

**VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, September 28, 2021 – 7:00PM**

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, September 28, 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) (left meeting early)
Bonnie Franson, Nelson Pope Voorhis, Village Planner (Portion of meeting)
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. Asst. Clerk-Treasurer Mary Boone led in the Salute to the Flag.

Assemblyman Mike Lawler - Presentation of New York Assembly Citation to Asst. Clerk-Treasurer Mary M. Boone
Assemblyman Lawler addressed the Village Board and the public, and reading it aloud, presented Assistant Clerk-Treasurer Mary M. Boone with a New York State Assembly Citation honoring her many years of service and commitment to the Village of Hillburn. The Citation recognized the capacities in which she served and prior honors received, including:

Clerk-Treasurer

**(Appointed by 5 Mayors: Lester Lepori, Brian L. Miele, Dennis Connington, James R. Brown and Craig Flanagan, Jr.)
May 1975 - May 2006 (31 Years) Retired
April 2013 - April 2018 (5 Years)**

Registrar of Vital Statistics

May 1975 – January 2006

Asst. Clerk-Treasurer

(Appointed by Mayor Joseph Tursi)
April 2018 – present (3 Years)

Current Member of the Hillburn Senior Citizens Organization

Served as President from 2007-2011

Named 2006 Citizen of the Year

-Mary Boone expressed heartfelt appreciation to Assemblyman Lawler for honoring her with such a prestigious Citation. Assemblyman Lawler left the meeting.

Auditor’s Report – FYE 5/31/21 – Auditor Berard & Associates CPA’s P.C.

Representative of Berard & Assoc. Present: Donalee Berard, Partner

The Village Board was in receipt of copies of the Auditor’s Report for FYE 5/31/21, along with a summary of the audit, reflecting key points of the audit.

Ms. Berard summarized the report:

- The Statements of Revenues and Expenditures reflect positive balances.
- The Village of Hillburn is in sound financial shape, in accordance with the Y/E 5/31/21 Audit.
- A discussion was held regarding the Water Fund and the status of the Village’s water system. Although rates had been increased, water loss from water main breaks had an adverse effect on the Water Fund.

Mayor Tursi stated that recent repairs to water mains have drastically reduced expenditures for the purchase of water.

-The Village Board thanked Ms. Berard and the staff from Berard & Assoc. for the preparation and presentation of the Audit for FYE 5/31/2021.

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to suspend the regular meeting in order to continue the Public Hearing regarding Introductory Local Law No. 5 of 2021.

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

7:15PM – Continuation of 9/14/2021 Public Hearing – Introductory Local Law No. 5 of 2021 –

A local law amending Chapter 250 of the Code of the Village of Hillburn

(Adjourned on 9/14/2021 to allow time for receipt of GML Review from the RC Dept. of Planning)

RC Planning Dept. – GML Review Received 9/20/2021 (supplied to the Village Board, Village Attorney, Village Engineer, Village Planner, Planning Board and Zoning Board Members)

-Village Planner, Bonnie Franson of Nelson Pope Voorhis, reviewed the comments mentioned in the GML Review with the Board and public:

1. Sections 1-3 of proposed local law – Definitions – Wrong Section shown in proposed local law. (*Section will be corrected from Section 250-3 to Section 250-7*)
2. Place of Worship, neighborhood – Recommend to amend zoning code to stipulate a safe means of walking to the place of worship (i.e. sidewalks/crosswalks) (*Suggests overriding due to low intensity street usage. The Planning Board may require sidewalks as a condition of Site Plan approvals*)
3. & 4. Parking requirements for places of worship and schools. (*Parking requirements will be clarified*)

5. Parking in LS Zone. (*Amendment to Code to allow automotive garages in a specific area that were made non-conforming due to the re-zoning to LS. Parking at Planning Board's discretion*)
6. Typographical correction. (*Correction from Section 250.19(j) will be corrected to Section 250-20D(2)(j).*)
7. Definition of Schools. (*Definition will be clarified*)
8. Adding Automotive Garages to Table of General Use Regulations. (*Amendment to Code to allow automotive garages in a specific area that were made non-conforming due to the re-zoning to LS*)
9. Codification of Zoning Law. (*Codification of Zoning Law, adopted 1/14/2020, was postponed until the required revisions included in Introductory Local Law No. 5 of 2021 are adopted*)

Hearing was opened for Public Comments. None

A MOTION was made by Trustee O'Brien and seconded by Trustee Tarantino that the Public Hearing be adjourned to 10/12/2021, at 7:30PM, to allow the Village Attorney and Village Planner to address the comments stated in the RC Planning Dept.'s GML Review.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

-Attorney Rice stated that SEQR Determination will be made at the 10/12/2021 meeting.

