

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, September 14, 2021 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, September 14, 2021, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, via GoToMeeting.com and Facebook Live, commencing at 7:00PM.

PRESENT:

Joseph P. Tursi, Mayor
Bernadette Tarantino, Trustee
Bonnie O’Blenis, Trustee
Terry Rice, Village Attorney (via GoToMeeting.com)
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. ZBA Member Laurens Winter led in the Salute to the Flag.

Minutes of the 8/17/2021 - Approved by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

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

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Police Commissioner’s Report

Mayor Tursi reported he had spoken with Ramapo Police Captain Hyman and related the Board’s concern regarding lack of police presence in the Village.

Village Water System

-SUEZ Water New York – 9/7/2021 Water Bill: Current Charge: \$11,794.57 + \$30,895.04 Carryover Balance (COW) - A MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino authorizing payment to SUEZ Water in the amount of \$42,689.61 (Current billing & Carryover Balance).

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

-Testing of Meter by SUEZ Water New York - Pending.

-Northeast Leak Detection – Pending: Report for West Side of Rte 17 & Invoice. (DPW Supt. to follow up on same)

-Puddles on west side of 6th St – Testing confirmed it is groundwater (no chlorine detected). Millings were placed in area.

DPW Report - DPW Supt. Conklin

Garbage Truck – Following the 8/17/2021 meeting, Supt. Conklin contacted Sanitation Equipment Corporation and confirmed that, if the packer cylinders cannot be rebuilt, they can be sealed. Accordingly, a Purchase Order was issued and the truck has been taken to Sanitation Equipment Corporation for repair.

Ford Motor Company Vehicle Notifications:

RE: 2016 F-550 Ford - Aug 2021 Emission Recall 20E01– Truck was taken Mahwah Ford for the recall.

RE: 2017 F150 Ford – Notification of Extension of Warranty Coverage on the Power Door Lock Actuators.

RE: New 2021 Ford F-550 (Ordered January 2021 – Delivery Date: 120 Days) – Supt. Conklin contacted Genesee Valley Ford regarding the status of the truck and was advised that there is another delay.

-Mayor Tursi stated he will contact Genesee Valley Ford regarding this matter.

Hudson Valley Water Works Conference – Supt. Conklin will be attending the 9/16/2021 meeting.

Tropical Storm Isaias 2020 – Public Assistance - NYS Dept. of Homeland Security & Emer. Services (DHSES) – Paperwork for reimbursement of Clerical Work (Category Z Project for Management Cost) is being processed.

Hurricane Henri and Hurricane Ida – Damage Assessment – Supt. Conklin reported that no damages were incurred by the Village as a result of the two storms.

Veterans Memorial Park Pond -

Princeton Hydro – Supt. Conklin reported the 2nd treatment to the pond had been postponed due to the high water level in the pond from the recent storms. A new date will be scheduled.

-Invoice 42114 – 6/16/2021 Herbicide Treatment for Emergent Vegetation: \$885.00 (6/16/2021 Herbicide Treatment: \$835.00 previously paid) **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

NYS DOT – Local Highway Inventory Update – Annual Certificate of Highway Mileage was completed and filed.

Street Lights – Supt. Conklin will survey the Village to check for lights that are not working.

Recreation Equipment – East Hillburn – Purchase of Replacement Parts from GameTime – Waiting for delivery.

Fibar for Parks – Supt. Conklin recommended waiting until spring 2022 to order fibar.

Rockland Green – 9/11/2021 email notice – Cardboard is be delivered to West Nyack facility; Mixed Paper and Mixed Containers are to be delivered to the Hillburn Transfer Station.

New CDL Requirements will go into effect 2/7/2022.

7:24PM Public Hearing – Introductory Local Law No. 5 of 2021 –
A local law amending Chapter 250 of the Code of the Village of Hillburn

Mayor Tursi read the Notice of Public Hearing, that was duly posted, published and sent via regular and certified mail to: Suffern Village Clerk, Ramapo Town Clerk, Rockland County Clerk, Bergen County Clerk, Mahwah Town Clerk, Palisades Interstate Park Commission.

-Mayor Tursi stated that, after adopting the revised Zoning Local Law on 1/14/2020, it was determined that several addition/revisions were necessary, as detailed in Introductory Local Law No. 5 of 2021 (attached).

