

VILLAGE OF HILLBURN
Special Board of Trustees Meeting
Thursday, February 7, 2019 – 6:00PM

MINUTES OF THE SPECIAL BOARD OF TRUSTEES MEETING held on Thursday, February 7, 2019, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 6:00PM.

PRESENT: Craig M. Flanagan, Jr., Mayor
Bonnie O’Blenis, Trustee
Eleanor J. DeGraw, Trustee
Richard Ellsworth, Village Attorney

RECORDER OF MINUTES: Robin Miele, Clerk-Treasurer

Meeting called to order by the Hon. Craig M. Flanagan, Mayor. Trustee O’Blenis led in the Salute to the Flag.

Mayor Flanagan stated that purpose of the special meeting is to address two personnel matters.

Employee: Sean Tichenor – Position: Assistant Building Inspector (P/T)

Mayor Flanagan reported that Sean Tichenor verbally advised that he can no longer fulfill the requirements of his position as Assistant Building Inspector (P/T) due to the demands of his personal business. A letter of resignation will be requested.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the resignation of Sean Tichenor. (Resolution to be prepared by Village Attorney)

Ayes: Craig M. Flanagan, Jr., Mayor
Bonnie O’Blenis, Trustee
Eleanor DeGraw, Trustee
Noes: None

Employee: Anthony Henry – Position: Laborer

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

WHEREAS, New York Civil Service Law empowers a Village Board of Trustees to terminate employees of the Village under certain circumstances, and

WHEREAS, New York Civil Service Law empowers a Village Board of Trustees to terminate an employee injured during the Course of employment with the Village in the event the employee is not medically fit to perform his duties within one year from the date of the injury, and

WHEREAS, Anthony Henry, an employee of the Village of Hillburn sustained a workplace injury on October 10, 2017 and, as a result of said workplace injury, he commenced a leave of absence under New York Worker’s Compensation Law on November 8, 2017, and

WHEREAS, as a result of a report of Anthony Henry’s physician that he was medically fit to return to work, he returned to work with the Village of Hillburn on October 2, 2018, and

WHEREAS, this Village Board being not satisfied that he was medically fit to return to work, directed Anthony Henry to undergo a further physical examination, which physical examination directed a neurological examination of Anthony Henry, and

WHEREAS, since October 19, 2018, Anthony Henry has been unable to return to employment with the Village of Hillburn, and

WHEREAS, as a result of Anthony Henry’s workplace injury, he has failed to work for the Village of Hillburn for more than one cumulative year.

NOW THEREFORE, for all of the foregoing reasons, **BE IT RESOLVED**, that the Village Board of Trustees terminates the employment of Anthony Henry.

Ayes: Craig M. Flanagan, Jr., Mayor
Eleanor DeGraw, Trustee
Noes: None
Abstention: Bonnie O’Blenis, Trustee

Resolution was adopted.

RE: NYS Department of Labor – RE: Correspondence Received 2/6/19

Attorney Ellsworth reported that the DPW Supt. had requested a quote from Levy Brothers Electric to install/update LED lighting at the Hillburn Youth Center. Yehuda Levy of Levy Brothers Electric went on the NYS Dept. of Labor website to determine the prevailing wages rates and, in error, filled out information stating that the Village of Hillburn was conducting a Public Works Project. Attorney Ellsworth notified the NYS Dept. of Labor of the error. An educational session with the person in charge of public works projects is still required. It was the consensus of the Village Board that DPW Supt. Conklin be appointed as the person in charge of public works projects. Attorney Ellsworth will follow up on matter.

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to adjourn the meeting at 6:10PM.

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