

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, August 16, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, August 16, 2016, 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 (arrived late)  
Eleanor J. DeGraw, Trustee  
Elizabeth K. Cassidy, Village Attorney  
Thomas M. Conklin, DPW Supt.

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

Meeting was called to order by the Hon. Mayor Craig M. Flanagan, Jr.. H.F.D. 2<sup>nd</sup> Asst. Chief Ann Marie Basile led in the Salute to the Flag.

**Minutes of 6/28/16 and 7/12/16 Meetings** – Tabled. (Acted on later in meeting)

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

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

**Police Commissioner’s Report** - Mayor Flanagan deferred the report, as no Police Officer was present.

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

RC Health Dept. – Mosquito Control Inspection – Inspection was made on 8/8/16 – 43 Terrace Avenue DPW Garage is in compliance.

Veterans Memorial Park Pond – Princeton Hydro applied another treatment and the pond looks better.

Suez Water New York – National Meter replaced two Neptune meter heads with Census meter heads at the 4<sup>th</sup> Street pit. Due to the change, the meter reading gun is no longer compatible. DPW Supt. Conklin will follow up on obtaining a compatible meter reader.

Village of Suffern’s Recycling Trailer – DPW Supt. Conklin stated the DPW borrows the trailer on a regular basis when collecting Hillburn recycling. The trailer is now in need of new tires and Supt. Conklin suggested they be purchased by the Village of Hillburn as a show of gratitude. Quotes to be obtained. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

2008 Ford Truck – Bed Lining – Suffern Sales & Service measured the bed of the truck for the plating.

RE: Sewer hook-up at the H.F.D./Community Room Building – The RC Sewer District has completed the installation and when the ground has settled, it will be graded and seeded. The pump is equipped with an alarm and, in the event of malfunction, a phone number to report same will be available.

-Mayor Flanagan requested the DPW Supt. to contact the RC Sewer District to determine if the Village Hall sewer hook-up will be provided at no cost, as it was his understanding that two village-owned buildings were eligible.

Post for Memorial Plaque for Wesley Powell – Ramapo Iron Works has donated a post with a slanted plate for mounting the plaque. Post/plaque will be installed on the Recreation Field tomorrow.

NYS DOT 2015 Bridge Inspection Report Received from AI Engineers,Inc. – Receipt of the report was acknowledged by DPW Supt. Conklin and same will be reviewed.

**HFD Report – Chief Shane Starr not present – 2<sup>nd</sup> Asst. Chief Ann Marie Basile reported:**

-The HFD has responded to 65 fire calls in 2016 (an increase of approx. 25 calls)

-Requests for Purchases: (Tabled by Village Board)

- (5) Scott Air Masks - Vendor: Municipal Emergency Ser. (MES) Total: 1,230.00 (7/28/16 Quote)
- Tool Label Stickers - Vendor: The First Signs of Fire Total: 300.00 (maximum)

-Status of New Chief’s Truck – Mayor Flanagan stated he will obtain a quote from Shultz Ford.

-Neighboring Fire Departments will be providing additional coverage to the H.F.D. from 6:00AM on 8/13/16 thru 7:00PM on 8/20/16 as follows:

- Department 15: Full response for all calls.
- Department 19: A pumper and ladder for all residential structure calls, and a tower and pumper for all commercial structure calls.
- Department 20: 20-Rescue with a fast team for all structure fires.

-Request for permission to take fire trucks to participate in the County Parade in Sept., 2016. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

**6/14/16 Proposal from Dutchess Overhead Door - Repair to Overhead Door - H.F.D. Bay** –

DPW Supt. Conklin stated that in order to meet safety requirements, the gate bumper stop needs to be updated. The quote provided is for the motor in one bay.

-Mayor Flanagan recommended the matter remain tabled and requested Supt. Conklin obtain an additional quote.

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

7/16/16 Inspection of Unsafe Structure 53 6<sup>th</sup> St. – An Inspection Report, dated 8/4/16, was received today from Brooker Engineering, along with an 8/16/16 letter from Aufgang Architects stating concurrence with the Inspection Report.

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan authorizing the Village Attorney to prepare a Resolution to commence legal proceedings to require the property owner of 53 Sixth St. to comply with the remedial measures detailed in the 8/4/16 Inspection Report submitted by Brooker Engineering, PLLC.

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

-Orange & Rockland – 7/03/16 Flood Devel. Permit Application (Rec'd 7/14/16) - Hillburn Substation Flood Protection Berm Project - Application has been forwarded to the Village Engineer, the Local Administrator, for review and approval.

