

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, February 23, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, February 23, 2016, 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  
Thomas M. Conklin, DPW Supt.

**Absent:** Elizabeth K. Cassidy, Village Attorney  
(inclement weather)

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

Meeting was called to order by the Hon. Mayor Craig M. Flanagan, Jr.. Town of Ramapo Supervisor Christopher St. Lawrence led in the Salute to the Flag.

**Minutes of 2/09/16 Meeting - Approved by Village Board.**

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

**Appointment of Acting Village Justice**

Mayor Flanagan reported on the resignation of Brian Nugent from the position of Village Justice, effective 2/12/16. At the 2/09/16 meeting, Acting Village Justice Jerome Jefferson was appointed Village Justice to serve from February 12, 2016 through April 3, 2017.

Mayor Flanagan announced his appointment of Alan M. Simon to the vacant position of Acting Village Justice. Attorney Simon formerly held the positions of Acting Village Justice and Village Attorney.

The following **RESOLUTION** was offered by Trustee DeGraw and seconded by Trustee O’Blenis who moved its adoption:

**WHEREAS**, at the 2/09/16 meeting, the Board accepted the resignation of Brian Nugent, Esq. from the position of Village Justice, effective 2/12/16, and subsequently appointed Acting Village Justice Jerome Jefferson to serve as Village Justice commencing February 12, 2016 and ending April 3, 2017 thus making the Office of Acting Village Justice vacant.

**THEREFORE, BE IT RESOLVED** that Alan M. Simon, Esq. is hereby appointed to the position of Acting Village Justice for the unexpired (1) year term ending April 4, 2016.

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

**Noes: None**

**Resolution** was unanimously adopted.

Mayor Flanagan administered the Oath of Office to Alan M. Simon.

-Mr. Simon stated he is very happy to be back with the Village of Hillburn.

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

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

**Police Commissioner’s Report – Mayor Flanagan**

Mayor Flanagan acknowledged the presence of Town of Ramapo Police Officer Michael Gannon who reported the Village is quiet.

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

**Sewer Hook-Up of Village Buildings** – Supt. Conklin has been in contact with Mike Saber from the RC Sewer District who advised the grinder pump for the Firehouse building is on order. Further discussion will be held with Mr. Saber regarding the Village’s responsibilities for hook-up of village buildings.

**2016 Hillburn Clean-Up Day – 4/02/16** – The Village Board authorized Supt. Conklin to obtain a quote from a deli for breakfast/lunch for approximately 40 participants.

**H.O. Penn, Inc. – Claim for Repair of Backhoe: \$518.15 –**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify the emergency repair of the backhoe by H.O. Penn, Inc. and to authorize payment of the 2/9/16 Inv. PRWE7866412 in the amount of \$518.15.

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

**-RC 2016 Hauler Permit Application** – Current Permit expires April 2016. DPW Supt. has provided required info. for filing.

**HFD Report – Chief Kelly not present. No report provided.**

**Penflex, Inc. – Service Award Program** – The 2015 Data Request Package has been completed and returned to Penflex, Inc.

**5-Quad – Claim from Ruscon Inc. 2/14/16 Emergency Service**

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeFreese to ratify the emergency repair of the 5-Quad and authorizing payment of the claim received from Ruscon, Inc. in the amount of \$1,397.96.

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

**Village Engineer's Report – Engineer McCreedy not present**

-Mayor Flanagan reported he has asked Engineer McCreedy to review the feasibility of installing a turn-around at the Youth Center. This would allow the school bus to drop the children who attend the After-School Program to be dropped off at the Youth Center rather than at the corner of 5<sup>th</sup> St. and Hickory Avenue. Funding for proposed project would be through CHIPs.

**Community Development –**

**2015 CD Program – Project: “After School Program 2015-2016”** – At this date, financial information has been provided by total of (9) participants. The first claim to RC CD remains tabled by RC CD.

**Village Attorney's Report – Attorney Cassidy not present.**

Mayor Flanagan addressed items listed on the written report provided by Attorney Cassidy:

**-Local Government Records Management Improvement Fund Grant (LGRMIF) - 2/16/16 Proposal – New York State Industries for the Disabled (NYSID)/IMA** – Proposal was reviewed by the Village Attorney and found to be in order.

-Mayor Flanagan reported the contract with Hudson Archival that was terminated at the 2/9/16 Village Board meeting, following receipt of notification received from Hudson Archival that they were unable to perform the work.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the 2/16/16 Proposal submitted by New York State Industries for the Disabled (NYSID)/IMA, in the amount of \$8,130, to provide Document Conversation & Access Services, and

FURTHER, funding for this project will be through the 2014-2015 LGRMIF Grant #0580-15-5534

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**Proposals-Comprehensive Planning/Zoning RFP** – The Village Clerk-Treasurer reported two Proposals were received:

**NP & V, Nelson, Pope & Voorhis, LLC, Melville, NY 11747**

**AKRF, Inc., White Plains, NY 10601**

-Proposals were tabled for reviewed by the Village Board, Village Attorney and the Village Engineer.

**Garbage Contract** – (Current Contract expires 5/31/16)

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the Village Attorney to prepare RFPs for a One Year Contract and Three Year Garbage Contract, returnable April 12, 2016.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**Insurance** - Attorney Cassidy will provide an Indemnification Addendum to be attached to all future contracts.

**2015 Tax Certioraris**

**A.F.K.O.S.** – A Draft Stipulation was provided by Attorney Cassidy

7:20PM

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to suspend the regular meeting in order to hold an Executive Session to discuss pending litigation.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

7:26PM

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to re-open the regular meeting.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**2016 Grievances**

The Village Clerk-Treasurer reported a total of 5 Grievances were filed. Letters have been sent by Attorney Cassidy requesting additional information/clarification.

