

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, April 10, 2018 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, April 10, 2018, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

**PRESENT:** Craig M. Flanagan, Jr., Mayor  
Bonnie R. O’Blenis, Trustee  
Eleanor J. DeGraw, Trustee  
Richard Ellsworth, Village Attorney  
Eve Mancuso, Village Engineer  
Thomas M. Conklin, DPW Supt.

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

Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. ZBA Member Tim Williams led the Salute to the Flag.

**Minutes of the 3/27/18 Meeting – Approved by Village Board**

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None  
Abstention: Trustee DeGraw (absent from meeting)

**Minutes of the 4/02/18 Annual Organizational Meeting – Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw  
Noes: None

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

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw  
Noes: None

**Police Commissioner’s Report** – Mayor Flanagan deferred report until the arrival of a Ramapo Police Officer.

**DPW Report – DPW Supt. Thomas Conklin reported:**

**Tree Removal** – As approved, the tree located on Village property in the area of 44 Second Street was removed on 4/4/18.

**2018 Hillburn Clean-Up Day** (4/14/18 – Rain Date: 4/21/18) – Supt. Conklin will pick up the supplies from Keep Rockland Beautiful and the refreshments from Spring Street Deli.

-Supt. Conklin recommended the Ramapo Police be requested to supply police presence in the area of Route 17, as members of the Suffern Midget Mountie Football team will be volunteering to collect trash in that area.

**Surplus Equipment** – Bids Received by Absolute Auctions & Realty – 3/29/18 Auction #2720

The Bids received were read by Mayor Flanagan:

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to take the following action in regards to the 3/29/18 bids received by Absolute Auctions & Realty:

<u>Surplus Item</u>	<u>Bid Received</u>	<u>Board Action</u>
2001 GMC C8500 Dump Truck	\$10,200.00	Accept
2003 Ford Expedition	\$ 1,500.00	Reject
1990 John Deere 870 Tractor/Mower	\$ 5,200.00	Accept
(2) Red Max Weed Whackers	\$ 110.00	Accept
Miscellaneous Cell Phones, Chargers, etc.	\$ 3.00	Reject
Office Electronics (Towers/Printers)	\$ 60.00	Accept
Upholstered Chairs (Quantity: 65)	\$ 1.00	Reject

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw  
Noes: None

Supt. Conklin stated he would contact Taylor Robinson of Absolute Auctions & Realty tomorrow.

**4/10/18 Notice – RE: Hillburn Transfer Station** – Notification has been received from the RC Solid Waste Mgmt. Authority that commencing 4/13/18 and until further notice, the Hillburn Transfer Station will be under construction (floor replacement) and operating at a restricted volume access.

-Supt. Conklin stated that IWS (Route 17, Hillburn) accepts the trash collected on Hillburn Day and he will inquire if they can also accept Bulk Trash collected by the Village.

**3/22/18 Damage to Guardrail–Terrace Ave & Suffern Rd** – A Police Report has been received.

Supt. Conklin recommended the repair be made by the DPW, and the cost for material and labor be invoiced to the driver of the vehicle. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw  
Noes: None

**Shared Services** –

-Rockland County Shared Services – LED Streetlight Conversion - 12:00Noon on 4/11/18 – Orangeburg Holiday Inn. Mayor Flanagan and Supt. Conklin will be attending.

-Town of Ramapo – Meeting at Town Hall - Consolidation Consultant: RE: Grant/Shared Services – 10:00AM on 4/13/18

Back-Hoe Edge – 4/4/18 Quote from H.O. Penn – Amount: \$362.98. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

#### **4<sup>th</sup> Street Railroad Bridge**

RE: O&R Utilities – Transport of Transformer Over 4<sup>th</sup> Street Railroad Bridge – Mayor Flanagan reported the 4/9/18 transport went well.

-Trustee O’Blenis stated that she witnessed the transformer being taken over the Ramapo River bridge as well, and questioned who is responsible for the respective bridge.

-H.F.D. Chief Starr stated that he believes the bridge is owned by the County of Rockland.

