

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, April 11, 2017 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, April 11, 2017, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

**PRESENT:** Craig M. Flanagan Jr., Mayor  
Eleanor J. DeGraw, Trustee  
Bonnie R. O’Blenis, Trustee  
Elizabeth K. Cassidy, Village Attorney  
Thomas M. Conklin, DPW Supt.

**RECORDER OF MINUTES:** Mary Boone, Clerk-Treasurer

.....  
Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Resident Lisa Jennings led in the Salute to the Flag.

**Minutes of the 3/28/17 Meeting - Approved by Village Board.**

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

**Minutes of the 4/03/17 Annual Organizational Meeting – Approved by Village Board**

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis  
Noes: None

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

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis  
Noes: None

**Police Commissioner’s Report** – Deferred until arrival of Ramapo Police Officer.

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

Spectrum Water Meter Reader – DPW Supt. reported a meeting with a representative from Census is scheduled for Thursday, 4/13/17, to set up the Meter Reader, verify proper signal and provide training.

5<sup>th</sup> St. Recreation Field & East Hillburn Recreation Field – Quotes for Fibar – Vendor: American Recreational Products  
-Rubber Fibar – Vendor requires measurements of the respective areas in order to provide a quote. Also, removal of existing mulch/dirt to a depth of 6” is required and stone would need to be installed. Although rubber mulch lasts longer; it is more expensive, requires the purchase of stone, as well as a great amount of labor by the DPW.

-Wood Fibar – Quote: \$2,808.00 (80 yards) – Fibar will be delivered to the 5<sup>th</sup> Street Recreation Field.

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw authorizing the purchase of 80 yards of wood fibar from American Recreation Products at the cost of \$2,808.00.

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis  
Noes: None

**Quotes Received from Suffern Sales and Service - DPW 2008 Ford (#4)**

-Cost of repairs approved at 3/28/17 meeting: \$903.97. Additional work was needed (Fuel Pump) - Cost of repair: \$763.49. **Ratified by Village Board.**

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis  
Noes: None

5<sup>th</sup> St Salt Shed – Modifications for storage use: 14’ Garage Door, Close Roof. A meeting will be held with Add-Ventures.

Old Fourth Street – Line Striping – Quotes are being obtained.

Community Clean-Up Day – Sat., April 22<sup>nd</sup> (Rain Date: April 29<sup>th</sup>) – Quote for Refreshments: Spring Street Deli: \$320.00.

**Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis  
Noes: None

7<sup>th</sup> St. Drain Pipe (Area of 32 7<sup>th</sup> St.) – Supt. Conklin reported that rather than going into the drain, the water is going around the drain pipe and undermining the roadway. Matter will be reviewed with the Village Engineer.

DPW Uniform Rental – The 5 year contract with Cintas is expired. DPW Supt. will obtain quotes from other vendors.

**HFD Report – Chief Starr reported**

-RE: New Chief’s Truck – Cap has been installed. Truck is at Goosetown Communications for Installation of lights & radio. When completed, it will be taken to Butler to have the slider installed. Lettering: Quotes being obtained.

-Jodi Williams is now an active H.F.D. member and will commence training. Frank Lazcares has finished 120 hours of FF1.

-New Member: Robert McIntosh – Request for authorization for Mr. McIntosh to take the required physical at Mahwah Medical. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis  
Noes: None

NYS Dept of Labor – Citation 1, Item 6 (Bloodborne Pathogen Training) - Required paperwork will be supplied tomorrow.

-Two filing cabinets are needed to store all required material. Quotes will be obtained.

Contract with “Who’s Responding” – The contract for this service, which allows firefighters to receive fire calls through texts, has expired. The computer that was for this service will be dropped off.

-The H.F.D. is presently using a new service entitled “Active 911”, with a company that is through 44-Control, for a 90 day free trial period. If the H.F.D. finds the service satisfactory, the cost for the service will be \$15.00 per phone.

**NYS Department of Labor – RE: Hillburn Village Hall – Citation 1- Required Workplace Violence Policy** –

The Village Clerk reported that the 3/28/17 Adopted Workplace Violence Policy Incident Report Policy has been put into place.

-Attorney Cassidy will meet with the DPW Supt. and H.F.D. Chief to discuss information obtained from inspections of Village owned buildings for incorporation in the Workplace Violence Policy. Compliance Date: 4/25/17.  
 -H.F.D. Chief Starr reported that Ray Veneable of the NYS Dept. of Labor will be back in the Village at the end of April.