**Zoning Board of Appeals** –

-Next meeting of the ZBA – 3/10/16 in the Community Room. Agenda Item: Appeal filed by Kristian Matthews/Stoneworks Estates – (Public Hearing was held on 1/28/16)

**Planning Board** –

A letter was sent to Thomas Lyons acknowledging his resignation and thanking him for his 15 years of volunteered service as a member of the Planning Board (3<sup>rd</sup> five year term ends 4/4/16).

-Mayor Flanagan reported the appointments to the Planning Board and ZBA for 5 year terms will be made at the Annual Reorganizational Meeting on 4/4/16.

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

-2015-2016 Fire Permits – At present, permits have been issued to 71 of the 89 property owners.

-Numerous building projects are underway.

-Village Code Violations - Working with the Village Attorney to close out long-standing violations.

-Building Plans – Applicants will be required to file an extra set of plans to be provided to the H.F.D.

-RE: Jan’s Med-A-Car, 2 Route 59 – Unauthorized Outdoor Storage - Mayor Flanagan reported the property owner is allowing Budget Rental to park their trucks on his property, creating an eyesore, as well as a safety issue as there is no access for emergency vehicles.

Building/Fire Inspector Gordon stated he will follow up on this matter, as the respective property presently has a pending violation in Village Court.

**Escrow Accounts – Village Clerk-Treasurer reported:**

Status of Escrow Accounts Report @ 2/12/16 - Supplied to the Village Board.

RE: Stoneworks Estates, Inc. – 9/17/15 Escrow – ZBA Application – Two claims are pending ZBA action.

**2016 Village Election – March 15, 2016 –**

The List of Candidates and their respective parties was supplied to the Village Board (copy attached).

**Senior Citizens –**

Trip Request – 4/5/16 Trip to Elmsford Broadway Theatre – Village’s Share: \$460.00 (\$10.00 per person). **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

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

Mayor Flanagan read the portion of the report pertaining to a request from Hillburn resident Heaven Andino, to volunteer at the Youth Center. Information will be provided for the required background check.

Trustee O’Blenis read the balance of the report.

-2016 Summer Camp Program – Registration for Residents: Friday, 3/4/16 from 6:00PM to 8:00PM and Saturday, 3/5/16 from 10:00AM to 12:00noon. Registration for Non-Residents: Saturday, 3/12/16 from 10:00AM to 12:00noon.

Upcoming Events: Easter Egg Hunt – 3/26/16 – 10:00AM (Rain Date: 4/2/16)

Breakfast with the Easter Bunny – 3/19/16 – 10:00AM.

**Rockland County Dept. of Health - Youth Center** – An inspection was made on 2/10/16. The report cited CPR items needed and same have been purchased. (copy of Report was provided to the Village Board)

**2016 Tentative Assessment Roll** – Grievance Night was held on Tuesday, February 16, 2016 (5:00PM-9:00PM) Five (5) Grievances were filed:

	<b>Date Filed</b>	<b>Property ID</b>	<b>Property Owner</b>
(1)	2/03/2016	47.15-1-4	Hillburn Park Corp.
(2)	2/03/2016	847.19-2-2	T.B.S. Realty
(3)	2/10/2016	47.14-2-1	The Fujita Trust
(4)	2/16/2016	47.14-1-8	Kollel Shas Keren Hatorah* (*Village Record Owner: American Friends of Kollel Oitzer Shas Canada)
(5)	2/16/2016	47.18-1-10 & *847.18-1-10	American Friends of Kollel Oitzer Shas Canada (Included with 47.18-1-10 on Village Records)

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

**Public Comments –**

**Wilma Powell (68 5<sup>th</sup> Street)** reported that vehicles parked on Sixth Street, in the area of the condominiums (62, 64 & 66 Sixth Street) block site distance at the intersection with Brook Street. (Matter will be reviewed)

**Chevron Torres (54 5<sup>th</sup> Street)** reported a street light in the area of Veterans Memorial Park remains on during the day. (DPW Supt. Conklin will follow up on same)

**Requests for Use of Village Property**

Hillburn Scholarship Com. – Use of Mun. Meeting Room – Wednes., 2/24/16–7:00PM – Committee Meeting. **Approved**

Hillburn Senior Citizens - Use of Community Room – Fri., 2/26/16 -12:00noon - Executive Meeting. **Approved**

Rita Bryant, Sloatsburg, NY 10974 – Use of Community Room – Saturday, 3/5/16 – Birthday Party. Village Board Stipulations: Hours: 5:00PM – 10:00PM, Certificate of Insurance Required. Fee: \$350.00. **Approved**

Ayes Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**Correspondence** – The Village Board was in receipt of correspondence received, including:

United Water – RE: 11/10/15–1/7/16 Underestimated Bills – Meter Replacement.

NYS Municipal Workers’ Compensation Alliance - RE: 3/10/16 Safety Seminar at the Town of Fishkill. (Mayor Flanagan and DPW Supt. Conklin will attend).

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

BOND Schoeneck & King – Claim for January 2016 (United Water & A.F.K.OS.) in the amount of \$658.67. **Approved**  
United Water New York/Suez – 2/18/16 Claim in the amount of \$16,245.73. RE: Problem with Meter Sensor – Previous Unbilled Usage. Bill was reviewed by the Village Engineer who stated the usage appears to be equivalent to usage in previous year.

-Mayor Flanagan stated he has a meeting scheduled with representatives of Suez on Thursday, 2/25/16. Bill was tabled until further review.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn the meeting at 7:49PM.

Ayes Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None