

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, March 28, 2023 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, March 28, 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)  
Thomas Conklin, DPW Superintendent

**ABSENT:** Eve Mancuso, Village Engineer

ALSO

**PRESENT:** Garrett Durland, Seely & Durland – Village’s Insurance Agent

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

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The Hon. Mayor Joseph P. Tursi called meeting to order. Asst. HFD Chief Nelson Scott led in the Salute to the Flag.

**Minutes of the 3/14/2023 Meeting - Approved by Village Board.**

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

**Insurance**

Proposals for Insurance Renewal (4/15/2023-4/15/2024) -The Village’s insurance agent, Garrett Durland of Seely & Durland was present at the meeting via GotoMeeting and addressed the Village Board:

- Proposals from Selective Insurance were submitted today.
- All general liability protections remain the same.
- The proposed premiums increased by 3.2%, reflective of an increase in property values.

A MOTION was made by Trustee Tarantino and seconded by Trustee McNally to accept the following renewal proposals from Selective Insurance:

Package Policy:	\$44,319.00
Public Officials Policy:	3,126.00
OCP Policy:	<u>266.00</u>
Total:	<u>\$47,711.00</u>

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

Mayor Tursi thanked Mr. Durland for attending the meeting and providing information regarding the renewal policies.

NYS Municipal Workers’ Compensation Alliance – Member Loyalty Awards: Village of Hillburn Policy (Check #02876142: \$500.00) and Hillburn VFD Policy (Check #0287143: \$500.00).

**Street & Water Commissioners’ Reports (3/28/23) – Approved by Village Board.**

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

**Police Commissioner’s Report** –

Mayor Tursi reported that the police were recently contacted regarding unauthorized equipment staging on Creelman Road. This matter, involving contaminated soil illegally dumped on the property, is being pursued in the RC Supreme Court. The Village continues its efforts to insure that soil is removed.

**Village Water System -Testing of Meter (Route 17 Back-Up Meter)** – Testing by National Meter still pending.

**DPW Report - DPW Supt. Conklin**

Keep Rockland Beautiful – Date Scheduled: 4/1/2023 – 8:00AM to 12:00noon (Rain Date 4/8/2023) – Supplies have been picked up from Keep Rockland Beautiful. Refreshments have been ordered.

Easter Egg Hunt – Date has been changed to Saturday, 4/1/2023 – 2:00PM – Veterans Memorial Park

2016 F-550 Truck – Supt. Conklin reported the truck was taken to NJV Auto Center in Sloatsburg, NY – Issue: Wobble in the front end. A steering stabilizer was installed and replacement of rear tires recommended. Maximum cost for steering stabilizer: \$400.00. Quote for tires will be provided at next meeting. **Approved by Village Board.**

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

-UDIG NY excavator Safety Seminar – Supt. Conklin reported the DPW staff had attended the training on 3/21/2023.

Hudson Valley Water Works Conference – Seminar: 4/13/2023 – Wallkill, NY – Registration Fee: \$50.00 (Supt. Conklin)  
**Approved by Village Board.**

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

RC Health Dept. – Mosquito Control – Reminder to eliminate standing water – DPW Garage – 43 Terrace Avenue. (notice acknowledged by DPW Supt.)

**H.F.D. Report – Asst. Chief Nelson Scott reported:**

5-CFR – Charging System – Repair completed by Hendrickson Fire – invoice pending.

Hi-Tech – Quote #10222 - 2 Sets of Turn-Out Gear: \$6,757.42 – Chief Scott stated that two volunteers have gear that is over 10 years old and needs replacement. **Approved by Village Board.**

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

RBC Wealth Mgmt – RE: Changes to the Insured Deposits – Notice that the changes will no longer take place.

### 7:15PM

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

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

**Public Hearing - Introductory Local Law 1 of 2023** - A local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c - Public Hearing scheduled for March 28, 2023, at 7:15PM.

-Mayor Tursi read aloud the Notice of Public Hearing that was duly published and posted.

The purpose of the local law is to allow the Village, if necessary, to exceed the established tax cap. The 2023 NYS Tax Cap is 2%. Mayor Tursi stated that the 2023-2024 Tentative Budget reflects a 0% increase.

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

A MOTION was made by Trustee McNally and seconded by Trustee Tarantino to close the Public Hearing and reopen the regular Board meeting.

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

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

**WHEREAS**, a duly noticed public hearing was held on March 28, 2023 regarding Introductory Local Law No. 1 of 2023, 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 2023 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 2023 as Local Law No. 1 of 2023. Said Local Law will take effect immediately upon filing with the Secretary of State.