**Village Engineer's Report – Engineer McCreedy not present.**

Two Claims received from Brooker Engineering: **Approved by Village Board.**

-3/21/17 Stormwater Consortium Meeting (Eve Mancuso): \$ 75.00  
 -3/11/17 Master Plan Committee Meeting (Glenn McCreedy): \$302.00 (Funding: 9/1/16 B.A.N.)  
 Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien  
 Noes: None

**Village Attorney's Report – Attorney Elizabeth Cassidy reported:**

**Procurement Policy Review (Updated Policy Adopted 6/01/2013)**

Attorney Cassidy recommended minor additional Language – (to be supplied by Village Attorney)

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to approve the changes recommended by the Village Attorney and adopt the Updated Procurement Policy at 4/11/17.

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien  
 Noes: None

**Village of Hillburn v. Losner** - Attorney Cassidy reported the Judge has granted Mr. Losner's request for an adjournment to 4/28/17. A Settlement has been offered to Mr. Losner who subsequently declined.

-Claim filed by Village Attorney - \$2,455.40. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien  
 Noes: None

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

Nelson Pope & Voorhis, LLC – 4/3/17 Claim Filed in the amount of \$1,925.33. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien  
 Noes: None

**Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017 –**

RE: Double Poles – No further activity by Verizon.

**Insurance 2016-2017** (Current Policy expires 4/15/17)

The Mayor and Village Clerk-Treasurer met this afternoon with the Village's insurance agent, Garrett Durland of Seely & Durland. The renewal proposal from Selective for the 2017-2018 insurance package policy reflects a premium of \$36,488 (2.4% increase from last year's premium of \$35,676). Removal of the old H.F.D. Chief's car from the policy should decrease the amount by approx. \$1,000.00. (Chief Starr will remove the plates from the vehicle prior to 4/15/17).

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to accept the 2017-18 Insurance quote from Selective: Renewal premium of \$36,488 (4/11/17 quote).

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien  
 Noes: None

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to suspend the regular meeting in order to hold the duly scheduled Public Hearing on the 2017-2018 Tentative Budget.

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien  
 Noes: None

**7:30PM Public Hearing – Tentative 2017-2018 Budget**

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

Copies of the 2017-2018 Tentative Budgets were supplied to individuals in attendance at the hearing.

Mayor Flanagan reviewed the 2017-2018 Tentative General Fund, Revenues and Appropriations pages and highlighted the decreases and increase in comparison to the prior year.

- The tentative tax rate is \$4.04 per \$100 valuation, an increase of 23¢ over the 2016-2017 tax rate (\$3.81/100)
- Tax increase is mainly due to decreases in assessed valuation of businesses and the Equalization Rate
- The use of vacant, unused/unneeded Village property for affordable housing is being considered to reduce the Sewer Charges, etc. billed on the Town Tax Bills; and increase assessment.
- Salary increases are appropriated for officials and employees.

-The tentative Tax Rate exceeds the current Tax Cap of 1.015%. Local Law #1, 2017, adopted 3/28/17, authorizes the Village of Hillburn to override the tax cap. The Village is within the Constitutional Tax Limit.

-Mayor Flanagan reported on the NYS Comptroller's Fiscal Stress Monitoring Report. The Village of Hillburn's fiscal stress this year is 0.0%.

Hearing was opened for Public Comment.

**Jim Duffy (43 Rockland Ave)** questioned the need for the increase in the Mayor's salary that represents a 200% increase over a period of 3 years. This is a part-time position and he feels the increase is excessive for a population of approx. 800 residents, some of whom are on fixed incomes. He suggested establishment of a panel to review and determine pay rates.

-Mayor Flanagan stated the budget figures are tentative. The position of Mayor is part-time but requires the work of a full-time position. The salary of the Village of Suffern Mayor is \$36,000, along with an expense account and Village vehicle.

-**Mr. Duffy** stated the Village of Suffern's budget is much larger than the Village of Hillburn's. He realizes the Village of Hillburn is doing well; however, he feels we can do better and that a 200% salary increase is extravagant.

-Mayor Flanagan stated he respect's Mr. Duffy's opinion; however, he feels he works hard for the Village.

**Mr. Duffy** stated he had sent two emails to Mayor Flanagan regarding the need for Stop signs on 4<sup>th</sup> Street, at the intersections of Lake Avenue and Rockland Avenue and has received no response. Vehicles speed down 4<sup>th</sup> Street and make dangerous turns at the intersections. He fears for the safety of children who routinely ride bikes through the intersections.

-Mayor Flanagan stated he does not reply to all emails. However, he has had two meetings with the Ramapo Police and questioned if any calls had been placed to the Ramapo Police. Also, the Village Board meets twice a month.

-Mr. Duffy stated he should have received a response to his emails.

