

**VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, August 21, 2018 – 7:00PM**

**MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, August 21, 2018, 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  
Richard Ellsworth, Village Attorney  
Eve Mancuso, Village Engineer  
Thomas M. Conklin, DPW Supt.

**ABSENT:** Bonnie R. O’Blenis, Trustee  
(Family Emergency)

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

Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. DPW Supt. Tom Conklin led the Salute to the Flag.

**Minutes of the 7/17/18 Meeting – Approved by Village Board**

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

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

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

**Water**

- The Village Board acknowledged receipt of the 8/10/18 Summary of 6 Month Water Period Ending 7/31/18
- Bills of 7/18/18 and 8/13/18 from SUEZ Water New York were reviewed by the Board.
- The Annual Water Quality Report from SUEZ Water New York issued May 2018 was distributed to water customers as an insert in the August, 2018 Village Memo.

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

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

**5/24/18 Water Main Break – Hillburn Industrial Park (143 Route 59) - J. Fletcher Creamer & Son, Inc. – Revised Invoice #C-1805197R - Dated 7/24/18: \$10,357.62 (Replaces Invoice #C-185197 in the amount of \$14,064.56)**

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan authorizing payment of Invoice #C-1805107R, in the amount of \$10,357.62, to J. Fletcher Creamer & Son, Inc.

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

Installation of Stop Signs – Supt. Conklin stated the installation of new Stop signs is complete.

Back-Hoe Repair - A quote is being obtained for hydraulic lines.

2008 Truck – Repairs to truck body - Quotes are being obtained.

Old Salt Shed - Door – Obtaining quote from Add-Ventures

Veterans Memorial Park Pond - Princeton Hydro – 2018 Pond Management - 7/7/18 Service– Inv. #34474: \$780.00.

**Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

**Rockland County Shared Services Plan – 7/27/18 Correspondence - Draft Countrywide Shared Services Plan**

**Village Water System**

-Proposal for Water System Financial Evaluation – KC Engineering and Land Surveying, P.C. – As recommended by the Village Engineer,

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to approve the 8/8/18 proposal submitted by KC Engineering and Land Surveying, P.C. for Water System Financial Evaluation, as follows:

Infrastructure Review: \$ 2,000.00  
Maintenance Review: 2,000.00  
Operations Review: 5,000.00  
Revenue Review: 6,000.00  
\$15,000.00  
Meetings: \$ 165.00 per hour as needed

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

Note: No Agreement/Signature Page attached.

**4<sup>th</sup> Street Railroad Bridge - RE: Resurfacing by Town of Ramapo** – Engineer Mancuso the next meeting with the Town of Ramapo is scheduled for 8/27/18. At present, no notification has been received regarding the grant application filed by the Town of Ramapo.

**HFD Report** – Chief Starr reported:

**Requests: Approved by Village Board.**

- 12 Month Renewal of contract with Active 911 for phones: Cost: \$352.50
- Purchase of 2 Chainsaws and a Leaf Blower from Pomona Power Equipment (state contract): \$1,395.95
- New Hydrant Wrenches for use with new fire hydrants being installed by SUEZ – Approx. \$25.00 each
- Use of 5-Quad and 5-CFR – 9/8/18 County Parade

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

-Emergency Egress on Boulder Avenue – Suggest following areas be posted as “No Parking”:

- left side of road from 23 Boulder to dead end
- in front of 30 Boulder Avenue (between 2 telephone poles)

-Village Attorney to prepare an introductory local law.

HFD Membership – Andrew Stryko and Daniel Stryko have started the FF1 Class and should be complete by October.

Box Alarm – The County may be changing over to “box alarm”, allowing a fireman to arrive on scene and advise control of status incident and request a 2<sup>nd</sup> or 3<sup>rd</sup> alarm, if needed.

Penflex – 8/16/18 Correspondence – RE: Mandatory Volunteer Firefighter Supplemental Cancer Coverage effective 1/1/19. Attorney Ellsworth recommended the Village’s insurance broker be advised so the Village is in compliance.

**LED Street Lighting Upgrade**

-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.

-RealTerm Energy LED Street Light Proposal – A special meeting with RealTerm Energy was held on 7/23/18. Response is pending from O & R regarding “buy-back” information.

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

Claims: Inv. #152718: \$ 322.50; Inv. #152717: \$1,200.00

**Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

**Community Development**

-7/24/18 Correspondence from Asst. CD Director Maria Frank – RE: Amended Cooperation Agreements for program years 2018-2020.

-Attorney Ellsworth stated the Amendment will not affect the Village and recommended approval.

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to approve the Amendments to the Cooperation Agreement for Program Years 2018-2020 and to authorize Mayor Flanagan to sign same.

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

-RC Executive Day – Notice of Public Hearing – 8/6/18 – RE: RC FY2018 Consolidated/Action Plan, the Proposed Statement of Community Development Objectives and Projected Use of Funds

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

Pending Litigation – Village of Hillburn v. Losner - Judgment in Supreme Court regarding condemnation of the structure - Attorney Ellsworth stated that the 8/20/18 Court Date has been adjourned to 9/19/18.

