

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, August 22, 2017 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, August 22, 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.
Mary M. Boone, Clerk-Treasurer

RECORDER OF MINUTES: Robin Miele, Asst. Clerk-Treasurer

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Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. HFD Member Frank Lascareo led the Salute to the Flag.

Minutes of the 7/18/17 Meeting - Approved by Village Board.

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

Minutes of the 8/08/17 Special 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

Mayor Flanagan deferred the report until the arrival of a Ramapo Police Officer.

DPW Report – DPW Supt. Thomas Conklin reported:

7th St. Drain Pipe Project (5/23/17 Contract) – Project is complete.

7th St. Drain Pipe Project – Phase II – Project specifications have been prepared by Engineer McCreedy.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the Village Engineer to solicit quotes for the 7th St. Drain Pipe Project – Phase II, and said quotes are to be submitted by 9/12/17.

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

Repair of Backhoe – Suffern Sales advised that the repairs to the backhoe were more extensive than quoted and; therefore the cost increased from the \$617.50 quote, approved by the Village Board on 7/18/17, to \$950.00.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the increase of the cost for repair of the backhoe (throttle and cutting edge) by Suffern Sales from \$617.50 to \$950.00.

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

DPW Tractor –

8/16/17 Quote from Sosler’s Garden & Farm Equipment, Inc.

-Attorney Cassidy confirmed that, in accordance with the Village’s Procurement Policy, the purchase was not subject to the bidding process.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the 8/16/17 quote from Sosler’s Garden & Farm Equipment Inc. for the following purchase to be funded out of the 9/1/16 BAN:

New Massey-Ferguson 4WD Diesel Tractor -	\$11,500.00
1 New Curtis Deluxe Steel Cab w/ Heater	5,250.00
1 New Massey Ferguson 60” Mower	<u>3,250.00</u>
	\$20,000.00
LESS Trade-In (1993 Tractor)	<u>(2,000.00)</u>
Total Cost (Delivered)	<u>\$18,000.00</u>

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

Delivery to be within 30 days.

Water Department – 8/16/17 Quote from Carmel Winwater: \$435.90

-Supt. Conklin stated parts are needed to replenish the Village DPW stock and to replace parts borrowed from the Village of Suffern (RE: Fox Hollow water main break)

Approved by Village Board.

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

Water Main Repair on Fox Hollow Road – Supt. Conklin reported that the respective water main runs through private property on Fox Hollow Road. The DPW is unable to access the property with Village equipment. Therefore, an 8/22/17 quote was obtained from Sunbelt Rentals to rent a “skidsteer” to grade the property so that it can be restored to its previous condition. The equipment will be picked up on Thursday and the work will be done on Friday (filled, seeded and hayed).

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the 8/22/17 quote from Sunbelt Rentals, Inc., in the amount of \$523.10, for the rental of one Trailer and one Skidsteer. (Actual Cost: \$453.26)

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

SUEZ Water New York – Discrepancy Regarding Bill of 7/20/17: \$58,485.97

Mayor Flanagan reported he had spoken to Bill Madden of SUEZ Water New York. A meeting to discuss the water billing discrepancy is scheduled for 8/31/17. Mayor Flanagan will confirm the date with Mr. Madden and a memo will be sent to the Village Engineer.

-The Village Clerk-Treasurer was directed to hold payment of the respective bill.

HFD Report – Chief Starr not present.

-RBC Wealth Mgmt -LOSAP Program Certification - Attorney Cassidy stated it is to certify that the annual deposit to the Program is budgeted annually and not bonded. The Village Board authorized the Mayor to sign the Certification.

-Pagers – The (3) pagers purchased from Goosetown Communications, as approved on 6/20/16, have been received.

NYS Department of Labor –

-RE: DPW Garage – Violation –Eyewash Station – Abatement Date: July 25, 2017 – The required Eyewash Station was purchased and installed. An Inspection was made by the NYS Dept. of Labor on 8/1/17 and, as stated on the Investigation Narrative received on 8/18/17, it was determined that the issued citation was abated and the case is closed.

7:15 PM – Opening of Bids – Hillburn Youth Center HVAC Replacement Project

The duly published and posted Notice to Bidders was read aloud.