-Claims filed by Brooker Engineering:

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to approve the following claims:

8/08/16 Claim – General Engineering Services (7/1-31/16) - Invoice #119642 - \$151.00

8/08/16 Claim – Escrow – 7/3/16 Flood Develop. Permit App. - Invoice #119643 - \$151.00

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Community Development – 2015 CD Program – Project: “After School Program 2015-2016” – No additional income reports have been received at this date. It was determined by the Village Board that, due to the lack of response to requests for income documentation, no further action be taken regarding the 2015 CD funding.

Village Attorney’s Report – Attorney Elizabeth Cassidy reported:

RE: Solicitation to Purchase Homes – Although there are no restrictions regarding solicitations by mail, the Village of Hillburn Code does have a chapter regulating Peddling & Soliciting. Residents can also install “No Solicitors” signs on their property and; if not complied with, the Police can be called.

-The Village Board requested Attorney Cassidy to review the existing Village Code regarding Peddling & Soliciting and recommend updates to same, if needed.

8/10/16 Correspondence Stephen M. Fromson of Greenberg, Wanderman & Fromson, Attorneys for the Board of Education of the Ramapo Central School District – RE: Proposed Intermunicipal Agreement between the RCSD and the Village of Hillburn regarding proposed improvements to the drainage in the area of its property (45 Mountain Avenue) that would include property owned by the Village of Hillburn.

-Mayor Flanagan reported he and DPW Supt. Conklin witnessed the Village roadway being cut on 8/10/16 and informed the workers that Village authorization is required.

-Attorney Cassidy stated that the RCSD had declined to sign off on the draft Intermunicipal Agreement she had prepared that included a “Hold Harmless” clause. The RCSD has stated its desire to purchase the property; however, access to two private residences are located in the respective area of 4<sup>th</sup> Street.

-The Village Board requested the Village Attorney to respond to the letter.

GASB #45 – Report for Year Ended May 31, 2016

A MOTION was made by Trustee DeGraw and seconded by Trustee Flanagan to accept the GASB #45 Report for year ending My 31, 2016, as filed, and

FURTHER, the payment of \$3,180 be made to Danziger & Markhoff, LLP, in accordance with the proposal accepted on 6/14/16.

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Bond Resolution Authorizing Various Capital Improvements

The Resolution adopted on 7/12/16 was duly posted and published.

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan authorizing the Village Attorney to send requests for bids to the Village’s designated banks for a B.A.N. in the amount of \$195,000.00, to be dated 9/1/16 and come due on 9/1/17 and

FURTHER, bids are to be submitted no later than 4:00PM on 8/26/16 and

FURTHER, the Village Clerk-Treasurer and Village Attorney are authorized to review bids received and award the B.A.N. to the bank with the lowest interest rate.

Ayes: Mayor Flanagan & Trustee DeGraw

Noes: None

Trustee O’Blenis arrived at meeting.

Zombie Property Legislation

The Village Attorney acknowledged receipt of the 8/2/16 email correspondence from NYCOM – RE: Analysis of the new provisions of state law pertaining to zombie property and foreclosure prevention.

-The Village Board has pre-registered for a workshop being planning by Senator Carlucci’s office regarding Zombie Property Legislation. Workshop is being planned for late August or early September.

Stonework Estates, Inc., Kristian Matthews and Legacy Stoneworks, Inc. v. Village of Hillburn, Village of Hillburn Zoning Board of Appeals and Adam Gordon as Code Enforcement Officer for the Village of Hillburn – Attorney Cassidy reported a Motion has been filed and she is waiting for the Court’s response.

Ramapo Fire Protection Districts #1 and #5 – 2017 Fire Protection Service

A letter dated 8/1/16 was received from the Town of Ramapo requesting a projected budget for the 2017 Fire Protection Service.

The Village Attorney was authorized to send a response reflecting the following projected budget:

Fire Protection District #1: 185,000

Fire Protection District #5: 125,000

Verizon 10 Year Special Franchise Agreement – Expiration Date: October 2017 – Attorney Mahoney is coordinating a meeting with Verizon to be held sometime in October 2016.

Insurance 2016-2017 – Selective Insurance conducted an inspection of Village owned buildings and supplied a written recommendation regarding the condition of the Salt Shed. Matter will be referred to the Village Engineer for review. A meeting will be scheduled with the Village’s insurance agent and the Village Engineer.

-RE: NYS Municipal Workers’ Compensation Alliance – The Village Board acknowledged receipt of a Plan Summary

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

**RE: Proposals for Appraisals** – Three proposals for appraisal services were supplied by Rebecca Speno on 7/17/16.

-Mayor Flanagan stated that the quotes are much higher than the \$5,000.00 amount approved by the Village Board on 5/20/16. Action on the appraisals received was tabled by the Village Board.

-Attorney Cassidy stated there are presently three tax certiorari matters before the court. These matters will be discussed further in Executive Session.

