

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, May 9, 2023 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, May 9, 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. Ramapo Police Officer Buckley led in the Salute to the Flag.

Minutes of the 4/25/2023 Meeting - Approved by Village Board.

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

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

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

Police Commissioner’s Report – Police Commissioner, Mayor Tursi addressed Ramapo Police Officer Buckley and reported on the digital “No Thru Traffic” sign that was placed on 4th St. bridge area by the Ramapo Police Dept.
-Supt. Conklin reported counters placed on Village streets by the NYS DOT. No notification was provided to the Village.
-RE: Bypassing of Sixth St. Gate - Supt. Conklin reported there have been additional incidences whereby people drive vehicles around the gate and congregate at the top of Sixth Street, leaving trash behind. A key to the gate has been provided to the Ramapo Police.

Village Water System –

Veolia Water NY – Bill of 5/1/2023: \$9,902.91 **Approved by Village Board.**

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

-Tanner Morales - RC Health Department – **Request for Survey of Water System** – DPW Supt. stated he has an appointment with Mr. Morales on Friday morning.
-**Testing of Meter (Route 17 Back-Up Meter)** – Supt. Conklin reported that National Meter was scheduled to perform the testing this morning; however they did not show up. He called and they rescheduled for tomorrow.

DPW Report - DPW Supt. Conklin

Replacement of Flags – 5/3/2023 Quote from Gates Flag & Banner Co., Inc.: \$770.90 (a total of 11 flags). **Approved by Village Board.**

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

Emergency No Parking Signs – 5/3/2023 Quote from Traffic Safety & Equip. Co., Inc.: 100 Signs @ \$1.39 = \$139.00. **Approved by Village Board.**

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

Purchase of (4) Trees for Veterans Memorial Park – 6/14/2022 Quote from SiteOne Landscape Supply (Approved by Board on 6/14/2022 - PO #2170 Issued 6/15/2022) – Supt. Conklin confirmed SiteOne is honoring the quoted cost of \$1,001.00 and that he will be picking up the trees tomorrow. Locations for the trees in the park need to be decided.

Purchase of Digital Scanner for Terrace Avenue Garage – 5/04/2023 from Goosetown Communications: \$449.99. **Approved by Village Board.**

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

Youth Center – 1/05/2023 Inspection by Campbell Fire Systems, Inc. – Notification of need for 12 Year Service of Fire Suppression System.

2023 CHIPS Program – Mayor Tursi reported that the Village’s total 2023 apportionment for CHIPS, Pave, NY, EWR and POP (including cumulative rollover balance) is \$71,041.38 (5/2/2023 CHIPS Report).
-Supt. Conklin advised that paving of the roadway at the intersection of 4th Street and Terrace Avenue is needed.
-Engineer Mancuso stated that she can amend the specifications prepared for the upper end of Sixth St. to include this area.

H.F.D. Report – Chief Irving Strysko was absent. **Written report submitted.**

Request to Purchase SCBA Facemasks – 5/4/2023 Quote from Municipal Emergency Ser. – 3 @ 366.30 = \$1,098.90. **Approved by Village Board.**

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

Request for Approval to take HFD Trucks to Wetdowns – 6/3/2023 (New City, NY) and 6/17/2023 (Tuxedo, NY). **Approved by Village Board.**

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

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

Continuation of 4/25/2023 Public Hearing – Introductory Local Law 2 of 2023 – Rental Properties

Attorney Rice summarized the purpose of the local law that would require the owner of any rental property to register with the Village and obtain a permit that requires inspection. Information obtained, including contact information, would be beneficial in the event of an emergency, and to insure that rental properties comply to all applicable codes and requirements.

-Trustee McNally stated that he had had an opportunity to discuss his concerns with Attorney Rice and felt that the Introductory Local Law is beneficial.

-Mayor Tursi stated that the Introductory Local Law protects the occupants and the Village.

Hearing was opened for public comments.

Bonnie O’Blenis (124 Sixth Street) questioned if this law includes trash on the property.

-Mayor Tursi stated that the Building/Fire Inspector enforces the code regarding trash and Orders to Remedy have been issued.

Mrs. O’Blenis questioned if the law would address proper occupancy of rental homes.

-Mayor Tursi stated that is one of the purposes of the local law.

-Trustee McNally stated that it is important for the H.F.D. to know how many people are in the dwelling.

-Mayor Tursi also stated that it is important to know that the property is properly insured.

With no further comments,

A MOTION was made by Trustee Tarantino and seconded by Trustee McNally to close the Public Hearing at 7:25PM and to 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 regarding Introductory Local Law No. 2 of 2023, a Local Law Regulating Rental Properties in the Village of Hillburn, was held on April 25, 2023 and continued on May 9, 2023; and

WHEREAS, the purpose of this local is to insure rental properties are occupied and maintained in accordance with all applicable codes and requirements; and to document pertinent information for use in the event of emergencies; and

WHEREAS, the Village Board determined that the adoption of this local law 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 2023 as Local Law No. 3 of 2023. Said Local Law will take effect immediately upon filing with the Secretary of State.