-Mayor Flanagan stated he will follow up with matter.

RE: Resurfacing by Town of Ramapo - No further information has been received.

#### **HFD Report – Chief Starr reported:**

-5CFR – Repair of Jaws of Life – Chief Starr reported that State Line Fire & Safety, Inc. has determined additional work is needed to repair the Jaws of Life. Subsequently, a new quote dated 4/3/18 was submitted in the amount of \$1,525.00. This quote replaces the 3/23/18 quote approved at the 3/27/18 meeting in the amount of \$476.00.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to rescind the 3/27/18 approval of State Line Fire & Safety, Inc.’s quote in the amount of \$476.00; and

FURTHER, to approve the 4/3/18 quote in the amount of \$1,525.00, for repair of the 5CFR – Jaws of Life.

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-Condition of Privately Owned Brandt Road – Chief Starr reported that the major pot holes in the roadway prevent the H.F.D. from using Brandt Road to access the homes in the area in the event of an emergency.

-A discussion was held on the ownership of the private roadway – to be confirmed.

-Homes in Ramapo Hamlet – Chief Starr reported that drills are being held at the vacant houses. A drill is scheduled for next week. In the event of a fire at the vacant homes, it has been confirmed with 44-Control that no one is to go inside the dwelling.

#### **LOSAP Program –**

-RBC Wealth Management

-“Certificate of Investment Powers” and Updated LOSAP Contact List – Signed by Village Board.

-Prospectus Report received 4/06/18.

-Account Statement (March 2018)

**O & R – RE: NY Public Service Commission Case 16-E-0226; O & R’s Add’l LED Street Lighting Options Available to Municipalities** – Upgrade of 9 streetlights to LED along 4<sup>th</sup> St. – Upgrade still pending – DPW Supt. reported that O&R is requesting the respective pole numbers (previously supplied). Matter will be followed up on.

#### **7:30PM**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to suspend the regular meeting in order to hold the duly scheduled Public Hearing.

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

#### **Public Hearing – 2018-2019 Tentative Budget**

The duly posted and published Notice of Public Hearing was read aloud by the Village Clerk-Treasurer.

Copies of the Tentative 2018-2019 General Fund and Water Fund budgets were made available to the public in attendance.

Mayor Flanagan reviewed the 2018-2019 Tentative General Fund, Revenues and Appropriations pages and highlighted the decreases and increases in comparison to the prior year.

- The tentative tax rate is \$4.22 per \$100 valuation, an increase of 18¢ over the 2017-2018 tax rate (\$4.04/100)
- Salary increases are appropriated for officials and employees.
- Decreases in assessed valuation of businesses and the Equalization Rate contribute to the tax increase
- Appropriation for Serial Bonds (Fire Truck) remain until 2024
- Decrease in LOSAP Contribution is beneficial

-Local Law #1, 2018 was adopted on 3/13/18 to authorize the Village of Hillburn to override the tax cap, if necessary. The Village is within the Constitutional Tax Limit.

Hearing was opened for Public Comment.

**Shane Starr, HFD Chief** stated it was his understanding the Bond for the fire truck was for a 10 year period.

**Chevron Torres (54 5<sup>th</sup> Street)** questioned the line item increase for the purchase of new chairs for the Community Room and recommended cleaning the present ones.

Mayor Flanagan reviewed the 2018-2019 Tentative Water Fund Revenues and Appropriations pages and highlighted the decreases and increases in comparison to the prior year.

- Sale of the Village's water system to SUEZ Water New York is being considered/reviewed – Reason: Costs of repairing/replacing aging infrastructure (pipes, hydrants).

**Chevron Torres (54 5<sup>th</sup> Street)** questioned if the sale of the water system would eliminate all of the water service expenses. -Mayor Flanagan responded the matter is still under review.

With no further comments,

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to close the Public Hearing.

