Invoice 59752 dated 6/20/2022 –RE: Cylinder for Garbage Truck – No Purchase Order was issued – Matter was resolved – Invoice issued in error.

Village Water System

Veolia (formerly SUEZ Water NY) – Repair to 4th St. Valve (4/18-20/2022) – RE: Bill to SUEZ/Veolia for services rendered by the DPW staff in association with the valve repair. (Total - 4 DPW Employees: \$2,031.38). 5/12/2022 email from Veolia that they are not responsible. Engineer Mancuso will speak with Supt. Conklin and draft a response letter.

7:15PM

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

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

Public Hearing – Introductory Local Law No. 3 of 2022 - A Local Law Regulating Filming in the Village of Hillburn.

-Attorney Rice explained the purpose of the local law is to implement regulations, applications and fees for filming. The permitting authority for each application is the Village Board and fees would be negotiated on a case-by-case basis.

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

Hearing was opened for public comments. There were no comments.

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

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

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

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

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

WHEREAS, a duly noticed public hearing was held on June 28, 2022 regarding Introductory Local Law No. 3 of 2022, a Local Law to regulate filming in the Village of Hillburn and amends the Code of the Village of Hillburn by adding thereto a new chapter, Chapter 122, entitled “Filming”; and

WHEREAS, the Village Board determined that the adoption of Local Law No. 3 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. 3 of 2022 as Local Law No. 3 of 2022. Said Local Law will take effect immediately upon filing with the Secretary of State.

**Ayes: Bernadette Tarantino, Deputy Mayor
David McNally, Trustee**

Noes: None

Absent: Joseph P. Tursi, Mayor

Resolution was unanimously adopted.

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

-Car Fire/Jaws of Life Drill on two donated vehicles – Wednesday, 6/29/2022 – Chief Stryko requested authorization to hold the drill in the 6th St. reservoir area and for the DPW to prep the vehicles with the backhoe prior to the drill. The vehicles will be promptly removed by Teplitz. **Approved by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee McNally

Noes: None

-5-Quad – Repairs and Maintenance by Ruscon Truck Service & Equip. Co.

-Repairs to Power Steering (RO #001-28601) – Repairs made – (PO #2155 dated 5/2/22) - Cost: \$12,871.24

-Annual Preventive Maintenance (RO #001-28819 – Service was performed - Cost: \$ 2,455.02 (est.)

-Required Repairs: Remove/Rebuild Tank to Pump and Tank Fill Valves (RO #00-28840) - Cost: \$10,617.55 (est.)

Approved by Village Board.

Ayes: Deputy Mayor Tarantino & Trustee McNally

Noes: None

-Penflex – Correspondence received - RE: LOSAP

- 1/1/22 Annual Report – Includes Executive Summaries and Participant Statements as of 12/31/21
- Audit Package – Y/E 12/31/2021

SAM Capital Funding Grant Applications

-SAM Grant #24626 - Sponsored by Assemblyman Lawler’s Office – Revised Funding Application: Pre-Fab Building and Back Hoe – Mayor Tursi and Attorney Rice have electronically signed the Grant Disbursement Agreement (GDA).

-SAM Grant #24595 – Sponsored by Senator Elijah Reichlin-Melnick’s Office – Project: Veterans Memorial Park Pond Restoration – The fully executed Grant Disbursement Agreement (GDA) was received on 4/5/2022.

-Claim – Brooker Eng. – Inv. #163174 –Veterans Memorial Park Rehabilitation: \$567.00. **Ratified by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee McNally

Noes: None

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

Hurricane IDA – FEMA – Disaster DR 4615 – Status of Proposed Projects:

-RE: 6th St. Culvert – All documentation has been filed and review by FEMA is moving forward.

-RE: Suffern Road Water Main Armoring – A Site Inspection Phone Call Meeting is scheduled for 6/30/2022.

-RE: Mountain Avenue Drainage Construction

A MOTION was made by Trustee McNally and seconded by Deputy Mayor Tarantino to remove the Mountain Avenue Drainage Construction project from the FEMA Application.

Ayes: Deputy Mayor Tarantino & Trustee McNally

Noes: None

-RE: Establishment of Category Z Project (Management Costs) **Approved by Village Board.**

Ayes: Deputy Mayor Tarantino & Trustee McNally

Noes: None

DR-4480 COVID-19 Pandemic Hazard Mitigation Grant Pro. (HMGP) – Application filed 6/1/2022

-Project: Purchase of standby power generators for each of the 4 Village owned buildings: Village Office, Terrace Ave DPW Garage, Com. Room/Firehouse Bldg & Youth Ctr. Estimated total cost: \$165,500.00. Pending

NYS Archives – Local Records Management Improvement Fund (LGRMIF) Grant – Application filed 3/21/2022.

-6/28/2022 Email Notification – The Village has been tentatively awarded a grant in the amount of \$12,850.00. A final approval notice from SED’s Grants Finance Unit is pending.