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

Resolution was unanimously adopted.

HFD Report - continued

-5-CFR – Repair of Charging System – Invoice #7330 from Hendrickson Fire: \$2,705.85. **Approved by Village Board.**

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

-HFD Building – Replacement of Smoke/CO Detectors – Invoice #P 0261 – Electrolock, Inc.: \$780.80. **Approved by Village Board.**

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

-Physical for HFD Membership – Inv. #704616N from Partners in Safety: \$274.00. **Approved by Village Board.**

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

-RBC Wealth Mgmt – Account Statement – April 2023.

Status of Grant Applications:

SAM Grant #24626 - Sponsored by Assemblyman Lawler’s Office – Pre-Fab Building

-Expenditures pending reimbursement at this date: \$7,742.50.

SAM Grant #24595 - Sponsored by Senator Elijah Reichlin-Melnick’s Office – Veterans Memorial Park Pond Restoration

-Reimbursement claim filed on 4/18/2023: \$20,856.20. Notification rec’d that payment of the claim will be processed on 5/16/2023. Expenditures pending reimbursement at this date: \$1,566.75.

Hurricane IDA– FEMA – DR 4615 – RE: 6th St. Culvert –

-Category C Project: Roads and Bridges (Deadline Date: 3/5/2024) Current expenditures at this date: \$37,353.50.

-Category Z Project: Management Costs (Deadline Date: 9/6/2025) On 5/10/2024, FEMA obligated \$26,806.26.

NYS Archives – (LGRMIF) Grant – Grant Balance: \$6,425.00 (50%). Files have been sent 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.

Village Engineer’s Report – Engineer Mancuso reported:

-Upper Sixth Street Paving Project – Engineer Mancuso stated that bid documents will be updated to include the additional roadway at 4th St and Terrace Ave.

A MOTION was made by Trustee McNally and seconded by Trustee Tarantino authorizing publication of a Notice to solicit bids for this project, entitled 2023 Road Improvements – Sixth Street, Fourth Street, Terrace Avenue, and

FURTHER, bids are to be received on or before 4:00PM on Tuesday, 6/13/2023 and will be opened at the Board Meeting on said date.

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

-6th Street Culvert – Engineer Mancuso advised a pre-application zoom meeting with NYS DEC will be held on 5/10/2023.

-Veterans Memorial Park Pond – Quotes are being obtained for the installation of the well.

-5th Street DPW Garage – Pole Building - Engineer Mancuso submitted a cost estimate substituting the Line Item 2 of the original bid for the concrete building with the quote from ClearSpan for a pole building.

-Supt. Conklin advised he had reached out to John Lynch of Salomone for a quote to provide the concrete. Mr. Lynch advised that he may be able to provide a quote for the building as well and requested a copy of the specifications.

-A discussion was held regarding obtaining a Bond to fund the structure, as well as the purchase of a garbage truck. Amount of the Bond is to be determined.

-MS4 Report – Information is being compiled.

Village Attorney’s Report – Village Attorney Terry Rice reported

Hillburn vs. Noved/Nicholas Cianciaruso, et. al – Remediation of Site – Attorney Rice reported Judge Eisenpress signed the Order to Remediate the Site with Notice of Settlement on 5/5/2023, exactly as submitted. The Order contains deadlines, including posting of escrow with the Village Clerk, in the amount of \$60,000.00, within 10 days of the date of Order.

-Attorney Rice stated that outstanding escrow, in relation to an application pending before the Planning Board, must also be paid prior to any further action.

-Trustee Tarantino stated her concern that contaminants have seeped underground.

-Attorney Rice stated that test wells will need to be dug to determine if any contaminants have seeped into the water.

-4/14/2023 Petition for Zone Change (Rec’d 4/20/2023) – MS Realty of New York, LLC (Property ID: 47.14-2-42)

Establishment of Escrow for Professional Reviews

A MOTION was made by Trustee McNally and seconded by Trustee Tarantino that, as recommended by the Village Planner, Bonnie Fransen of Nelson Pope and Voorhees, the Petitioner be required to establish an escrow account \$2,500.00, to cover professional reviews.

Ayes: Mayor Tursi, Trustees Tarantino & McNally

Noes: None

Tax Certioraris – 2023 Assessment Year – Four Tax Certioraris have been filed.

Insurance

-NYSHIP – April 2023 Publication – “On the Road with The Empire Plan”.