Ayes: Mayor Flanagan, Trustee O'Brien & Trustee DeGraw

Noes: None

**The regular meeting resumed at 7:50PM.**

**Village Engineer's Report - Engineer Eve Mancuso reported:**

**RE: Water System** – Engineer Mancuso has reached out to Glenn McCreedy (former representative of Brooker Engineering) to obtain maps that show the newer portions and older portions of the water system.

**RE: O&R Utilities – Transport of Transformer Over 4<sup>th</sup> Street Railroad Bridge** – As reported earlier, the transport of the transformer was well planned and well executed.

**Village Attorney's Report – Village Attorney Richard Ellsworth**

Mayor Flanagan introduced Village Attorney Richard Ellsworth (appointed at 4/2/18 Organizational Meeting) and welcomed him to the Village.

-The 4/3/18 letter from former Village Attorney Elizabeth Cassidy, regarding transition to new Village Attorney, was read aloud by Mayor Flanagan.

-Attorney Ellsworth stated he had met with former Village Attorney Elizabeth Cassidy on 4/6/18 and discussed all open legal matters.

**Village of Hillburn v. Losner** – Attorney Ellsworth will be filing documents required for him to serve as the Village's legal counsel. The Judge has scheduled the matter for May 21, 2018.

-4/6/18 Claim of The Law Office of Elizabeth Cassidy (Inv. #0710) - \$350.00 **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O'Brien & Trustee DeGraw

Noes: None

**H.F.D. - 2/22/18 Response to Fire Call – County-Wide Carting – Truck Leaking Oil**

3/19/18 Letter to County-Wide Carting for Reimbursement of Expenses incurred – No response at this date. Matter will be reviewed by Village Attorney Ellsworth.

**Ramapo Police Officers Tesseman and Youngman** arrived at meeting and reported the Village was quiet.

-DPW Supt. Conklin requested increased police presence during Hillburn Clean-Up Day on 4/14/18, in the area of Route 17.

**Procurement Policy (Policy Reviewed and Approved 5/23/2017)**

Attorney Ellsworth stated he had reviewed same and has no recommended revisions. Legislation has changed the General Municipal Law to allow the State Comptroller and Attorney General to stop any violations of the policy.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien that no changes be made to the existing Procurement Policy.

Ayes: Mayor Flanagan, Trustee O'Brien & Trustee DeGraw

Noes: None

**NYS Retirement System – Notification Received 3/16/18 – RE: Standard Workday and Reporting** – The Village Board was supplied with information and calendars to record daily Village activities for April, May & June.

**Village of Hillburn vs. Nicholas Ciancioruso, et.al. (Creelman Road) - RE: Litigation Regarding Illegal Operation of a Contractor's Yard on Property located on Creelman Road in Violation of Stop Work Order** – A Temporary Restraining Order is in effect. Matter is being followed up by the Village's Special Counsel, Chris Cardinale of Jacobowitz & Gubetz.

**Village of Hillburn vs. Creelman Road Property Owners** – Transfer of the case out of Hillburn Court remains pending.

**Insurance** – The 4/15/18 – 4/15/19 Policy is in place. Mayor Flanagan met with Garrett Durland on 4/4/18 to review same.

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

No change to the Financial Report as of 3/27/18.

**Verizon 5 Year Special Franchise Agreement – Expiration Date: Oct. 2017**

Attorney Ellsworth reported he will follow up on the status of this matter.

**Tax Certioraris – (2014, 2015, 2016, 2017) –**

The Stipulation regarding TBS Realty Mgmt. and Hillburn Park Corp. is pending the Judge's signature. Stipulations are reflected in the 2018 Assessment Roll.

**2018 Assessment Roll**

The final Assessment Roll was filed on 4/1/18.

-RE: GARR Assessment – The Village of Spring Valley has extended an invitation to the Village Board to attend a GARR Assessment on 4/19/18 at 11:00AM.

**2018-2019 Tentative Budget** – Public Hearing held earlier in meeting. No action taken.

**2016 Master Plan Committee** –

Committee Secretary, Parquiris DeLeon, reported upcoming meetings are scheduled for 4/21/18 & 5/5/18 at 10:00AM.