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

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

Village Attorney's Report –

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

-Remediation of Site - Mr. Getchell of Weston and Sampson (Engineering firm selected to do the soil sampling) has submitted a written synopsis of his report (filed November 2020) regarding the needed remediation and Attorney Rice reported he will be filing same with Judge Eisenpress.

-NYSIF - Paid Family Leave (PFL) – Attorney Rice acknowledged receipt of information regarding the PFL Policy and he will report on same at the 10/12/2021 meeting.

Attorney Rice was excused from meeting.

Minutes of the 9/14/2021 Meeting - Approved by Village Board.

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

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

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

Police Commissioner's Report

Mayor Tursi reported Ramapo Police Lieut. Blaine Howell has proposed installing four License Plate Readers throughout the Village, as part of a town-wide program. The Village Board approved the installation.

Village Water System

-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)

DPW Report - DPW Supt. Conklin

Flushing of Hydrants – Scheduled for 10/5, 6 & 7/2021, from 9:00AM to 2:00PM. Notice will be placed on Village sign and on website.

Garbage Truck – The truck is back in service as of today; however, of the three kits ordered by Sanitation Equipment Corporation, one kit received was incorrect (injector seal). When received, the truck will be taken back for repair.

-Appreciation was extended to the Village of Suffern for allowing the Hillburn DPW to utilize its garbage truck.

-Request for New Senior Citizens Org. Sign for outside of Community Room – DPW Supt. is looking into a signage to be placed on the windows of the Community Room, rather than a sign on the building.

DPW Trucks

New steps are needed for the 2008 and 2016 trucks. Quotes are being obtained. Request for approval of expenditure not to exceed \$450.00. **Approved by Village Board.**

Ayes: Mayor Tursi, Trustees Tarantino & O'Brien

Noes: None

Storm Drains – Sloatsburg DPW will be in the Village tomorrow, 9/29/2021, with their truck to clean out storm drains.

(The Village Board approved providing breakfast/lunch to the Sloatsburg DPW)

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.

H.F.D. Report – HFD Chief Starr reported:

UTV - Emergency Lights - Chief Starr will be taking UTV to East Coast Emergency Lighting, Inc. for light installation.

Firehouse Bays

-Flat roof is leaking and water is going to the downstairs area. (DPW Supt. Conklin will obtain a quote)

-There is a gap between the wall and floor in the Quad bay. (DPW Supt. Conklin will look into a sealant)

-The drain in the CFR bay is not working. (DPW Supt. Conklin will follow up on same)

-New HFD Member – Johnathan DeGraw – Mr. DeGraw has fulfilled the requirement of obtaining a physical.

A MOTION was made by Trustee Tarantino and seconded by Trustee O’Blenis to ratify Mayor Tursi’s approval of Johnathan DeGraw as a member of the Hillburn Fire Department, and FURTHER, the Village Board approved Johnathan DeGraw as a driver in the HFD, subject to submittal of required motor vehicle documents and approval of same by the Village’s insurance carrier.

Ayes: Mayor Tursi, Trustees Tarantino & O’Blenis

Noes: None

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 – September 24, 2021 Correspondence from NYS Senator Elijah Reichlin-Melnick

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

WHEREAS, the Village of Hillburn has been nominated for a State and Municipal Capital Grant (SAM) through the office of NYS Senator Reichlin-Melnick in the amount of \$75,000.00; and

WHEREAS, the Village of Hillburn’s project for this grant will be “Veterans Memorial Park Pond Restoration”; and

WHEREAS, the amount of funding being requested through the SAM Grant is \$75,000.00 representing 50% of the estimated cost of \$150,000.00 for this project; and

WHEREAS, the Village of Hillburn is committed to and has the funding to cover the reimbursement-based grant as well as the project costs that are not covered by the Grant;

THEREFORE, BE IT RESOLVED, that the Village of Hillburn hereby approves the filing of the application for the SAM Grant.

Ayes: Joseph P. Tursi, Mayor
Bernadette Tarantino, Trustee
Bonnie O’Blenis, Trustee

Noes: None

RESOLUTION was unanimously adopted.

Resolution Declaring the Board of Trustees to be Lead Agency for Restoration of the Existing Pond in Veterans Memorial Park and Classifying the Action as a Type II Action Pursuant to SEQRA

BE IT ENACTED by the Board of Trustees of the Village of Hillburn as follows:

WHEREAS, the depth of the pond in Veterans Memorial Park has been reduced over time, thereby creating a shallow environment conducive to an overgrowth of vegetation; and

WHEREAS, annual maintenance by the Village has proven to be insufficient; and

WHEREAS, the Village intends to excavate the pond in order to restore the depth of the pond; and

WHEREAS, a grant has been made available to the Village through the State and Municipal Facilities Capital Program (“SAM”); and

WHEREAS, the Village is applying for such grant in order to undertake the foregoing restoration of the pond.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Hillburn that the Board of Trustees declares itself lead agency for the purposes of applying for the SAM grant and restoration of Veterans Memorial Park; and

BE IT RESOLVED, that the foregoing is a Type II action pursuant to 6 NYCRR § 617.5(c)(1).