-Selective – HR Essentials – May 2023 Newsletter

\$125,000 BAN – Dated 1/14/2021 (DPW Vehicle, DPW Pre-Fab Garage & Misc. Office Equipment) – No change to 4/25/2023 Financial Report.

Various Capital Improvements (In accordance with 9/1/16 BAN) – No change to 4/25/2023 Financial Report.

Zoning Board of Appeals –

Applicant: Joseph Levy (Owner: Fulton Estates LLC) - The 3/8/2023 Public Hearing has been adjourned to 5/15/2023.

Planning Board – Upcoming Meeting: 5/17/2023

Building/Fire Inspector’s Report

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

-Application Filing fees – Increase of fees is being reviewed.

Verizon Franchise Renewal – Current franchise expires May 20, 2024.

Escrow – No change to Status of Escrow Accounts Report dated 4/25/2023.

Senior Citizens – No report.

Recreation – No report.

Memorial Day Parade & Service – Monday, May 29, 2023 – 9:00AM

Bike decorations are available at Village Hall.

Public Comments –

Chevron Torres (54 5th Street) stated she is a rental property owner and questioned if existing landlords would have to register their rental property, or would they be “grandfathered”.

-Mayor Tursi replied that all rental properties are to be registered.

-The Village Clerk stated that at present, landlords of multiple dwellings (3 or more apartments) must obtain annual Fire Permits that require annual inspections of each unit.

-Trustee Tarantino stated that landlords who are renting and maintaining their property correctly will have no problem.

-**Ms. Torres** stated that she feels having to supply information and have an inspection is an invasion of her privacy.

-Attorney Rice stated that while some landlords are responsible and maintain their property, there are some landlords who are not and do not make sure that their tenants take care of the property. The Rental Registry will identify properties that are being rented, provide information such as a contact person, and insure that the dwellings are safe. As stated by Trustee McNally, an important reason for the registry is to insure that the HFD is aware of the number of people living in the dwelling in the event of an emergency.

-**Ms. Torres** asked what happens if she does not obtain a Rental Permit.

-Attorney Rice stated that the property cannot be rented without obtaining a Rental Permit. The law consists of a registration requirement, an information required and an inspection to make sure the dwelling is safe.

Bonnie O’Blenis (124 6th St.) stated that, although she does not have a rental property, she feels that the bigger picture needs to be considered; inasmuch as the Rental Registry will be beneficial in insuring that rental dwellings are properly maintained and occupied.

Ms. Torres stated she feels the Village is trying to be her landlord. She would rather sell her home than obtain a Rental Permit.

Tanya Cirincionne (36 Hickory Ave) requested that the Village’s website be updated to include the Hillburn Ladies Auxiliary. **Approved by Village Board**

Ms. Cirincionne stated she is aware that there are no alcoholic beverages allowed in Village owned buildings; however, she questioned if the Hillburn Ladies Auxiliary could hold a “Paint & Sip” at the Community Room, if participants brought their own wine.

-Attorney Rice stated that allowing alcoholic beverages is at the discretion of the Village Board. He would recommend that a “Dram Shop” insurance (also referred to as liquor liability insurance) be provided by the applicant.

Installation of Stop Sign – Trustee McNally recommended a Stop sign be placed on 4th St., at the intersection of Lake Ave., as there are many children in the area.

-Attorney Rice stated that, although a traffic study is not needed, the Village should confirm that it would comply with DOT regulations.

Requests for Use of Village Buildings

-Y. Van Dunk–Hillburn Ladies Aux.	– 5/12 & 13/2023 –9AM–2PM – Plant Sale	Approved by Village Board
-B. Tarantino-Hillburn Scholarship Com.	– 6/10/2023 – Scholarship Award Ceremony	Approved by Village Board
	Ayes: Mayor Tursi, Trustees Tarantino & McNally	
	Noes: None	

Items Needing Approval

-Rockland Municipal Planning Federation – 2023 Annual Membership Dues: \$ 100.00	Approved by Village Board
-Harris Computer Sys. – Info-Fund Prog. Maint. (July 2023-June 2024): \$4,035.33	Approved by Village Board
	Ayes: Mayor Tursi, Trustees Tarantino & McNally
	Noes: None

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

-RC Sheriff – Invitation to Memorial Service 5/21/2023 at the RC Police Memorial site at the RC Courthouse.

-Village of Sloatsburg – Invitation to Memorial Parade & Service on 5/29/2023 at 10:00AM

-US Bankruptcy Court – RE: Avaya, Inc.

-NYCOM – 5/4/2023 Email – RE: Preliminary Details Regarding the 2023-24 State Budget.

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

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

Upcoming Village Board Meetings: Tuesdays, May 23rd , June 13th & 27th –7:00PM

A MOTION was made by Trustee Tarantino and seconded by Trustee McNally to adjourn the meeting at 8:18PM.

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