-4/09/18 Claim – The Law Office of Elizabeth K. Cassidy (Inv. #0711): \$525.00. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-**Proposed Legal Services Agreement - Comprehensive Plan Submitted by Elizabeth K. Cassidy** – **Tabled by Village Board.**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

**2020 Census – Local Update of Census Address Operation (LUCA)** – No further report. Village is duly registered.

**2018 Hillburn Day – July 28, 2018 (Rain Date: 7/29/18)** Chairperson: Trustee Eleanor DeGraw

Next Meeting: 4/17/18 – 6:30PM – Youth Center.

Action on Contracts/Purchases were made by the Village Board as follows:

-**Town of Ramapo – Stage Rental** – Rental Application – Mayor Flanagan authorized to sign Application; Payment of refundable fee \$150.00, if required. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-**Suffern Central School District** – Use of Parking Lot – Mayor Flanagan authorized to sign Application for use of the SCSD Parking Lot (no fee). Certificate of Insurance will be submitted by the Village of Hillburn. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-**Paladin Amusements, Inc.** – 1 Triple Game Trailer – Fee: \$1,500.00 – Mayor Flanagan authorized to sign the Contract Agreement, subject to receipt of a Certificate of Insurance naming the Village of Hillburn as the Certificate Holder. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-**MK Entertainment of the Hudson Valley** – DJ Services – Fee: \$375.00 (Required Deposit: \$150.00) Mayor Flanagan authorized to sign the Contract Agreement between MK Entertainment of the Hudson Valley to provide DJ Services. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-**AlphaGraphics of Mahwah Bergen County** – Raffle Tickets – Quote: \$87.37. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-**Best Buy** – 60” LED TV – Cost: \$549.99. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

-Trustee DeGraw stated that all suggestions for Hillburn Day events are welcome. A Dunk Tank is being considered.

-HFD Chief Starr suggested fireworks.

-Chevron Torres suggested a carnival.

-Mayor Flanagan advised that although the Planning Committee is full, volunteers on the day of Hillburn Day are needed.

**Zoning Board of Appeals** - No new applications have been filed.

-ZBA Membership – At the 4/2/18 Organizational Meeting, Dennis Anderson was re-appointed to the ZBA for the 5 Year Term Expiring April 2023 and has signed his Oath of Office.

-Rockland Planning Federation – Certificate issued to ZBA Member Timothy Williams for Completion of the Planning/Zoning Recertification Course. The Certificate will be mailed to Mr. Williams, along with a letter of appreciation from Mayor Flanagan.

**Planning Board** – Next meeting is scheduled for 4/18/18.

-Planning Board Membership – At the 4/2/18 Organizational Meeting, Rhonda Jennings was reappointed to the Planning Board for the 5 Year Term Expiring April 2023 and has signed her Oath of Office.

-Rockland Planning Federation – Certificate issued to Planning Board Chairman Sheree Edwards for Completion of the Planning/Zoning Recertification Course. The Certificate will be mailed to Mrs. Edwards, along with a letter of appreciation from Mayor Flanagan.

**Building/Fire Inspector’s Report** – Adam Gordon not present

-Mayor Flanagan reported he had met with Inspector Gordon today regarding pending matters.

-The Bldg/Fire Inspector had sent a 4/5/18 email to the Village Board–RE: Fire Suppression Systems in Village buildings.

**Escrow** - No change in the Status of Escrow Accounts Report @ 3/27/18.

There are pending claims against Escrow Accounts before the Planning Board.

**Senior Citizens** – Military Bridge scheduled for April 13, 2018 in the Community Room.

**Recreation** – A written Report was read by Trustee O’Blenis.

The Easter Egg Hunt was held on 3/31/18 and went very well. The weather was good and event was well attended and the children were very excited. Games were held and prizes aware (bunny & chick ears, golden eggs). Special thanks were extended to the Easter Bunny, Ciara Henry.

**2018 Summer Camp & Swim Program**

-Plans are being made.

-At present, there are 38 registrants. Registration Fee payments are still being received.