A total of (3) Bids were received. Said bids were opened in the order received and read aloud, as follows:

	Name & Address of Bidder	Base Bid	Alternate Base Bid
		With Standard Efficiency Units	with Energy Star High Efficiency Units
1	EB Design Air, Inc. 120 Route 59 PO Box 845 Hillburn, NY 10931	27,108	37,949
2	Hauser Bros. P.O. Box 65 17 Old Schoolhouse Lane Orangeburg, NY 10962	49,960	53,160
3	Echelon Services, LLC 159 Merriam Avenue Newton, NJ 07860	135,000	165,000

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to award the project to the lowest bidder, E.B. Design Air, Inc., subject to review and approval by the Village Attorney and Village Engineer.

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

-The Village Attorney stated that, pursuant to her review, the Bid Package received from E.B. Design Air, Inc. is complete.
 -Upon review and approval by the Village Engineer, a Pre-Construction Conference will be scheduled and signing of Contract will take place.

O & R – RE: NY Public Service Commission Case 16-E-0226; O & R’s Add’ l LED Street Lighting Options Available to Municipalities

– No additional information has been received from O & R regarding the Village qualifying for additional no-cost LED upgrades. DPW Supt. Conklin will follow up with O & R.

Village Engineer’s Report – Engineer McCreedy not present.

-Mayor Flanagan read the 8/09/17 email from Engineer McCreedy notifying the Village Board that effective 8/31/17, he will be leaving Brooker Engineering to begin his own independent consultant firm, Civil Design Works, LLC. He expressed his willingness to assist in the transition and stated it was a pleasure working with the Village of Hillburn.

Claims received from Brooker Engineering: Approved by Village Board.

-8/09/17 Claim (Trust & Agency) - Escrow– Jay Kim 11/10/16 Bldg. Permit Application	\$155.00
-8/09/17 Claim (General Fund) - Youth Center HVAC Bid Package	155.00
-8/09/17 Claim (General Fund) - Attendance at Consortium Mtg and 7 th St Drainage Pro - CHIPS	232.50

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

40 5th Street (ID: 47.18-3-7) Certified Boundary Survey of Property & Lot Corner Stake Out (filed 7/19/17)

-The Village Board acknowledged receipt of the 7/6/17 Correspondence from Attorney Sichol, who represents Chad Glinsky, owner of 38 5th Street - Offer to acquire the property on behalf of Mr. Glinsky.

-Mayor Flanagan stated he has been in contact with the Attorney from Habitat for Humanity regarding this property.

-It was the consensus of the Village Board to decline the offer and to authorize Attorney Cassidy to reply to Attorney Sichol accordingly.

Village Attorney's Report – Attorney Cassidy reported:

RC Board of Elections– RE: Fees for Use of Hillburn Community Room: 9/12/17 (Local Primary) and 11/7/17 (General Election) – Attorney Cassidy stated she has reached out to RC Asst. Attorney Simeti, regarding his 6/7/17 correspondence; however, at this date there has been no reply.

-The Village Clerk-Treasurer advised that the Voting Machine will be delivered on 9/8/17 for the 9/12/17 Primary. Village employee labor will be documented and other related costs regarding the Community Room.

Village of Hillburn v. Losner – Attorney Cassidy reported she is waiting for a decision from the Judge.

-8/2/17 Claim – Law Office of Elizabeth Cassidy – \$105.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

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 –

-The Stipulation Agreement with Stonework Estates., Kristian Matthews and Legacy Stoneworks, Inc., was duly signed by Mayor Flanagan at the 8/8/17 Special Village Board meeting. When fully executed by Stonework Estates, a copy will be filed with the Village of Hillburn and Attorney Cassidy will send a letter to the Appellate Division withdrawing the Appeal.

-8/2/17 Claim – Law Office of Elizabeth Cassidy - \$735.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

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 – Attorney Cassidy

stated matter will be discussed in an Attorney/Client session.

-8/2/17 Claim – Law Office of Elizabeth Cassidy - \$4,435.59. **Approved by Village Board.**

Ayes: Trustees DeGraw & O'Blenis

Noes: None

Abstention: Mayor Flanagan

Insurance

-RE: 6/11/17 Accident – HFD 2005 Quad - 8/4/17 Quote for Repair – Valtek, Inc.: \$10,356.82

On 8/7/17, a check was received from Selective Insurance, in the amount of \$9,356.82, reflecting the settlement of the claim, (less \$1,000.00 deductible).