-Attorney Rice stated that the revisions/additions include items required to conform with RLUIPA (Religious Land Use and Institutionalized Persons Act) and to provide a provision to “grandfather” existing uses in areas that were re-zoned. Attorney Rice reported Introductory Local Law No. 5 of 2021 had been sent to the RC Dept. of Planning for GML Review. A response is pending at this date. He recommends the Public Hearing be adjourned and reconvened at the 9/28/2021 Board meeting, to allow time for receipt and evaluation of the GML Review. The Environmental Assessment Forms can be discussed at that time as well.

Hearing was opened for Public Comments.

Laurens Winter (40 Rockland Ave) (ZBA Member) - Requested a copy of the introductory local law (provided).

Timothy Williams (61 6th St) (Zoning Law Planning Committee Member) - Questioned the amendments to the recently adopted Zoning Local Law, as he and other members of the Committee worked very hard on its preparation.

-Attorney Rice stated that under the law, schools and houses of worship cannot be excluded. In addition, while implementing the Zoning Law, the Bldg/Fire Inspector discovered several areas that required amendment, including grandfathering existing uses that no longer conform due to re-zoning.

Trustee O’Blenis confirmed if schools would now be allowed in the Village.

-Attorney Rice stated that, although schools must be included in the Zoning Law, there are restrictions.

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to suspend the Public Hearing and reconvene on 9/28/2021 at 7:15PM.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to re-open the regular Board of Trustees meeting.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

H.F.D. Report

NJEV - Quote for Inspections/Annual Preventative Maintenance: 5-CFR, 5-Quad & 5-MP (Chassis, Pump, Generator) –
NJEV was contacted and it was determined that the costs for service are as follows: **Approved by Village Board**

5-CFR & 5 Quad:	\$4,750.00 (\$2,375.00 each)
5-MP:	<u>1,350.00</u> *no more than
	<u>\$6,100.00</u>

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

RBC Wealth Management – August 2021 Account Statement and June 2021 Portfolio Review.

SAM Capital Funding Grant Applications

-**SAM Grant - Sponsored by Assemblyman Lawler’s Office** – Revised Funding Application: Pre-Fab Building and Back Hoe – Submitted – No further information received.

-**SAM Grant – Sponsored by Senator Elijah Reichlin-Melnick’s Office** – 6/30/2021 Letter Request for Funding - Proposed Project Application: Veterans Memorial Park Pond Restoration – No further information received.

Village Engineer’s Report – Engineer Mancuso reported:

MS-4 Stormwater Mapping Grant – Round 15 – A claim in the amount of \$267.00 was submitted to the RC Stormwater Consortium (amount to be credited to the Village’s share of Grant).

2021 Repavement Project – Funding: CHIPs Program - Proposed 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.)

-Engineer Mancuso reported that Cavaliere Industries had advised the milling is planned for late October 2021.

Village Attorney’s Report –

-**Derelict Structures** – Attorney Rice stated that there is a Section of the Code provides a remedy for vacant/nuisance properties whereby the Village can rectify the violation at the expense of the property owner.

-Mayor Tursi questioned if the Village Code allows the Bldg/Fire Insp. to hand-deliver a summons directly to the property owner, rather having a summons prepared in the Village Office and mailed to the property owner.

-Attorney Rice will review the Code.

-**Installation of Eruvs** – A letter had been sent to Leonard Gluck, who had requested the installation of eruvs, requesting he attend the meeting to provide information. Mayor Tursi received an email response from Mr. Gluck stating that he was unable to attend; however, he would be available on 10/12/2021.

A discussion was held on the status of this matter.

-In response to the 4/27/2021 email request received from Leonard Gluck, Mayor Tursi sent a letter dated 6/22/2021, giving permission to install 10 poles on Route 17 to allow for the installation of eruvs, with conditions including the approval of the locations by the DPW Supt. (subject to NYS DOT approval, as Route 17 is a state highway)

-On 7/27/2021, Mayor Tursi and Trustee O'Blenis confronted workers from Monsey Eruv Co. who were excavating holes for the installation of poles/eruv, in contrary to the conditions set forth by the Village, and placing of markings for holes on private property. Consequently, Mayor Tursi sent a letter to Mr. Gluck dated 7/27/2021 suspending the permission to erect poles until compliance to conditions specified in the letter.