**Lisa Jennings (120 6<sup>th</sup> St)** questioned the increase in tax revenue.

-Mayor Flanagan stated property improvements increase assessed values, thereby increasing tax revenue. However, the assessed value of The Fujita Trust (Mt. Fuji) property was decreased by \$500,000 in response to a Grievance filed.

**Willie Williams (19 Terrace Ave)** questioned why the assessed value of The Fujita Trust was decreased.

-Mayor Flanagan stated that pursuant to review of the Grievance and the appraisal, the Board of Assessors (Board of Trustees) determined to decrease the assessment.

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 & Trustees DeGraw & O'Brien

Noes: None

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to re-open the regular meeting.

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien

Noes: None

The Tentative 2017-2018 Budget will be reviewed by the Board of Trustees and action will be taken at the 4/25/17 Village Board Meeting. Tentative Budget cannot be increased (can be decreased).

RE: 2017-2018 Tentative Water Budget - Filed and will be reviewed by the Village Board. This budget reflects the current water rates and charges outlined in Local Law #4, 2015 adopted on 12/15/15.

Tax Certioraris – (2014, 2015, 2016) –

RE: Appraisal of The Fujita Trust Property – Claim filed by Special Counsel, Rebecca Speno, for appraisal completed by Robinson Appraisal, in the amount of \$5,000.00.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to approve payment of the claim of Rebecca Speno, in the amount of \$5,000.00, for the appraisal of The Fujita Trust.

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien

Noes: None

2016 Master Plan Committee - Scheduling of the next meeting is pending.

-Attorney Cassidy reported that Max Stachs will be representing Nelson Pope and Voorhis at Master Plan Committee meetings for Bonnie Fransen (illness).

RE: RC Sewer District – Dumping of Contaminated Soil in the Villages of Sloatsburg and Hillburn

Mayor Flanagan reported that, as a member of the RC Sewer District Board of Commissioners, he had attended a meeting at the Village of Sloatsburg on 4/6/17 regarding the placement of contaminated soil in one area of Sloatsburg, two areas of Hillburn (area of reservoir) and one in the area of Gates of Praise (Town of Ramapo). The dirt will be removed by the RC Sewer District; however, there is an ongoing investigation to determine why the dirt was placed in the Village of Hillburn and the legal steps that may be taken. Residents should be aware that there will be an increase in traffic while the removal of the dirt and the investigation is taking place.

-HFD Chief Starr recommended taking pictures of the road prior to removal of the dirt, which will require heavy vehicles.

-Attorney Cassidy recommended discussion with the Village Engineer regarding this matter.

Zoning Board of Appeals –

SUEZ Water New York – Ramapo Well #97 GWUDISW Improvements -Public Hearing held 2/16/17 –

The ZBA Clerk reported that a meeting of the ZBA has been scheduled for Monday, 4/17/17.

Planning Board –

SUEZ Water New York – Ramapo Well #97 GWUDISW Improvements - Public Hearing is scheduled for Thurs, 4/20/17.

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

-Mayor Flanagan reported Inspector Gordon is busy with code enforcement and issuance of Fire Permits.

Escrow

-Claim in the amount of \$438.75 filed by Martin K. Spence/Spence Engineering, Village's Consulting Engineer against Escrow of Sempre Qualcosa (ASA Add-Venture Building Service) – 3/2/17 Floodplain Application. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien

Noes: None

Senior Citizens

-RE: 5/9/17 Trip to Brooklyn, NY – Village's Share: \$675.00 (45 participants @ \$15.00) Approved by Village Board.

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien

Noes: None

Recreation – A written Report was read by Trustee O'Brien.

-The Youth Center is closed this week; however, the staff will be working on preparations for the Summer Programs.

-The Town of Ramapo has been contacted regarding CPR Certification.

-The 4/8/17 Easter Egg Hunt was well attended. Everyone had a great time.

Mayor Flanagan stated the gazebo at Veterans Memorial Park needs repair. (DPW Supt. Conklin to follow up on same)

**RE: Trophy King – Invoice in the amount of \$250.00** - (2 Plaques presented to outgoing H.F.D. Chief Ed Kelly Jr. and 50 Year H.F.D. Member Ed Kelly Sr. presented at 2.11.17 (event) **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees DeGraw & O'Blenis  
Noes: None

**Hillburn Sewer Rebate Committee** – Trustee DeGraw stated Applications are still being accepted.

**Ramapo Fire Protection Districts #1 and #5 – 2017 Fire Protection Service** – Fee Received as per Agreement.

**2017 Final Assessment Roll** (Filed 4/1/17) At this date, the Telecommunication Ceiling remains tentative.

**2017 Hillburn Day – Sat., 7/29/17 (Rain Date: 7/30/17)** Committee Co-Chairperson Beverly Flanagan reported:

-The first meeting of the Committee was held on 4/7/17. Co-Chairpersons: Beverly Flanagan and Eleanor DeGraw; Secretary: Delores Hunter; Treasurer: Angela Flanagan.