**8/31/18 Maturity of \$160,000 BAN**

The following RESOLUTION was offered by Trustee DeGraw and seconded by Mayor Flanagan who moved its adoption:

WHEREAS, the following bids were received:

Sterling National Bank:	3.11%
M&T Bank:	3.80%

THEREFORE, BE IT RESOLVED that the \$110,000 BAN be awarded to the lowest bidder, Sterling National Bank, at the interest rate of 3.11% (non-callable); and

FURTHER, BE IT RESOLVED that the Village Attorney and Village Clerk-Treasurer are authorized to pursue the satisfaction of the \$160,000 BAN and obtaining the \$110,000 BAN from Sterling National Bank. (Bond Counsel, Hawkins, Delafield & Wood, to supply the BAN documents)

Ayes: Craig M. Flanagan, Jr., Mayor  
Eleanor DeGraw, Trustee

Noes: None

Absent: Bonnie O’Blenis, Trustee

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

Attorney Ellsworth reported Verizon has still not responded to his request to modify the Franchise Agreement to include additional fees, including late fees, installation fees, etc. His next letter will be copied to the Public Service Commission.

**FOIL Requests** – Mayor Flanagan stated that all FOIL (Freedom of Information Law) be forwarded to the Village Attorney for review and approval, prior to response.

7:30PM

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to suspend the regular meeting in order to hold an Executive Session.

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

7:37PM

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to reopen the regular meeting

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

**Introductory Local Law 2 of 2018 – Extension of Moratorium**

A Public Hearing was scheduled to be held at 7:15PM on 9/18/18 on Introductory Local Law 2 of 2018, a local law to extend the period of the Moratorium, Local Law 2 o 2017, for an additional six (6) months.

-Attorney Ellsworth will prepared and supply the Notice of Public Hearing.

**Village of Hillburn v. NAC**

-In accordance with a Stipulation in RC Supreme Court on 8/6/18, the Village of Hillburn is in receipt of a check, in the amount of \$6,000.00 representing Attorneys Fees incurred. (Pending: Filing of Stipulation with Village Clerk-Treasurer)

**Voucher Claims: Special Council – Jacobowitz and Gubits, LLP:** As recommended by the Village Attorney, the following two claims were tabled:

Invoice #274074 dated 7/26/18 (Legal Services: 6/1/18 – 6/28/18)	\$ 4,729.94
Invoice #274437 dated 8/13/18 (Legal Services: 7/2/18 – 7/31/18)	\$ 9,402.66

**NYSER Standard Workday Report**

Attorney Ellsworth reported matter will be addressed in September 2018.

**Insurance**

-Selective Insurance – Policy Change effective 7/13/18 – Updated Drivers List.

-RC Dept. of Personnel – Dept. of Civil Service – RE: World Trade Center Sick Leave Reimbursement Program

-NYSIF – 8/10/18 Email – RE: NYSIF 2017 Annual Report.

7:40PM – Attorney Ellsworth left meeting.

**NYS Deferred Compensation Plan** – Required documents have been filed for participation in the plan, as approved at the 7/19/18 meeting.

**Various Capital Improvements (In accordance with 9/1/16 Bond) – RE: Comprehensive Plan**

A Financial Report as of 7/27/18 was supplied by the Asst. Village Clerk-Treasurer.

**2020 Census – Local Update of Census Address Operation (LUCA)** – Deputy Village Clerk Yvonne Van Dunk is following up with same.

**2018 Hillburn Day – July 28, 2018**

Chairperson, Trustee Eleanor DeGraw, thanked everyone involved in making the day a success, including the Committee, volunteers, DPW and Village Office staff.

-The 8/8/18 Summary of Expenditures and Receipts was supplied.

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to approve the 8/8/18 Summary of Expenditures and Receipts, as prepared by the Clerk-Treasurer.

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

**Zoning Board of Appeals –**

**Vulfrano Lazcares – Revised ZBA Application filed 5/16/18** – RE: Addition to Existing Single Family Dwelling: 2 Car Garage with 2<sup>nd</sup> Floor Bedroom & Bath. Pursuant to closing the Public Hearing on 8/6/18, the ZBA voted unanimously to deny the granting of variances. The formal Action Form and Resolution are forthcoming.

**Planning Board** – Next meeting: 8/29/18.

**Building/Fire Inspector's Report –**

The Village Board was in receipt of copies of various correspondence, Violations Notices, etc.

Mayor Flanagan reported he had met with Inspector Gordon today.

-False Alarms within the Village have dropped 50%.

**Escrow**

**SUEZ Water New York (SWNY) – 6/8/17 Floodplain Application Property I.D.: 47.11-1-1.4 (Town of Ramapo) Torne Valley Road** – Current Balance: \$27.50

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to require the applicant, SUEZ Water New York, to remit additional escrow, in the amount of \$2,000, to cover inspections costs by the Flood Plain Administrator.