Corona Virus State and Local Fiscal Recovery Funds (SLFRF) – The Project and Expenditure Report was submitted by the due date of 4/30/2022 – Designated Project: “Veterans Memorial Park Pond Restoration”.

Village Engineer’s Report – Engineer Mancuso reported:

Veterans Memorial Park Pond Rehabilitation – Investigations are being done to determine ways to restore a water source. Barmore Pump & Electric Co. was contacted and supplied records from when they redeveloped the well. Barmore Pump feels that the lack of yield may have been caused by the Ramapo River dam remediation by the NYS Thruway.

-Trustee McNally stated if it can be determined that is the case, the NYS Thruway should be held accountable. Attorney Rice stated documentation would be needed and recommended meeting with Engineer Mancuso to discuss matter.

A MOTION was made by Trustee McNally and seconded by Deputy Mayor Tarantino authorizing the Village Attorney and Village Engineer to proceed with determining if the Ramapo River Dam Remediation affected the water yield to the Veterans Memorial Park Pond.

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

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

2022 Assessment Roll – Pending Tax Certioraris: Hillburn Park Corp, TBS Realty, TOKNY Realty & ACA Holding

-Attorney Rice reported they are going through the process. The Town of Ramapo is a party on the Certioraris and will have the properties appraised.

4/22/22 Revised Draft of Local Law for Amendment of Zoning Law and Comprehensive Plan – A Workshop to review the draft zoning local law was re-scheduled for 7/12/2022 at 6:30PM. The Building/Fire Inspector will be attending to discuss an additional item.

-Claims from Nelson Pope Voorhis:

Inv. #26279 (rec'd 3/10/2022): \$525.00, and #26793 (rec'd 4/4/2022): \$210.00. (Tabled on 4/12/2022 – remain tabled)

Inv. #27300 (rec'd 6/28/2022): \$560.00 – Tabled by Village Board

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

Verizon Franchise Renewal (Current Franchise expires 5/20/2024) – Attorney Rice reported he has left several phone messages and is awaiting a response.

Draft Local Law – RE: Maximum Weight of Garbage/Refuse Receptacles – Remained tabled for review.

LED Lighting in Village Building – Reported under DPW Report.

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

A Financial Report dated 6/28/2022 was supplied.

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

A Financial Report dated 6/28/2022 was supplied.

Insurance –

2008 Ford – 4/20/2022 Accident – A discussion was held regarding the Village Board's 6/14/2022 action to retain the vehicle and reduce the Total Loss Settlement by the Salvage Value quoted by Selective.

-Attorney Rice stated that he will contact Selective to discuss this matter.

-2016 Ford – 6/7/2022 Accident – Matter has been reported to Selective and an appraisal vendor will be assigned to take pictures and create a preliminary estimate of the damages.

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

2022 Assessment Roll – Discussed under Village Attorney's report.

2023 Assessment Roll – Final Equalization Rate: 15.63

Village Website - Updates are still being made.

Zoning Board of Appeals – No report.

Planning Board – Next Meeting: 7/27/2022

Building/Fire Inspector's Report – Lawrence McMannis reported:

-RE: Request for Fireworks Display – TOKNY Realty (Mt. Fuji Restaurant) – Proposed Date: 8/7/2022 – Inspector McMannis reported there is nothing in the Code regarding fireworks.

Attorney Rice recommended the applicant be required to provide a written request and proper insurance.

A meeting will be scheduled with TOKNY Realty, the Village Board, Bldg/Fire Insp, Village Attorney and H.F.D. Chief.

-The Village Board acknowledged receipt of copies of correspondence from the Bldg/Fire Inspector.

Escrow – A Status of Escrow Accounts Report at 6/28/2022 was supplied.

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

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

Senior Citizens – No report.

Recreation – No report.

Public Comments – None

Requests for Use of Youth Center

-R. Scott/Shining Lights Helping Hands – 8/6 (Set Up) & 8/13/22 / 8AM-6PM – Back to School Give Away – **Approved (Fee Waived/Insurance Required)**

-Carla Alexander – 10/19/2022 / 1PM-6PM – Birthday Party **Approved (Fee and Insurance Required)**'

Ayes: Deputy Mayor Tarantino & Trustee McNally
Noes: None

-RC Community Development – RE: Information on joining the Consortium and draft Cooperation Agreement (tabled)

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

-Veolia – 6/22/2022 email – Free Veolia Water Usage Assessment Information.

-General Code – 2022 Municipal Clerks Honor Roll - Certificate of Recognition issued to Robin Miele.

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

Ayes: Deputy Mayor Tarantino & Trustee McNally

Noes: None

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

Upcoming Village Board Meeting: Regular Board Meetings 7/12/2022 and 8/16/2022 - 7:00PM

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

Ayes: Deputy Mayor Tarantino & Trustee McNally

Noes: None