**Ayes: Joseph P. Tursi, Mayor  
Bernadette A. Tarantino, Trustee  
David H. McNally, Trustee**  
**Noes: None**

**Resolution** was unanimously adopted.

### **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 – A reimbursement claim was filed on March 9, 2023 for \$19,030.50. Expenditure pending reimbursement at this date: \$7,281.00.

-SAM Grant #24595 - Sponsored by Senator Elijah Reichlin-Melnick's Office – Veterans Memorial Park Pond Restoration Filing of a reimbursement claim is pending. Current expenditures at this date total 19,275.00.

Hurricane IDA- FEMA – DR 4615 – 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. Current expenditures at this date total \$32,133.25.

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 – Notification Received 3/21/2023 – Denied.

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. Files are being prepared for scanning.

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. The required inspection of the purchase equipment was made by a NYS DEC Forest Ranger. Reimbursement in the amount of \$1,500.00 was received on 3/22/2023.

-2024 Community Project Funding - Sponsored by Congressman Lawler's Office - deadline: 3/15/23 – Application Filed 3/15/2023 - Project: DPW Garage Truck: \$250,000.00. Response pending.

### **Village Engineer's Report** – Engineer Mancuso not present

-5<sup>th</sup> Street DPW Garage – Bids Received 3/14/2023 – 3/22/2023 letter from Engineer Mancuso – Recommendation:

- All bids be rejected
- Re-evaluation of alternative building materials to prepare re-bid documents and attempt to solicit more reasonable construction costs.

A MOTION was made by Trustee McNally and seconded by Trustee Tarantino to reject the bids received on 3/14/2023 for the 5<sup>th</sup> Street DPW Garage, as recommended by the Village Engineer; and FURTHER, the submitted Bid Bonds and Insurance Documents will be returned to the bidders.

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

**CHIPS Program**

-4<sup>th</sup> St. Curb and Sidewalk Project – Reimbursement was received from CHIPS on 3/14/2023, in the amount of \$42,434.70. The balance, in the amount of \$842.80, will be filed with CHIPS.

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

-Draft of Local Law for Amendment of Zoning Law & Comprehensive Plan – Attorney Rice reported that he and the Mayor are finalizing the amendments with the Village Planner.

-Rental Registry – A draft law was forwarded to the Board for review. Trustee McNally advised that he will resend his comments/amendments to the Village Attorney.

-Proposed County – Wide Road Opening Permit – Village Attorney Rice to review the application.

**\$125,000 BAN – Dated 1/14/2021 (DPW Vehicle, DPW Pre-Fab Garage & Misc. Office Equipment)** – A Financial Report dated 3/28/2023 was supplied.

**Various Capital Improvements (In accordance with 9/1/16 BAN)** – A Financial Report dated 3/28/2023 was supplied.

**Village Designated Banks** – The Village Clerk requested authorization to initiate an account with the Bank of Greene County for the purpose of soliciting interest bids on future BANs and/or Bonds. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

**2023 Final Assessment Roll** – The Village Assessor, Scott Shedler, has finalized and certified the 2023 Final Assessment Roll. Notice of same will be duly posted and published. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

**2023-2024 Tentative Budget** – Mayor Tursi submitted his Tentative 2023-2024 Budget to the Village Clerk and Village Trustees. The tentative budget reflects a proposed tax rate of \$4.83 per \$100 valuation (0% increase from the 2022-2023 tax rate).

A Public Hearing on the 2023-2024 Tentative Budget was scheduled for Tuesday, 4/11/2023 at 7:15PM.

**2023 Village Election – Tuesday, 3/21/2023** – The Village Clerk read the Statement of Canvass of votes cast at the 3/21/23 Election, as supplied by the Inspectors of Election:

Office of Mayor (2 Year Term)

Bonnie R. O'Blenis: 102 Votes

Joseph P. Tursi: 108 Votes

Office of Trustee (2 Year Term)

Bernadette A. Tarantino: 138 Votes

**Zoning Board of Appeals** –

Applicant: Joseph Levy (Owner: Fulton Estates LLC) - The 3/8/2023 Public Hearing has been adjourned to 4/17/2023.

**Planning Board** – Upcoming Meeting: 4/19/2023

**Building/Fire Inspector's Report**

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

-Application Filing fees – Mayor Tursi an increased in filing fees is being considered.

**Escrow** – Status of Escrow Accounts Report dated 3/28/2023 was supplied.

**Senior Citizens** –The Hillburn Senior Citizens held a meeting on Monday, March 13, 2023, at 3:00PM.

**Recreation** –

-Mayor Tursi reported that a Draft Contract between Max McClintock and the Village of Hillburn for rental of the Youth Center for a summer program has been provided by Attorney Rice for review by the Village Board.