**Hillburn Sewer Rebate Committee** – Trustee DeGraw reported funds are still available and applications are still being accepted.

**Village Board of Trustees Meetings – May 2018:** 5/15/18 and 5/29/18 (new meeting schedule: 2<sup>nd</sup> & 5<sup>th</sup> Tuesday)

**Public Comments** –

**Chevron Torres (54 5<sup>th</sup> St.)** welcomed Attorney Ellsworth and recommended that if the Village Board accepts the proposal from Elizabeth Cassidy for legal services pertaining to the Comprehensive Plan, Attorney Ellsworth should also be involved.

**Personnel - Appointment of DPW Laborer**

As approved at the 4/2/18 Organizational Meeting, an additional Laborer position has been created; and Roger C. DeGroat has been duly approved, by the RC Personnel Department to the position of full time Temporary DPW Laborer, at the rate of \$16.00/hr. Mr. DeGroat is scheduled to begin work tomorrow, 4/11/18.

**DPW – Seasonal Hours**

DPW Supt. Conklin requested Village Board approval of seasonal hours for the DPW, as follows: 6:00AM – 2:30PM from 5/1/18 through 10/8/18 (Columbus Day) **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

**Application for Use of Hillburn Property**

-**Request for Use of CFR** – 2<sup>nd</sup> Asst. Chief Ann Marie Basile – 4/13/18 - Approximately 2-2½ hours – Wedding.

**Approved by the Village Board with the following conditions:**

- HFD President Thomas Whelan to drive the truck to and from Sacred Heart Church only.
- Mutual Aid would be in place.
- No one is to be on the truck while it is moving.

**Requests for Use of Hillburn Community Room**

-Applicant: Valerie Mariano – Hillburn Senior Citizens - Purpose: Military Bridge

Dates/Times: Thursday, 4/12/18 - Set Up–10:00AM; Friday, 4/13/18 - 5:30–10:00PM **Approved by Village Board**

-Applicant: Eleanor DeGraw – Hillburn Ladies Auxiliary – Purpose: Plant Sale

Dates/Times: Friday, 5/11/18 & Saturday, 5/12/18 Time: 11:00AM – 12:00Noon **Approved by Village Board**

-Applicant: Phil Pierre – RC Alpha Phi Alpha Chapter – Purpose: Thurgood Marshall Ceremony – Oratorical Contest

Date: Saturday, 5/19/18 **Approved by Village Board, subject to confirmation of time of use and receipt of a Certificate of Insurance naming the Village of Hillburn as the Certificate Holder.**

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None

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

-Village of Sloatsburg – Notice of Public Hearing – 4/11/18 – RE: Amending the Zoning Code to Add a New Zoning District to be Designated VC-3.

-Barnes & Noble – Complimentary Copy of “Our 50-State Border Crisis” (book given to Mayor)

-Town of Ramapo – Notice – Free Document Shredding Day – 4/14/18 – 8:00AM-12:00noon – Ramapo Town Hall.

-NYCOM – RE: New State-Mandated Cancer Benefit for Volunteer Firefighters.

-NYCOM – RE: Summary of Key Proposals in the 2018-19 Adopted State Budget.

-Cornell Cooperative Extension –

RE: Rockland Conservation Corps. – Utilizing Students for Stormwater Mapping.

RE: Introduction to Watershed Planning – 4/12/18 Workshop

-RC Dept. of Planning – RE: Rockland Municipal Planning Federations 30<sup>th</sup> Annual Dinner – 4/30/18

-NYS Dept. of Public Service – RE: Series of Public Statement Hearings – RE: March 2018 Winter Storms and Resulting Power Outages.

**2017 Local Government Records Management Improvement Fund Grant (LGRMIF)** – Grant Award: \$28,631.00 –

The Contractor, New York State Industries for the Disabled, Inc. – No further report. Awaiting completion of project.

**Voucher Claims** were reviewed by the Board who approved payment of same.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn the meeting at 8:55PM.

Ayes: Mayor Flanagan, Trustee O’Blenis & Trustee DeGraw

Noes: None