-Trustee O'Blenis requested the matter be placed on the 9/14/2021 meeting Agenda, in order to discuss the holes that had been excavated and left unfilled by Monsey Eruv Co. "When no action to fill in the holes, she filled in the holes; however, she feels there should be a penalty imposed, as someone could have been injured". She also stated her concern regarding poles being installed on Village streets, as it is her understanding that permission was only granted for areas on Route 17.

-DPW Supt. Conklin was requested to survey the Village for any more holes that were dug and left unfilled. Supt. Conklin stated he will check out each location that was previously marked out.

Matter will be placed on the 10/12/2021 Village Board meeting agenda, and Mr. Gluck will be notified.

Satori Energy – Electricity Contract Renewal (Effective 12/2021) – Tabled.

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

-A Financial Report at 8/31/2021 was supplied.

2021 Assessment Roll - No report.

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

Insurance

Selective Insurance - RE: Commercial Package Policies (April 2021-April 2022) – Account Balance Due: \$19,977.00 – Due Date: 9/15/2021. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

-**NYSIF - Paid Family Leave (PFL)** – Attorney Rice requested information regarding the PFL Policy for review.

-**Comp Alliance** – On-Site inspection of Village-owned buildings will be held on 10/15/2021 at 10:00AM.

NYS Retirement System – 2022 Estimated Contribution – Prepayment Amount Due 12/15/2021: \$69,085.00. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

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

-A Financial Report at 8/31/2021 was supplied.

-Nelson Pope Voorhis – 8/20/2021 Claim (Inv. #2873) – Zoning Local Law - Review/Comment: \$105.00. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

2016 Master Plan Committee – Comprehensive Plan & Related Zoning – Adopted 1/14/2020

Introductory Local Law No. 5, 2021 - Proposed Revisions to Zoning Law – Public Hearing held earlier in meeting. (to continue 9/28/2021)

General Code Publishers

-Proposal/Estimate for Updating Village Code Book - Between \$6,985.00 and \$7,630.00. (Tabled at 8/18/20 meeting until proposed revisions are made to Zoning Code). Tabled

-Proposal for Laser fiche – Tabled.

Village Website Update – 8/2/2021 Proposal - equaTek Interactive: Website Development Services – Retainer: \$1,500.00; Hosting Services – Monthly Fee: \$69.95

A MOTION was made by Trustee Tarantino and seconded by Trustee O'Blenis to accept the proposal from equaTek Interactive, subject to the Village Attorney's review and approval of the Agreement.

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

Zoning Board of Appeals –

4/23/2021 Application filed by Jay Kim – Continuation of Public Hearing will be continued on 9/28/2021 at 6:00PM.

Planning Board – Meeting held on 9/8/2021 - Agenda Item: Review of Proposed Revisions to the Zoning Local Law.

Building/Fire Inspector's Report – Building/Fire Inspector Gordon not present.

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

Senior Citizens – President Diana DeGroat reported:

-NYS Senior Farmers Market Nutrition Program (SFMNP) – Coupon Books were distributed to 43 people.

-The Hillburn Seniors collected and donated a large amount of pop-tops to the Mecca Division of Shriners Children's Hospital on 8/28/2021 (picture of boxes and containers of pop-tops was supplied).

-The Seniors meetings will now be held on the 2nd and 4th Mondays of each month. The start time of 4:00PM will remain in effect and will be reevaluated in January 2022. Upcoming Dates: Oct. 11th & 25th, Nov. 8th & 22nd, Dec. 13 & 27th.

-The Senior Clubs of Ramapo met recently to share info and invited the Hillburn Seniors to participate in upcoming trips.

-Penny Mann, Town of Ramapo Constituent Services Assistant, attended a recent seniors meeting and provided information regarding possible FEMA assistance with storm damage caused by Hurricane Ida.