**Public Comments** –

**Bonnie O'Blenis (124 Sixth St.)** stated she had several concerns:

- 136 Sixth Street – Trash cans are never removed from curbside;  
A small “temporary” structure has been on the property for a very long time. It is not only unsightly, it does not look sturdy.
- 22 Boulder Avenue - Trash on property
- 19 Fulton Place Trash on property
- 331-343 Route 17 - (IWS Transfer Station) Trash along Route 17, possibly from falling off the trucks
- 279 Route 17 - Trash bag has been on the property for a very long time. Property is unkempt.

-Mayor Tursi advised that several Orders to Remedy have been issued by the Building/Fire Inspector; and these matters will be brought to his attention. It is difficult to control, as properties are cleaned after issuance of a Violation Notice and then garbage is allowed to accumulate again. Mrs. O'Blenis was requested to provide pictures of the respective properties.

-DPW Supt. stated that he has noticed that the NYS DOT should be contacted regarding the trash along Route 17, as it is a state highway.

-Trustee Tarantino stated that the same situation exists along Route 59, also a state highway, with trash falling out of trucks on their way to the RC Solid Waste facility.

**Delores Hunter (16 Fox Hollow Road)** suggested that in addition to the annual KRB Clean-Up Day each April, a “youth clean-up day” be held in September/October, thereby giving them a vested interest in the cleanliness of our community.

-**Bonnie O'Blenis** stated that possibly the RC Sheriff's Department has a program for inmates.

**Delores Hunter** questioned the proposed recreation program.

-Mayor Tursi stated that after the COVID closure, the Village attempted to restart its recreation program. However, only 4 youth registered. Max McClintock has implemented recreation programs in several places in the County and is very experienced. A reduced rate would be offered for Hillburn Youth.

-**Susan Murphy (45 Sixth St.)** stated that years ago, her daughter attended a program run by Max McClintock and she holds him in high regards. She also stated that the house next door to her seems to have transient occupants and the yard is full of trash and questioned if the tenants or the property is required to maintain the premises.

-Attorney Rice stated that Violations can be issued to the property owner and the tenant.

**Tim Williams (31 Sixth St.)** reported that there has been a tractor trailer parked on Sixth St. (area parallel to Route 17).

-Supt. Conklin replied that the Ramapo Police were contacted today regarding this matter.

**Bonnie O'Blenis** congratulated Mayor Tursi and Trustee Tarantino on their re-election to the Village Board.

**Alliance NYGT, LLC – Notice to Residents Regarding Installation of a Water Injection System at 6 Fourth St. Site**

Mayor Tursi stated that he has heard that some residents are concerned that the notice implies there are plans to construct a new power plant in the Village of Hillburn. To allay these concerns, Mayor Tursi reached out to Alliance NYGT, LLC for clarification. Mayor Tursi summarized the following information provided by Alliance NYGT, LLC:

*The Hillburn Energy Facility is a nominal 40 MW peaking generating station constructed in 1971 that runs primarily to support electrical system disturbances and peak energy load during extremely high demand.*

*Operating Hours - 3 year average is 28 hours per year*

*The facility is required to comply with new emissions requirements outlined in 6 NYCRR Subpart 227-3, "Ozone Season Oxides of Nitrogen (NOx) Emission Limits for Simple Cycle and Regenerative Combustion Turbines".*

*To reduce emissions and comply with these new standards the facility intends to add a water injection system. This will require the addition of pump skid and tank to hold demineralized water. This skid will add water to the combustion process to cool the flame and reduce NOx.*

*This change requires an air permit modification as detailed in the PPP hand out. The site has elected to add emissions permit conditions to further cap or limit emissions to below major source thresholds.*

*There will be no other changes to the site. This modification will not increase output of the plant or change the expected use of the plant as a peaking generator.*

**2023 Fall Festival** – Mayor Tursi stated that a committee is being organized for the planning of a 2023 Fall Festival and requested that anyone interested in serving supply their names and contact information to Deputy Mayor Tarantino.

**NYCOM Annual Meeting & Training School – May 17-19, 2023, Bolton Landing, NY**

A MOTION was made by Trustee McNally and seconded by Trustee Tarantino authorizing the registration of the Village Board members to attend the NYCOM Annual Meeting, and all related expenses.

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

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

-NYS Comptroller –Village of Hillburn Fiscal Stress Score: 0.

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

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

**Personnel Manual** – Update Pending

**Upcoming Village Board Meetings:** Annual Organizational Meeting: Mon., 4/3/2023–7:00PM

Regular Meetings: Tuesdays, April 11<sup>th</sup> & 25<sup>th</sup> – 7:00PM

A MOTION was made by Trustee Tarantino and seconded by Trustee McNally to adjourn the meeting at 8:10PM.

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None