-The Clerk-Treasurer reported there is \$1,000 reserve from the 2015 Hillburn Day event.

-**Requests for Purchases:** - 55" Toshiba TV: Expenditure: Up to \$500.00 **Approved by Village Board**

-Raffle Tickets: Expenditure: Up to \$100.00 **Approved by Village Board**

Ayes: Mayor Flanagan & Trustees DeGraw & O'Blenis  
Noes: None

-A letter from the Village Clerk-Treasurer verifying the Village's Tax Exempt status was requested. The next meeting of the Hillburn Day Committee is scheduled for 4/21/17.

**Public Comments** –

**Tim Williams (31 Sixth St)** questioned if the pond is being treated, and if it is possible for the DPW to treat the pond.

-Mayor Flanagan stated the Village has contracted with Princeton Hydro, as a license is required to apply treatments. Mayor Flanagan stated he has looked into dredging the pond and sealing the bottom and walls with gunite. However, the cost is estimated at \$300,000.

**Mr. Williams** questioned if the cell towers were included in the appraisal done at Mt. Fuji. Attorney Cassidy replied yes.

**Beverly Flanagan (17 Blakeslee Pl)** questioned if the Village could install a cell tower. Attorney Cassidy replied yes.

**Frank Lazcares (39A 7<sup>th</sup> St)** advised tractor trailers continue to park on Route 17, under the Thruway overpass, and there are containers and garbage that cause a bad odor in the area.

-Mayor Flanagan stated he has contacted the NYS DOT and the Ramapo Police Dept. regarding the parking of trucks.

**Beverly Flanagan** stated she has witnessed individuals unloading material from one truck to another.

**Tim Williams** questioned the status of resurfacing the 4<sup>th</sup> Street Railroad bridge. Mayor Flanagan stated that the Town of Ramapo is responsible for funding this project. The cost of the project is estimated at \$100,000 and the Town has advised they do not have the funds. This matter will be further discussed with the Town.

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

-RC Board of Elections – Request to use the Hillburn Community Room on 9/12/17 (Primary Election) and 11/7/17 (Election Day) A discussion was held on the fee, as it does not cover the costs incurred by the Village of Hillburn.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to approve the use of the Hillburn Community Room by the RC Board of Elections on 9/12/17 and 11/17/17, and to impose the following fees:

Community Room Rental Fee: \$150.00 per day  
Village Personnel (Opening/Closing of Facility): \$100.00 per day

Ayes: Mayor Flanagan & Trustees DeGraw & O'Blenis  
Noes: None

**Applications for Use of Community Room – Approved by Village Board.**

-Valerie Mariano, Hillburn Senior Citizens – Thurs, 4/20/17–12:00Noon (Set Up); Fri., 4/21/17-5:00PM (Military Bridge)

-Yvonne Van Dunk, Hillburn Ladies Auxiliary – Wed., 4/19/17- 6:30PM (Tricky Tray Committee Meeting)

Ayes: Mayor Flanagan & Trustees DeGraw & O'Blenis  
Noes: None

-Trustee O'Blenis reported tickets are being sold for “Devious Dirty Bingo”, a fundraiser for the Michelle A. Noel Scholarship, to be held on 5/6/17, from 1:30PM – 6:30PM, at the Youth Center.

-**RSVP (Retired and Senior Volunteer Program Mayors and County Recognition Day for National Service** – Trustee DeGraw reported she had attended the event on 4/4/17 at RCC.

**SAM Grant - Village of Hillburn #7063 – HVAC System for Youth Center** – No response has been received.

-Trustee O'Blenis stated she had gone to Senator Carlucci's office to inquire about the grant and was advised they would get in touch with the Village when they have further information.

**2017 Local Government Records Management Improvement Fund Grant (LGRMIF)** Response pending.

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

-Atlantic Salt Co. – Stipulation in Contract – Amount Due: \$131.08. **Approved by Village Board**

Ayes: Mayor Flanagan & Trustees DeGraw & O'Blenis  
Noes: None

A MOTION was made by Trustee O'Blenis and seconded by Mayor Flanagan to adjourn the meeting at 8:35PM.

Ayes: Mayor Flanagan & Trustee O'Blenis  
Noes: None