H.F.D. Chief Starr to coordinate the repair with Valtek.

-7/25/17 Notice from Selective Insurance Co. – RE: Policy Changes – A copy was supplied to the Village Attorney. Changes do not affect premium.

-Mayor Flanagan requested the Village Insurance Agent be contacted regarding a Driving Training Program for the H.F.D. Attorney Cassidy will follow up with same.

-Attorney Cassidy stated that a Driver Policy had been previously discussed. The Village Board did adopt a Resolution that all new drivers sign off for a DMV search.

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

A Financial Report as of 8/22/17 was supplied by the Village Treasurer.

9/1/17 Maturity of 9/1/16 BAN

Letters were sent to banks on 8/21/17 by the Village Attorney requesting bids for a \$160,000 BAN to renew, in part, the \$195,000 BAN. Bids are to be submitted to the Village Clerk-Treasurer by 12:00PM on 8/29/17.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis authorizing the Village Clerk-Treasurer and the Village Attorney to award the \$160,000 BAN to the bank with the lowest interest bid.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017 – The workshop meeting with Verizon representatives scheduled for today at 6:00PM has been rescheduled for Tuesday, 9/12/17 at 6:00PM.

-Attorney Cassidy stated she has a draft of the proposed Agreement.

Tax Certioraris – (2014, 2015, 2016) – Attorney Cassidy stated there is no change/update.

RE: Fujita Trust – Attorney Speno is working on this matter.

-7/31/17 Claim – Law Office of Rebecca Speno – Fujita Trust v. Village of Hillburn - \$250.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

2017 Assessments – Notices of Petition

Petitions filed by Fujita Trust, Hillburn Industrial Park and TBS Realty. Attorney Cassidy stated the 2017 Petitions will be added to the existing cases (2014, 2015, 2016).

2016 Master Plan Committee –

Committee Secretary, Parquiris DeLeon, reported that a meeting was held on 8/12/17. The next meeting is scheduled for 8/26/17.

Community Development – Village of Hillburn Membership in the Consortium for FY 2018, FY 2019 and FY 2020 - No further word has been received.

Zoning Board of Appeals –

The ZBA Clerk reported there are no pending applications before the ZBA.

-Appointment of a new ZBA member is needed to fill the vacancy due to the resignation of Carolyn Hairston.

Planning Board –

The RC Dept. of Planning supplied GML Reports for the following Applications before the Planning Board: Lisa Jennings (Subdivision); Leonard Gluck (Change of Use – SFR to House of Worship); and Yehuda Levi (Site Plan).

-Minutes of the 4/20/17, 5/18/17, 6/15/17 and 7/20/17 Planning Board meetings were provided to the Village Board.

-The Planning Board supplied approval regarding claims against Escrow Accounts of Planning Board applicants.

-Attorney Cassidy stated she had discussed with the Planning Board the attendance of the Village Engineer at Planning Board meetings.

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

The Village Board was in receipt of copies of various correspondence.

ICC (International Code Council) Membership Renewal (Requested by Adam Gordon, Building/Fire Inspector)

A MOTION was made by Trustee O'Blenis and seconded by Trustee DeGraw to approve the renewal of the Village's membership in the ICC for a one year period, at the cost of \$135.00.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Escrow

Status of Escrow Accounts Report @ 7/31/17 - The Village Board acknowledged receipt of the report as prepared and supplied by the Village Clerk-Treasurer. At this date, one applicant has not established the required escrow.

Senior Citizens –

-RE: 9/7/17 Trip to New York City – Circle Line – Village share requested: \$1,000 (50 participants @ \$20.00).

Approved by Village Board.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

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

2017 Summer Camp & Swim Program – Program ended 8/11/17. The children enjoyed the educational and fun trips.

2017-2018 After School Program – Registration will be held on 8/30/17 from 5:00-8:00PM at the Youth Center. Flyers have been posted at the Village Hall and Post Office. Marty Perano and Alysa Flanagan will conduct the registration.

-After School Program Supplies - Request for \$100.00 Petty Cash – **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

-**2017-2018 After School Program Calendar** - **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

RE: **Request for New Phones** – The Village Board requested that quotes be obtained.

