

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, February 27, 2018 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, February 13, 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, Deputy Mayor  
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

Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Hillburn resident, SHS Student Travis Mariano led the Salute to the Flag.

**Minutes of the 2/13/18 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 tabled the report until the arrival of a Ramapo Police Officer.

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

12/9/17 Damage to Guardrail–Terrace Ave & Suffern Rd – Anchor Fence was contacted and will make repair next week.

Youth Center Roof Repair – Quotes Submitted by Wilke Williams (On-Time Roofing):

Repair Roof Over Front Entrance	\$450.00
Paint Flat Roof with Aluminum Paint:	\$950.00

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the quote for repair of the roof over front entrance, in the amount of \$450.00 and FURTHER, quote to recoat the flat roof be tabled.

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

-Youth Center Front Door Repair – Quote Submitted by Monsey Glass – Replacement of Left Side Door Hinge: \$578.50

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the quote for replacement of the left side door hinge, in the amount of \$578.50.

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

DPW Supt. Conklin reported that the right side door of the Youth Center was damaged sometime between 2/26/18 and 2/27/18. The glass is cracked and appears to have been kicked. The Ramapo Police was called and a Police Report was filed. Monsey Glass was contacted and will make an inspection of the door on 3/1/18 and supply an estimate for repair.

Storm Drains – Quote from Precast Concrete for materials to make needed drain repairs (Fox Hollow Rd & 6<sup>th</sup> St): \$827.00.

**Approved by Village Board** (Purchase Order to be prepared)

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

Surplus Equipment – List is being prepared.

NYS Thruway – 4<sup>th</sup> St. Bridge Inspection Report – DPW Supt. Conklin has been supplied with the Report and CD. (Will review same with the Village Engineer)

RC Hazard Mitigation Plan – Correspondence from Hazard Mitigation–Northeast Operations – RE: Revisions Required by NYS DHSES – Response needed by 3/5/18. Building/Fire Inspector Gordon supplied a response. (Village Engineer Mancuso to follow up)

Dig Safely – The DPW Staff will attend an Excavator Safety Seminar on 3/14/18 (7:00AM–2:15PM) at RCC.

RC Shared Services – Supt. Conklin will attend the meeting on 2/28/18 at 9:00AM at the RC Fire Training Center.

**4<sup>th</sup> Street Railroad Bridge**

Marc Conway of Trans American Trucking – Request for Authorization to Utilize the 4<sup>th</sup> St. Railroad Bridge to Transport a Transformer to a Substation Located on 4<sup>th</sup> Street – Attorney Cassidy reported she had followed up with O&R and the earliest anticipated date for the transport is 4/1/18. The Building/Fire Inspector advised that a Building Permit Application for Hillburn Substation No. 17 Bank 317 Emergency Replacement (Emergency replacement of transformer 317 after unexpected failure) has been submitted by O&R. The project may not be subject to the Moratorium, but may require Site Plan approval.

**HFD Report – Chief Starr not present.**

Penflex, Inc. – Service Award Program – 2017 Data Request Package has been completed by the H.F.D. Chief. Package was **Approved by Village Board.**

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

2/22/18 Response to Fire Call – County-Wide Carting – Truck Leaking Oil

The following supplies/equipment were used/damaged and Chief Starr will obtain quotes and a claim will be sent to the trucking company: Speedy Dry, Oil Boons, Oil Pads, (2) Sets of Turn-Out Gear – Damaged with Oil

**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 the 4<sup>th</sup> St. – Upgrade is still pending. Supt. Conklin will contact O & R to determine the status of the project.

**Sandy Stead – RealTerm Energy – LED Street Lighting**

Ms. Stead addressed the Village Board and provided literature detailing the services available from RealTerm Energy. The following items were discussed:

- O&R is offering Villages, Towns & Cities the opportunity to purchase arms of street lights in their jurisdictions.
- RealTerm Energy uses local contractors to perform the conversion of street lights to LED
- Wattage of lighting can be designed according needs of particular areas in the Village.
- RealTerm Energy only uses top tier, American made fixtures.
- RealTerm Energy provides additional services and equipment, such as cameras, dimmers, sensors, etc.)
- Cost savings were discussed.

Mayor Flanagan thanked Ms. Stead for her presentation and stated that the Village Board will review same.

Ms. Stead requested the Village of Hillburn supply a copy of the street light inventory and one street lighting bill from O&R. Upon receipt, a projected cost savings will be prepared and presented to the Village Board.

**Village Engineer's Report - Engineer Eve Mancuso not present.****Annual Report for MS4 (3/2017 – 3/2018) - 2/26/18 Proposal for Engineering Services**

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to accept the 2/26/18 proposal from Brooker Engineering, PLLC, in the amount of \$1,200.00, for engineering services to prepare the 2017 MS4 and MCC Annual Report.

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien

Noes: None

-Hillburn Youth Center HVAC Replacement Project (Bid Award 8/22/17) (Contract 9/25/17)

-SAM Grant #7063 - Claim #2 has been filed.

-The Building/Fire Inspector has issued a Certificate of Completion.

