

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, February 20, 2019– 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, February 20, 2019, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Bonnie O’Blenis, Deputy Mayor
Eleanor J. DeGraw, Trustee
Richard Ellsworth, Village Attorney

ABSENT: Craig M. Flanagan, Jr., Mayor (Work)
Eve Mancuso, Village Engineer (Snow Storm)
Thomas M. Conklin, DPW Supt. (Snow Storm)

RECORDER OF MINUTES: Robin Miele, Clerk-Treasurer

Meeting called to order by the Hon. Craig M. Flanagan, Mayor. Hillburn Planning Board member Rhonda Jennings led in the Salute to the Flag.

Minutes of the 1/29/19 Meeting – Approved by Village Board.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

Minutes of the 2/07/19 Special Meeting – Approved by Village Board.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

Street & Water Commissioners Reports – Approved by Village Board.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

Police Commissioner’s Report –

Deputy Mayor O’Blenis deferred the report until arrival of Ramapo Police Officer.

DPW Report – DPW Supt. Thomas Conklin not present – Snow Storm

-Perfect Cut Lawn & Garden, Inc. – Invoice #02052019 dated 2/5/19: \$1,350.00 (11/13/18 Village Board Approval)

A MOTION was made by Deputy Mayor O’Blenis and seconded by Trustee DeGraw to approve payment of Invoice #02052019 to Perfect Cut Law & Garden, Inc., in the amount of \$1,350.00, subject to confirmation by DPW Supt. Conklin that the work has been completed.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

-Ford Motor – 1/2019 Recall Notice – RE: 2016 F-550 – Charge Air Cooler Outlet Tube – supplied to Supt. Conklin.

Water

-RC Health Department – Water Supply Sampling – 1st Half of 2019: \$560.00 Approved by Village Board.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

-SUEZ Water New York – The Village Board acknowledged receipt of the bill of 2/11/19 (Service from 1/11/19 to 2/07/19) in the amount of \$10,920.67.

6 Month Summary Report – Period Ending 1/31/19 – The Village Board acknowledged receipt of the summary report reflecting the billing of SUEZ Water New York to the Village of Hillburn and the billing of the Village of Hillburn to Customers.

H.F.D. Report – HFD Chief Shane Starr not present (Snow Storm)

-RE: 5-CFR - State Line Fire & Safety, Inc. was called in regarding an issue with the Jaws of Life. It was determined that the problem was not the Jaws of Life – the truck has an electrical problem that requires service. However, State Line Fire & Safety will be supplying a quote for other items that need repair/replacement.

-RE: Rockland County Fire Mutual Aid Plan – 1/30/19 Notification that the required review has been made by the RC Fire Advisory Board and no changes were recommended. The Plan approved 10/2011 remains in effect.

-Mahwah Medical – 2/11/2019 Pricing for Physicals was supplied.

-LOSAP Program - RBC Wealth Mgmt: Summary Prospectus received 2/11/19; Account Statement January 2019.

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 4th St. – 9/29/17 Approved upgrade still pending.

-RealTerm Energy LED Street Light Proposal –

-Workshop meeting held Monday, 2/4/19 with Sandy Stead to discuss financing. Matter tabled by Village Board.

Village Engineer’s Report –

-MS4 Grant – Statement dated 1/2/2019.

Village Attorney's Report – Village Attorney Richard Ellsworth**-Pending Litigation – Village of Hillburn v. Losner –**

Attorney Ellsworth reported the next appearance in Supreme Court is scheduled for 2/26/19. He is having difficulty scheduling an exterior and interior inspection of the property with the Village Engineer, Architect Ariel Aufgang, Building/Fire Inspector and the property owner to determine if the dwelling is structurally safe for use/occupancy.

RE: Privately Owned Portion of Seventh St. – Attorney Ellsworth stated that he had reviewed the matter discussed at the 1/29/19 meeting whereby Vulfrano Lazcares referred to a petition submitted by the respective property owners to dedicate the private roadway to the Village of Hillburn. The petition, filed in 2016, was never acted on by the Village Board and he recommends that no action be taken by the Village Board at this time.