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

**Senior Citizens –**

-Asst. Clerk-Treasurer Mary Boone reported she had participated in the 8/20/18 trip to Hunterdon Playhouse. The trip was very nice and stated that more Hillburn senior residents should get involved.

**Recreation** – A written Report was read by Trustee DeGraw:

**2018 Summer Camp & Swim Programs – July 9 – August 10, 2018** – Camp was very busy and it went very fast. There was a good group of kids this year and we had lots of fun and attended great trips, ending with Rye Playland.

-8/10/18 Party – Inv. #0194 - NJ Outdoor Amusements – Tropical Slide with Pool - \$335.87. **Ratified by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

-RC Health Dept. Inspection Reports have been received – No Violations.

**2018-2019 After School Program** – 1<sup>st</sup> Day of School: 9/5/18

-Registration – Request to hold registration on 8/27/18, from 5:00PM to 7:00PM. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

After School Program Calendar

- Request to follow the 2018-19 Suffern Central School Calendar.

- The Center will be closed on all major holidays and through Christmas Recess (12/24/18 – 1/1/19); and open on all half days until 5:30PM and 9:00AM-5:00PM on Superintendent Conference days.

**Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Youth Center Equipment – Request for approval to purchase a new printer, as the current one is broken. Tabled by Board – quote to be provided.

Fall Festival – Request to hold the Fall Festival on 10/13/18. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Hillburn Sewer Rebate Committee -Trustee DeGraw reported applications are still being accepted.

Public Comments –

**Wendy Guterrez (44 Second Street)** requested the berme on 1<sup>st</sup> Street be raised to prevent water running off from the mountain from going into her basement. (DPW Supt. Conklin will make an inspection)

**Pat Van Dunk (23 Mountain Avenue)** stated that her neighbors at 25 Mountain Avenue hang laundry along the fence, which is visually unattractive. (Mayor Flanagan will request the Building/Fire Inspector to follow up on matter)

-**Mrs. Van Dunk** questioned if any Planning Board members had been asked to serve on the Master Plan Committee. (Mayor Flanagan replied he did not, as he wanted a diverse set of people).

**Rhonda Jennings (54 Fifth Street)** questioned if there is a way to have Veterans Memorial Park recognized as a historical site in order to apply for grants. (Mayor Flanagan stated he has spoken to a grant writer regarding obtaining a Veterans Grant)

**Tony Powell (121 Sixth Street)** suggested establishing a Not for Profit Board much like the defunct Hillburn Housing Development Corp. (Mayor Flanagan stated the matter will be discussed)

2018 Governmental Accounting Class – 10/23-25/18 – SUNY Oneonta - \$85.00 Per Person – Clerk-Treasurer Robin Miele stated she and Deputy Treasurer Parquiris DeLeon would like to attend. (Mayor Flanagan requested quotes for accommodations to be provided)

Rockland County Village Clerks and Finance Officers Association – Annual Dues (6/2/28-5/31/19): \$35.00  
**Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Police Report – New Stop Signs - Officer Sanchez reported warnings are being issued until September.

Application for Use of Hillburn Community Room **Approved by Village Board**

-Applicant: Eleanor DeGraw - Tuesday, August 22, 2018 - 7:00PM – Hillburn Ladies Auxiliary – By-Laws Meeting

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Proposed Closing of Ramp – Route 17S – In response to Mayor Flanagan’s report in the August 2018 Village Memo, several residents have contacted the Village Office to voice their concerns/questions.

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

-Michael & Antoinette Mariano – Copy of 8/1/18 letter to St. James Mar Thoma – RE: Issues concerning neighboring property at 41 Fourth Street.

-NYS DOT – Notice – RE: Bridge Painting – Multiple Towns/Counties.

-Montalbano, Condon & Frank, P.C. – RE: Village of Hillburn/Town of Ramapo RPAPL Article 7 Tax Certiorari Case – Morris Grunfeld v. Town of Ramapo, et al – Notice of Electronic Filing, Notice of Petition, Petitions (with attachments) and Request for Judicial Intervention.

-Village of Sloatsburg – Invitation to Mayor Flanagan to attend a memorial service on 9/11/18 to commemorate the 17<sup>th</sup> Anniversary of the 9/11 Terrorist Attacks.

-Congresswoman Nita Lowey – “Reports to Rockland County” – RE: Hudson Valley Mail Crisis.

-NYCOM – Fall Training School for City & Village Officials – 9/24-28,2018 – Crown Plaza, Lake Placid.

-RC Legislature – RE: Health Insurance – Pool for Retired Municipal Employees (Proposed Share Services Project).

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

Personnel –

DPW – Summer DPW Labor – Mayor Flanagan reported he had authorized Daniel Stryko and Andrew Stryko to continue to work until August 24, 2018. **Ratified by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Schedule of Board Meetings – September 2018: Tuesday, September 4, 2018 and Tuesday, September 18, 2018.

**Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to adjourn the meeting at 8:22PM.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None