**Village Attorney's Report – Attorney Cassidy reported****RE: Introductory Local Law 1 of 2018 – A Local Law to Override the Tax Levy Limit Established in General Municipal Local §3-C**

The following **RESOLUTION** was offered by Trustee Eleanor DeGraw and seconded by Trustee Bonnie O'Brien who moved its adoption:

**WHEREAS**, the Village Board of Trustees wishes to have the ability to override the tax cap in order to meet the financial needs of the Village.

**NOW THEREFORE BE IT RESOLVED**, that an introductory Local Law entitled A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C is hereby introduced.

**BE IT FURTHER RESOLVED** that copies of the aforesaid introductory local law be laid upon the desk of each member of the Board, and

**BE IT FURTHER RESOLVED** that the Village Board hereby declares lead agency and further declares that this action is a "Type II" action under the State Environmental Quality Review Act and no further environmental review is required.

**BE IT FURTHER RESOLVED** that a public hearing shall be held on March 13, 2018 at 7:30 P.M. or as soon thereafter as may be heard in the Mary M. Boone Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931.

**BE IT FURTHER RESOLVED** that the Village Clerk/Treasurer shall cause to be published public notice in the official newspaper as is required by law.

**AYES: Craig M. Flanagan, Jr., Mayor**

**Eleanor DeGraw, Trustee**

**Bonnie O'Brien, Trustee**

**NOES: None**

**ABSENT: None**

**Resolution** was unanimously adopted.

**Draft Local Law to Amend Village of Hillburn Vehicle & Traffic Law**

Attorney Cassidy gave an overview of the local law: Enable designated personnel to issue parking tickets; ability to add Stop sign and No Park areas by Resolution

Proposed Introductory Local Law was tabled for review.

**Tax Certioraris – (2014, 2015, 2016, 2017) –**

**TBS Realty Mgmt, LLC. vs. Village of Hillburn** – A Settlement proposal for years 2014-2018 was stated by the Village Attorney for TBS Realty Mgmt. LLC.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to accept the Settlement Proposal for TBS Realty Mgmt, LLC, as follows:

- Reimbursement for Years 2014, 2015, 2016 & 2017): \$15,000 payable in 2 installments due 7/15/18 & 1/05/19
- Assessment for Year 2018: \$775,000 with a 3 year statutory freeze

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None

Hillburn Park Corp. vs. Village of Hillburn – Attorney Cassidy reported a proposed Settlement is being finalized.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the following proposed Settlement for Hillburn Park Corp., subject to receipt of written confirmation.

- Hillburn Park to withdraw Certioraris for Years 2014, 2015, 2016 & 2017 – No Reimbursement.
- Assessment for 2018: To remain the same as 2017 Assessment with a 3 year statutory freeze

**2018 Tentative Assessment Roll – Grievances**

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to take action on the filed Grievances be taken as follows:

<u>DATE REC'D</u>	<u>PROPERTY ID</u>	<u>PROPERTY OWNER</u>	<b>2/27/2018 BOARD ACTION</b>
2/7/2018	847.19-2-2	TBS Realty Management, LLC	Stipulation Pending Written Finalization
2/7/2018	47.15-1-4	Hillburn Park Corp.	Stipulation Pending
2/12/2018	47.14-2-1	TOKNY Realty Group, LLC	*2/20/18-Withdrawn
2/13/2018	47.14-1-2	345 Route 17, LLC	No Change
2/16/2018	47.14-1-11	Daniel Johnson	No Change
2/20/2018	47.14-2-35	Morris Grunfeld	No Change

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** –

-A fully executed Stipulation has not been received at this date. Attorney Cassidy stated she will provide same.

**Village of Hillburn v. Losner** – Attorney Cassidy reported the next County Court date is 3/13/18.

A Building Permit for repair of the existing deck and landing was issued by the Building/Fire Inspector on 2/21/18.

**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 reported the matter has been transferred out of the Hillburn Court. (? – Transfer pending)

**Village of Hillburn vs. Creelman Road Property Owners**

Attorney Cassidy reported the matter has been transferred out of the Hillburn Court. (? – Transfer pending)

**Insurance** –

-The Village Clerk-Treasurer reported Selective Insurance contacted the Village with additional questions regarding the Public Officials Liability Insurance Renewal Application and same have been answered.

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

A Financial Report as of 2/27/18 was supplied by the Village Clerk-Treasurer.

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

-Attorney Cassidy reported she had spoken with the Attorney for Verizon. A revision to the Agreement was made by Verizon and will be supplied to Attorney Cassidy for referral to the Village Board.

**2018 Village Election – Tuesday, March 20, 2018**

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

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the Sample Ballot for the 2018 Village Election.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**2018-2019 Tentative Budget** – Mayor Flanagan reported he is in the process of preparing same.

**2016 Master Plan Committee** –

A Draft Master Plan has been prepared and distributed to Committee Members for review. Committee Secretary, Parquiris DeLeon, reported the next meeting is scheduled for 3/3/18.