Town of Ramapo – 2019 Agreement(s) - Fire District #1 and Fire District #5

Agreement(s) provided by the Town of Ramapo: District #1 - \$100,500 (Same as 2018)

District #5 - \$ 44,000 (\$20,000 Decrease from 2018)

-Attorney Ellsworth stated he had not received a satisfactory response from the Town of Ramapo. As advised by the Village Attorney, the Village Board tabled the execution of the Agreement(s).

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw

Noes: None

Request for Relief from Moratorium –

-Applicant: Noved Building Management (Property I.D.: 54.11-2-2, 3, 4, 5, 13, 14, 15, 16 and 17) - 11/27/18 Request for Waiver (Received 12/5/18 via email)

Attorney Ben Gailey, Village Special Counsel was not present due to weather.

Bill Ciancioruso of Noved Building Management and his Attorney, Ira Emanuel, were present.

-Attorney Emanuel addressed Deputy Mayor O'Blenis and Trustee DeGraw and stated he had received a letter from Attorney Gailey at 3:45PM on this date, 2/26/19, requesting additional information. Attorney Emanuel hand-delivered the original and copies of his 2/20/19 response letter to Attorney Gailey.

-Deputy Mayor O'Blenis stated that in the absence of Attorney Gailey, no action on the matter would be taken.

-Attorney Emanuel and Bill Ciancioruso got up to leave the meeting.

-Upon leaving the meeting, Mr. Ciancioruso kicked a chair and uttered an obscenity to the Village Board. The Ramapo Police were called. Officer Mendez arrived and documented the incident.

Insurance**NYS Firefighter Cancer Benefit Program**

-Attorney Ellsworth had supplied a §205-cc of the law that states the definition of an "Eligible volunteer firefighter". The Village Clerk stated that the Village Office is not provided with records of physicals or mask fittings.

Voucher Claims: Special Council – Jacobowitz and Gubits, LLP:**New Claim – Dated 2/13/19**

Inv. #277963 – Services Rendered 1/02/19 – 1/31/19) \$4,326.22 (Tabled by Village Board)

Pending Claim – Dated 12/17/18

Inv. #277163– Noved Bldg Mgmt Land Use Application: \$ 231.00 (Tabled 1/15/19)

Reason: No Application fee/No Escrow established

Pending Claim - Dated 1/17/19

Inv. #277683 - Services Rendered (11/19/18 – 12/31/18) \$2,471.77 – Tabled 1/29/19)

Reason: Clarification needed to determine if any services rendered were regarding Noved Bldg. Mgmt Land Use Application – No Application fee/No Escrow established

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

The Village Board acknowledged receipt of a Financial Report as of 2/20/19, as prepared by the Asst. Village Clerk-Treasurer.

RE: Nelson Pope & Voorhis, LLC – 6/14/16 Contract Agreement – Estimated Fee: \$59,500

As reflected in the Financial Report, the claims filed by Nelson Pope & Voorhis at this date total the estimated fee of \$59,500. A workshop meeting will be scheduled with Bonnie Francin of Nelson Pope & Voorhis, LLC. to discuss the status of the Master Plan Update.

2019 Assessment Roll

The Hearing of Complaints was held on Tuesday, 2/19/19. Three (3) Grievances were filed. Action on same was tabled until the presence of the full Board of Assessors/Board of Trustees.

2019 Village Election – Tuesday, March 19, 2019

A Sample Ballot was supplied to the Village Board and Candidates. (copy attached)

A MOTION was made by Deputy Mayor O'Blenis and seconded by Trustee DeGraw to approve the Sample Ballot for the 2019 Village Election and

FURTHER, it was confirmed that the 2019 Ballot will not contain any propositions

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw

Noes: None

2016 Master Plan Committee –

Committee Secretary, Parquiris DeLeon, reported the scheduling of a meeting is pending – Reason: waiting for comments from the Building/Fire Inspector.

Zoning Board of Appeals – Next Meeting: 2/25/19.

-Agenda includes a Public Hearing on the application filed by Habitat for Humanity. The Village of Hillburn is in receipt of the required notices.

Planning Board – Next meeting: 2/27/19**Building/Fire Inspector's Report** – Misc. correspondence was acknowledged.**Escrow** - Status of Escrow Accounts Report @ 1/29/19 was supplied.