**RE: Claim filed by Law Office of Rebecca M. Speno on 8/2/16**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the 8/2/16 claim filed by the Law Office of Rebecca M. Speno, in the total amount of \$801.41, for the following three invoices

Invoice 51 - General Assessment Work:	\$700.00
- Postage	1.41
Invoice 52 - Fujita Trust	50.00
Invoice 53 - Hillburn Park Corporation	<u>50.00</u>
Total 8/2/16 Claim:	<u>\$801.41</u>

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**Zoning Board of Appeals –**

The RC Municipal Planning Federation has issued a Certificate of Completion of Planning/Zoning Courses to ZBA member Timothy Williams, who was present at meeting. (original Certificate will be supplied to Mr. Williams)

**Planning Board** – Next Meeting: 8/18/16.

**2016 Master Plan Committee**

The Committee, comprised of (8) members, will be meeting on 8/18/16 in the Hillburn Community Room.

-Kristian Matthews questioned how property owners can be involved in the process.

-Attorney Cassidy stated there will be public meetings and comments will be accepted.

-Mayor Flanagan stated all meetings are open to the public.

**Building/Fire Inspector’s Report** – Inspector Adam Gordon reported:

-**Street Signs on Route 59** – The streets signs currently designate the roadway as “Orange Avenue”; however, in accordance with E-911, the correct designation is “Route 59”. This matter had had been previously addressed with the NYS DOT who gave the Village of Hillburn authority to change the signs. The Village Board authorized DPW Supt. Conklin to obtain a quote for 4 signs.

-**Unregistered Vehicles** – Inspections were made and letters have been sent.

-**Maintenance of Property** –RE: Vacant Dwelling located at 32 2<sup>nd</sup> Street

-The overgrown grass at has not been rectified. In accordance with the Resolution adopted on 5/24/16, the Village Board authorized the DPW Supt. to cut the grass.

-The dwelling is unsecured. The Village Attorney was requested to determine if the Village can secure the dwelling.

**Village Owned Buildings** – Fire inspections were made at the Youth Center & Village Hall and reports issued. Inspections of DPW Garage and Firehouse building will be scheduled.

**275 Route 17 (A.F.K.O.S.)** – At the 6/28/16 Board Meeting, H.F.D. Chief reported on hazardous conditions encountered when responding to an alarm at the location. An inspection was made and confirmed unauthorized conversions. A 7/18/16 letter was sent to the property owner outlining the violations and the need for filing an application for required permit(s). There has been no response at this date and matter will be referred to the Village Attorney.

**Escrow Accounts** – The written Escrow Report for month ending 7/31/16 was submitted by the Village Clerk-Treasurer.

**Senior Citizens** –

-RE: 8/11/16 Trip to Huntndon Hills, Hampton, NJ–Village’s Share: \$500.00 – **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Trustee DeGraw reported the Senior Citizens will be holding an Open House on 9/19/16 for Village residents, 55 years of age or older, who may be interested in joining the organization.

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

**2016 Summer Camp & Swim Program**

The RC Department of Health Permit to Operate the 2016 Camp Program was issued on 7/11/16 (rec’d 7/15/16)

The RC Department of Health Summary Report of 7/25/16 Inspection – No Violations Observed.

–8/12/16 was last day of the program and everything went well.

-The receipts for Petty Cash totaled \$827.75 (\$227.75 over-expenditure of the \$600.00 Petty Cash approved on 6/14/16).

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the reimbursement of \$227.75 to Recreation Director, Angela Flanagan.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**2016-2017 After School Program** – At present, 15 children are registered. Permission was requested to hold another registration on Saturday, 8/20/16 from 9:00am – 12:00noon. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Program Calendar – A Calendar outlining extended hours and closings was submitted. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Petty Cash for Supplies – Requested: \$200.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-2016-2017 Michelle A. Noel Scholarships – Two scholarships will be awarded this year. Applications are available at the Youth Center.

Fall Festival – October 15, 2016 (Rain Date: 10/16/16)

-The Stage and Jumpy have been reserved from the Town of Ramapo.

-Signs have been received and will be placed throughout the Village in September

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the following requests:

- Assistance of the DPW on the day of event.
- Renegades Band – Expenditure of \$1,000.00 for 4 hours.
- Mike’s Dog House (Hot dog Cart) – Expenditure of \$210.00 (to be paid on day of event)
- Kelly’s Tents – Expenditure of \$465.00 for 2 tents.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Hillburn Sewer Rebate Committee – Trustee DeGraw reported applications are still being received and will be processed upon the Village’s receipt of additional funding from the RC Sewer District.

#### Public Comments

**Chevron Torres (54 5<sup>th</sup> St)** stated she is unable to hear the Village Clerk-Treasurer.

-Clerk-Treasurer Mary Boone responded she addresses the Village Board and the Village Board addresses the public.