**2020 Census – Local Update of Census Address Operation (LUCA)** – No further report.

**Community Development** –

2018 Community Development – The Public Hearing scheduled by the RC Office of Community Development was held on 2/13/18. Proposed Projects: LED Upgrade of Street Lighting and Youth Center Playground Equipment.

**Zoning Board of Appeals** - No new applications have been filed.

**Planning Board** – Next meeting is scheduled for 3/21/18.

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

-Asst. Building Inspector Sean Tichenor is scheduled for required training classes and will be handling Village Code and Property Maintenance issues.

-Building/Fire Inspector Gordon will be attending training classes on 4/10, 11 & 12/18.

-Fire Inspections are still being done.

-Building/Fire Inspector Gordon requested the old Fire Chief’s car be repaired for use by the Building Department.

-Attorney Cassidy reported she and Inspector Gordon are reviewing the Fee Schedule for update.

**Escrow**

Status of Escrow Accounts Report @ 2/27/18 was supplied.

Robert McIntosh - Establishment of Escrow Account – 5/23/17 Building Permit Application. Still pending.

-Building/Fire Inspector Gordon reported a letter had been sent to Mr. McIntosh requesting confirmation that he is going forward with the project. If project has been cancelled, written notification is needed.

Vulfrano Lazcares Escrow Account: \$400.00 – The Village Clerk-Treasurer reported the Village Attorney's claim, in the amount of \$550.00, is pending. (11/17/17 ZBA Application)

-Attorney Cassidy stated she had sent a letter to Mr. Lazcares advising of additional information needed regarding his request to the Village Board for relief from the Moratorium.

**Senior Citizens** – No report.

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

2/16/18 Open Gym – There was a great turnout. Pizza was served and the children had a fun night playing with friends.

2018 Summer Camp Registration will be held on Saturday, 3/17/18 from 10:00am to 12:00 noon for Residents and Non-Residents. (Currently, there are six children registered for the pre-payment plan)

Easter Egg Hunt – Saturday, 3/24/18, 11:00AM at Veterans Memorial Park – Request for Supplies: \$200.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Supplies for Youth Center – Request for approval of order from BSN Sports in the amount of \$63.36 (strikers/pucks for hockey table) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

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

**Chair for Mayor's Office** – Mayor Flanagan reported on the need to replace his office chair and submitted a quote from Executive Furniture in the amount of \$238.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

**Rafael Kalikstein Appeared before the Village Board** and requested to file a Grievance regarding property located at 27 Mountain Avenue.

Mr. Kalikstein was advised that the Grievance could not be accepted, as 2/20/18 was the deadline to file.

**Town of Ramapo Police Officer Mair** arrived at meeting.

**Public Comments** –

**Delores Hunter (16 Fox Hollow Rd)** stated that she had contacted the Ramapo Police last night at approximately 9:00PM due to loud screaming coming from dormitory on 275 Route 17. The Police Officer had advised her that the Village's Noise Ordinance did not go into effect until after 11:00PM. Noise disturbances coming from 275 Route 17 are frequent and she has to get up at 4:00AM for work. She feels that the Noise Ordinance should be amended.

-Attorney Cassidy stated that the noise disturbances could be addressed as a nuisance.

**Ivy Payne (10 Fox Hollow Rd)** played a recording she had made on her phone of the boys from the dormitory screaming and yelling. She stated that it sounds as if someone is being hurt. Ms. Payne stated that although it is the Purim holiday, the screaming and shouting goes on almost every night.

-Trustee O'Blenis stated that the Ramapo Police should be advised to treat the incidences as a nuisance violation.

-Mayor Flanagan stated that the Administrator of the dormitory will be contacted, as well as the Ramapo Police Captain.

**Chevron Torres (54 5<sup>th</sup> St)** stated she has heard the yelling/screaming, but was not aware of where it was coming from.

**Tim Williams (31 6<sup>th</sup> St)** reported a resident of 17 Rockland Avenue has 3 pit bulls and lets them outside without leashes and does not clean up after them.

-Mayor Flanagan advised he will follow up on matter; however, the Village contracts with the Town of Ramapo for Dog Control Services and she can be contacted by calling the Ramapo Police.

**Application for Use of Hillburn Community Room**

In accordance with the approval granted by the Village Board on 2/13/18, Krina Shah, M.P.H., B.D.S. Program Coordinator, New York University School of Medicine has changed her request to use the Youth Center and has filed an application for use of the Hillburn Community Room. Purpose: Community survey regarding the effects of environmental pollution. Pending at this date: Certificate of Insurance.

**Correspondence** - The Village Board acknowledged receipt of copies of correspondence, regular and email, including: Arcadis – December 2017 Focused Feasibility Study – Ramapo Paint Sludge Site – Creelman Road.

-Keep Rockland Beautiful–“Great American Cleanup”–Hillburn Clean-Up Day scheduled for 4/14/18 (Rain Date: 4/21/18)

**2017 Local Government Records Management Improvement Fund Grant (LGRMIF)** – Grant Award: \$28,631.00 – The Contractor, New York State Industries for the Disabled, Inc. – No further report. Awaiting completion of project.

**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 8:34PM.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None