-2/1/19 Inv. #421.1-11 filed by Spence Engineering – (RE: SUEZ Water New York - 8/16/18 Building Permit #082218): \$536.00. **Approved by Village Board**

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

Senior Citizens –

3/21/19 Trip to Westchester Broadway Theatre – Request for Approval - Village's Share: \$337.50 **Approved by Village Board.**

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

Recreation – A written Report was read by Trustee O'Blenis:**2019 Summer Camp Program** –

- Camp Pre-Payment Plan (2/8/19 Registration) – 12 Children were registered.
- Michelle A. Noel Scholarships – (2) Scholarships were awarded: Morgan Van Dunk & Aldo Hernandez.
- Upcoming Registration Date: 3/23/19, 10:00AM – 12:Noon. Flier was approved by Village Board.
- Request for approval of a trips (Approvals/Deposits needed in order to secure the dates and prices)
 - 7/10/19 - Movies/Dave & Busters: \$27.00 per person Approved
 - 7/31/19 - Splash Down Beach: \$27.00 per person Approved
 - 8/07/19 – Rye Playland Price Pending Approved (Pending receipt of price)

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

-Health Director Services – Rosita Benjamin has been contacted and has agreed to serve as Health Director again this year. A MOTION was made by Deputy Mayor O'Blenis and seconded by Trustee DeGraw to enter into an Agreement with Rosita Benjamin to provide Health Director Services for the 2019 Summer Camp & Swim Programs, for the amount of \$1,200.00.

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

Annual Easter Egg Hunt – Saturday, 4/13/19 (Rain Date: 4/20/19) **Approved by Village Board.**

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

2018-19 After School Program -

-Due to a change in the Suffern School District's schedule, school will be open on Thursday, 2/21/19 as well as Friday, 2/22/19. Therefore, the Youth Center will also be open. **Approved by Village Board.**

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

Hillburn Sewer Committee

Trustee DeGraw reported that applications are still being accepted.

Public Comments – None**Personnel**

Sean Tichenor – Verbal Resignation Accepted by Village Board on 2/7/19 – A formal Letter of Resignation was received on 2/19/19. **Accepted by Village Board.**

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

Dog Control Services – Invoice #DOG000034: \$658.00 (July-December 2018) Approved by Village Board.
(Town of Ramapo Contract)

Ayes: Deputy Mayor O'Blenis & Trustee DeGraw
Noes: None

Application for Peddling and Soliciting License – Filed 1/30/19 - Applicant: Banks Dastins

Purpose: Diddy's New Taste of Fast Food

-Attorney Ellsworth stated that additional information is required, including the proposed location of the food truck. Application was tabled by the Village Board. Attorney Ellsworth will contact the applicant.

Cablevision Franchise Fee Audit – A conference call was held with the Joe Messina and Gerard Fishburg of Municipal Audit Services, LLC (“MUNF”), Village Attorney Ellsworth, Trustee O’Blenis, Clerk-Treasurer Robin Miele and Asst. Clerk-Treasurer Mary Boone. It was the recommendation of Mr. Messina and Attorney Fishburg that a second letter be sent to Cablevision/Altice. **Approved by Village Board.**

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

Application for Use of Community Room

-Eleanor DeGraw – Thurs., 2/21/19 – 7:00PM – RC Ladies Aux Meeting **(Approved by Village Board)**

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

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

- O & R Utilities – Request to receive paving and road improvement schedules in order to coordinate underground infrastructure projects.
- RC Solid Waste Management Authority – Notification that Quarterly Newsletters will only be available on their website.
- RC Dept. of Planning – Updated listing of educational status of Board members and staff.
- RC Dept. of Planning – GML Review – RE: Town of Ramapo/Houses of Worship in Multi-Family Dwellings – Disapproved
- Hillburn ZBA – (3) Letters dated 1/30/19 – RE: 2/25/19 Public Hearing Notice – Habitat for Humanity Application
- NYS DEC – Notice of Availability of Funds – Arbor Day Community Grant
- Habitat for Humanity of Rockland Fundraiser – Pocketbook Bingo – 4/7/19, Nanuet, NY (Posted)
- Rockland Community Foundation – Notice – Availability of 2019 Scholarship Applications.

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

Scheduling of March 2019 Meetings

It was determined by the Village Board that meetings be held as follows: 3/5/19 and 3/26/19.

A MOTION was made by Trustee DeGraw and seconded by Deputy Mayor O’Blenis to adjourn the meeting at 7:55PM.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None