AYES: Joseph P. Tursi, Mayor
Bernadette Tarantino, Trustee
Bonnie O’Blenis, Trustee

NOES: None

RESOLUTION was unanimously adopted.

Village Engineer’s Report – Engineer Mancuso reported:

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.

-DPW Supt. Conklin stated riser caps will be needed. Engineer Mancuso stated she had forwarded the email from O & R Utilities regarding the availability of extender rings.

Satori Energy – Electricity Contract Renewal (Eff 12/2021) – Quotes for electric and gas suppliers are being requested.

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

-A Financial Report at 9/28/2021 was supplied.

2021 Assessment Roll - No report.

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

Insurance

NYS Insurance Fund – 9/21/2021 Notice of \$101.40 Premium Award credit being applied toward Village's account balance, reflecting timely submission of annual payroll and favorable claims results for policy period ending 7/1/2020.

-Comp Alliance – 9/19/2021 Notice that the Village has qualified for the Comp Alliance Safe Workplace Award for its performance during policy year 2020. Amount of Award: \$3,436.00 (Check #0265297 enclosed).

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

-A Financial Report at 9/28/2021 was supplied.

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 on 10/12/2021)

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 – As recommended by Attorney Rice, an email was sent to equaTek requesting the following amendment to the Agreement – RE: Client Acceptance–Terms and Conditions–Remove “This contract will automatically renew at the then applicable rate, unless written notice is received 30 days prior to termination. In the event that the contract is terminated prior to its maturity date, a 90 day early termination fee (3 times the monthly fee) will be accessed).” No response at this date. Mayor Tursi will reach out to equaTek.

Zoning Board of Appeals –

4/23/2021 Application filed by Jay Kim – Public Hearing will be continued on 10/12/2021 at 6:00PM.

Planning Board – No report.**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 – 9/20/2021 Picnic – The Village Board attended the Picnic and stated it was a very nice affair.

Recreation – **2021-2022 After School Program** – Program cancelled due to the lack of sufficient enrollment.

Public Comments

Dolores Hunter (16 Fox Hollow Road) questioned why the 2021-2022 After School Program was cancelled, as she sees so many children playing outside in the Village.

-Mayor Tursi stated that two registrations were held on 9/8 & 9/2021 and only 4 children were registered. Parents may have found alternate programs for their children.

Escrow – The Status of Escrow Accounts Report @ 9/28/2021 was supplied.

Requests for Use of Village Property

-Regina Scott - Shining Lights Helping Hands – Request for Use of Community Room and Veterans Memorial Park – Date: Sat., 10/9/2021 (Rain Date: 10/10/2021) / Time: 8:00AM – 6:00PM – Hillburn Community Wide Yard Sale
Approved by Village Board: Fee Waived, Insurance Required.

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

-Y. Van Dunk – Ladies Auxiliary – Request for Use of Community Room

Date: Tues., 9/28/2021 / Time: 7:00PM – Meeting of the Auxiliary Officers. **Approved by Board**

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None

RC Human Rights Commission – 9/23/2021 Unveiling of “Thurgood Marshall Monument” – Mayor Tursi stated he had attended the event and displayed the 9/24/2021 newspaper article including a picture of the monument located near the Court House in New City, NY.

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

-Rogers Garey (Property Owner) – Mayor Tursi read aloud the 9/24/2021 letter thanking the Village Office staff for their assistance. A donation of \$50.00 was included.

-Senator Elijah Reichlin-Melnick – Notice - Grand Opening of Rockland District Office.

8/31/2021 Letter Proposal from Berg Equities – Cultivation of Cannabis in the Village of Hillburn

Mayor Tursi read the letter proposal to purchase 10 acres of land from the Village of Hillburn to create an indoor cannabis farming operation. Incentives for the Village include funding assistance for repairs/maintenance of Veterans Memorial Park Pond and services for youth and seniors, including development of a residence complex for seniors and veterans. The Village Board was responsive to further review of the proposal.

-Dolores Hunter questioned if it would increase traffic. Mayor Tursi replied no – it would not be a dispensary.

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 - 10/12/2021 and 10/26/2021 - 7:00PM

MOTION was made by Trustee O'Blenis and seconded by Trustee Tarantino to adjourn the meeting at 8:10PM.

Ayes: Mayor Tursi, Trustees Tarantino & O'Blenis

Noes: None