**Timothy Williams (31 6<sup>th</sup> St)** stated he had witnessed a suspicious vehicle riding through the village, appearing to be looking at various houses. When he took out his phone to take a picture, the vehicle left. The police were not called.

**Tony Powell ( 121 6<sup>th</sup> St)** questioned the status of the Hillburn Housing Development Fund Corp.

-Attorney Cassidy stated the Charter had expired and the corporation was dissolved. The Village Board/Hillburn Sewer Rebate Committee now administers the sewer rebates through a separate account.

**Chevron Torres** reported that on 7/30/16 she heard digging noises coming from the direction of ConServ. When she called the police, the digging stopped only to begin again a half hour later. (Bldg/Fire Inspector will follow up on same).

-**Ms. Torres** questioned the status of the concerns raised on 7/28/16 regarding electric scooters being ridden without helmets and on sidewalks. (Attorney Cassidy stated her associate, Attorney Mahoney, has prepared a memo that will be forwarded to the Village Board)

#### Minutes of 6/28/16 Board Meeting - Approved by Village Board.

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

Abstention: Trustee DeGraw (absent from meeting)

#### Minutes of 7/12/16 Board Meeting - Approved by Village Board.

Ayes: Trustee O’Blenis & Trustee DeGraw

Noes: None

Abstention: Mayor Flanagan (absent from meeting)

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

-Bonni O’Blenis - Sat, 8/27/16 / 11:00AM-3:00PM Purpose: Lenape Language Class

-Yvonne Van Dunk-Ladies Aux – Wednes. 9/21/16 – 7-8:00PM – Purpose: Tricky Tray Committee Meeting

-Yvonne Van Dunk – Sat., 12/24/16 – 5:00PM – 9:00PM – Purpose: Christmas Eve Dinner

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

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

-Hillburn Village Justice –RE: Change for Criminal Court Proceedings – Effective 9/8/16, criminal court proceedings will be held on the 2<sup>nd</sup> Thursday of each month only.

-Lisa Ruiz (19 Lake Ave) – 8/8/16 letter detailing alleged violations by the property owner of 15 Lake Avenue. (Matter referred to the Building/Fire Inspector who is to send a response letter)

-RC Conference of Mayors – Notice of 8/29/16 meeting. (Mayor Flanagan will attend)

-Village of Sloatsburg – Invitation to the 9/11/16 Memorial Service to commemorate the 15<sup>th</sup> Anniversary of the 911 Terrorist Attacks. A moment of silence will be held at 8:46AM, the time of the first Twin Towers was struck.

-Town of Ramapo – RE: 15<sup>th</sup> Annual 9/11 Remembrance Ceremony – 9/9/16 at 10:00AM – Town Hall Council Room.

RE: 2016-2017 LGRMIF Application – Notification was received via email on 8/10/16 stating that the Village of Hillburn’s 2016-2017 LGRMIF Application was not selected for funding.

NYS Homeland Security & Emergency Services Grant – LM#151643– \$8,500 Grant for H.F.D. Equipment – As approved at the 7/12/16 Village Board meeting, (18) sets of Bail-Out Gear was purchased from MES in the total amount of \$8,499.42. A claim for reimbursement will be filed with the NYS Homeland Security & Emergency Services.

**Payroll Schedule**

The following RESOLUTION was offered by Trustee DeGraw:

WHEREAS, the salaries for the Mayor and Trustees are presently paid on a quarterly payroll basis; and

WHEREAS, it is the consensus of the Village Board (Mayor & Trustees) that the payroll period be changed;

BE IT RESOLVED that the quarterly payroll basis for the Mayor and Trustees be changed to a monthly payroll basis, effective September 2016.

Resolution WAS SECONDED BY Trustee O’Blenis and unanimously adopted.

Ayes: Craig M. Flanagan, Jr., Mayor  
Bonnie R. O’Blenis, Trustee  
Eleanor J. DeGraw, Trustee

Noes: None

**“It Takes A Village” Book – Author: Leonard M. Alexander with Peter C. Alexander**

Mayor Flanagan stated he had obtained 12 books for resale by the Village of Hillburn.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to purchase (12) books from Shawnee Book Distributors, LLC. at a cost of \$13.00 per book (total: \$156.00). Books will be available for resale at the Village Office for a cost of \$15.00.

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

(Trustee DeGraw left meeting to attend school)

**Personnel**

Village-Owned Cell Phones –

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to terminate the wireless service of three unneeded/unused cell phones:

Asst. DPW Supt. - (1) Phone - Lost  
H.F.D. 1<sup>st</sup> & 2<sup>nd</sup> Asst. Chiefs - (2) Phones - Not Needed

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

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

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to adjourn the meeting at 8:10PM.

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