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

2017 Hillburn Day – Sat. 7/29/17

-The Village Clerk-Treasurer provided a detailed report of receipts and expenditures to the Village Board, Hillburn Day Committee Chairperson and Committee Treasurer.

Public Comments

-**Chevron Torres (54 5th Street)** reported there is a large television on the side of Route 17, near the NYS Thruway exit. (DPW will pick it up)

Tim Williams (31 6th Street) reported he approached a van that was stopped in front of his home. The occupants stated they were from a 3rd Party Mortgage Company; however, they had no credentials. The Ramapo Police were called.

-Residents were reminded to be alert and stay vigilant.

Justin Galfo (15 Boulder Avenue) stated there is an ongoing issue regarding parking on Boulder Avenue (Village-owned property), inasmuch as one resident is parking vehicle(s) in such a way as to prevent other residents from parking their vehicle(s).

-Attorney Cassidy stated it is the contention of the Village Board that if disputes between residents continue, parking on the respective Village owned property will no longer be allowed. At present, the Village is exploring the possibility of selling some parcels. If the Village Board determines it is appropriate to sell a parcel, it will be a public process.

Johnna Van Dunk (11 Boulder Avenue) stated that the parking situation had been fine until one resident started to park his vehicle(s) to block other residents.

Trustee O’Blenis stated that the bottom line is that if the residents cannot cooperate, the area will be blocked off and no one will be allowed to park.

Carol Romney (15 Boulder Avenue) stated she remembers when there was a guardrail blocking the area.

-Ms. Romney questioned if everyone will be notified if the property is put up for sale. The Village Board stated yes.

Tanya Mammato (36 Hickory Avenue) stated that the respective property owner is parking his vehicle to block others, as well as parking directly in front of a neighbor’s home.

Mr. Galfo showed the Village Board pictures of the parking issue that he had taken on his phone.

The Public Comment period was closed.

A Thank You Card received from Village Clerk-Treasurer Mary Boone, conveying her appreciation to the Village of Hillburn for the generous and helpful expressions of sympathy on the passing of her husband, Armond E. Boone, was read aloud by Mayor Flanagan.

Requests for Use of Youth Center Approved by Village Board:

Regina Scott - Dates/Times: Fri., 8/25/17 / 4:00PM – 8:00PM and Sat., 8/26/17 / 10:00AM – 6:00PM
Purpose: Back to School Give-A-Way

-Eleanor DeGraw - Date/Time: Saturday, 10/21/17 / 11:00AM – 7:00PM

Purpose: Ladies Auxiliary Spaghetti Dinner & Fire Prevention Week

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

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

-Village of Sloatsburg – Invitation to attend service commemorating the 16th Anniversary of the September 11th Terrorist Attack on Sunday, 9/11/17 at 7:00PM.

-PKF O’Connor Davies – Village Justice Court – Auditor’s Report for year ended 5/31/17.

-PKF O’Connor Davies – Proposal for Services for years ending May 31, 2018, 2019, 2020, 2021 and 2022.

-NYCOM – 62nd Fall Training School – 9/11–15/17 – Saratoga Springs, NY.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the attendance of Village staff at the NYCOM 62nd Fall Training School, and approving expenditures for registration fees and expenses.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-7/25/17 Letter from Carolyn Caccamo – The letter was in response to a letter sent to her by the Village of Hillburn regarding a complaint filed by a neighbor.

-Attorney Cassidy will prepare a response.

8/22/17 RPSV4 Volunteer Session, White Plains, NY – Robin Miele and Yvonne Van Dunk attended the Session.

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

-NYSID Partnership (Project Vendor) - Request for Price Concurrence.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing Mayor Flanagan to sign the document.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Final approval is still pending from the New York State Archives Grants Administration Unit.

Scheduling of September 2017 Village Board Meetings:

Tuesday, September 12th - 7:00PM (6:00PM – Workshop); and Tuesday, September 26th - 7:00PM

Approved by Village Board.

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis

Noes: None

Surplus Equipment

A list of DPW and HFD equipment to be declared surplus was submitted by DPW Supt. Conklin on 8/10/17.

-Other items to be declared surplus is forthcoming from other Departments.

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

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to adjourn the meeting at 8:23PM.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None