-Community Room – A new bulb is needed in the light fixture near the Seniors' closet (DPW Supt. following up on same)

-Request for New Senior Citizens Org. Sign for outside of Community Room – (DPW Supt. to follow up on same)

-9/20/2021 Senior Citizens Picnic – Picnic will be held outside behind the Community Room (weather permitting) and will include catered food, a "Fun Craft Auction" of handmade items, and music. The Village Board will be attending. (The DPW will assist in set-up. Mayor Tursi stated that the Village's pop-up tents could be used)

Recreation –

2021-2022 After School Program – Registration was held on 9/8 & 9/2021. Only 4 children were registered. A meeting was held with the Recreation Aides Angela Flanagan and Marcella Perrano and it was determined that, due to the lack of sufficient enrollment, it was not feasible to move forward with the 2021-2022 After School Program. Formal notification of the cancellation of the program will be provided to the three appointed Recreation Aides.

-9/10/2021 CPR Class attended by Angela Flanagan and Marcella Perrano – Reimbursement to Angela Flanagan for Fee Paid: \$64.00 (\$32.00 each) - **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Escrow – The Status of Escrow Accounts Report @ 9/01/2021 was supplied.

-Jay Kim – 4/23/2021 ZBA Application –

-Claim - Brooker Engineering (Inv. #160755): \$356.00 – As approved at the 9/13/2021 meeting, the ZBA submitted a memo to the Village Board recommending payment of the claim, subject to the applicant posting additional escrow, in the amount of \$1,200.00. **Approved by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

-Noved Building Mgmt – 4/4//2019 Planning Board Application

-8/6/2021 Statement – Nelson Pope Voorhis (Invoice #20848 & 211542: \$340.00 – Payment remains pending) Additional escrow to be filed by Noved Building Mgmt.

Public Comments – None.

Auditor’s Report – Auditor Berard & Associates CPA’s P.C.

RE: Village of Hillburn Financial Report – FYE 5/31/2021 – Review of Auditor’s Report will be placed on the 9/28/2021 meeting Agenda.

RE: Village of Hillburn Justice Court Financial Report – FYE 5/31/2021

The following RESOLUTION was offered by Trustee Tarantino and seconded by Trustee O’Blenis who moved its adoption:

WHEREAS, the Hillburn Village Justice Court was audited by the Village’s independent auditor, Berard & Associates, CPS’S, P.C., for year ending 5/31/21; and

WHEREAS, the report has been filed by Berard & Associates, CPS’S, P.C.,

THEREFORE, BE IT RESOLVED that the Hillburn Village Board hereby acknowledges receipt of the Auditor’s Report for year ending 5/31/21 for the Village Justice Court, as prepared by Berard & Associates, CPS’S, P.C., and

FURTHER BE IT RESOLVED, the Village Justice Court Audit Report is hereby accepted and approved.

Ayes: Joseph P. Tursi., Mayor
Bernadette Tarantino, Trustee
Bonnie R. O’Blenis, Trustee
Noes: None

RESOLUTION was unanimously adopted.

-Danziger & Markhoff LLP – Invoice #144986 – GASB #75 Actuarial Services - FYE 5/31/2021: \$3,325.00 (paid 9/8/2021) **Ratified by Village Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Requests for Use of Community Room

-Y. Van Dunk – Ladies Aux – 9/26/2021 / 11AM - 2PM – Receive Candy: Halloween Egg Hunt – **Approved by Board**

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

American Rescue Plan Act (ARPA) – A direct deposit was received on 8/30/201, in the amount of \$204.98, representing 50% of a reallocation payment (funds not requested/declined by local governments).

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

-Town of Ramapo – Notice of Public Hearing – Comprehensive Plan Amendment and Updates: 9/13/2021 at 7:00PM (Village Attorney stated that the proposed amendments have no direct impact on Hillburn).

-ReadyRefresh – Notice of Delivery Fee increase effective 10/1/2021: From \$6.95to \$7.49.

-RC Human Rights Commission – Invitation to Unveiling of “Thurgood Marshall Monument” – 9/23/2021 from 12:00noon to 1:30PM – New City, NY.

-NYCLASS – 2021 Annual Report.

-NYCOM – Advocacy Update

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

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None

Upcoming Village Board Meetings: Tuesdays - 9/28/2021 and 10/12/2021 - 7:00PM

MOTION was made by Trustee O’Blenis and seconded by Trustee Tarantino to adjourn the meeting at 8:23PM.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis
Noes: None