

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, February 9, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, February 9, 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.
Elizabeth K. Cassidy, Village Attorney

RECORDER OF MINUTES: Mary Boone, Clerk-Treasurer

Meeting was called to order by the Hon. Mayor Craig M. Flanagan, Jr. HFD Chief Edward Kelly led in the Salute to the Flag.

Minutes of 1/26/16 Meeting - Approved by Village Board.

Ayes: Mayor Flanagan, Trustees DeGraw and 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

Mayor Flanagan acknowledged the presence of Town of Ramapo Police Officer Michael Gannon. DPW Supt. reported on the ongoing issue of vandalism to the 6th Street gate and trespassing on Village property. Steps being taken include replacement of vandalized “No Parking” signs, painting lines on the pavement and contracting with a towing company to remove illegally parked vehicles.
-Mayor Flanagan requested increased patrol in the area.

DPW Report – DPW Supt. Thomas Conklin reported:

12/31/15 Vandalism to 6th Street Gate – An invoice was received from J. McDade Welding, Inc., in the amount of \$546.00 for repair of the gate. **Approved by Village Board.**

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

Proposed Towing Contract - A proposed contract with Buck Wild to provide towing services of illegally parked vehicles is being reviewed.

-Signs and striping are also needed to designate the Village owned property in front of 201 Route 59 as No Parking – No Fire Lane. Illegally parked vehicles in the respective area will also be towed.

Backhoe – Repairs and service are needed. HO Penn has been contacted and will furnish a quote.

Stormwater Consortium of Rockland County - 2/3/16 Pollution Prevention Seminar – Supt Conklin attended the seminar held at the Clarkstown Highway Dept.

Sewer Hook-Up of Village Buildings – Quotes have been obtained from Bruno Builders of Rockland, Inc. for hook-up of the Village Hall and DPW Garage. The Firehouse/Community Room Building requires installation of a grinder pump that may be provided by the RC Sewer District. The Agreement with the RC Sewer District will be reviewed to determine what fees/costs are the responsibility of the Village.

2016 Urban Forestry Council Arbor Day Program - Community Grant Application – Filing Deadline: 2/11/16

Application will be filed for Funding for the planting of 5 Trees. (DPW Supt. to provide the locations for the trees)
The Arbor Day Event was scheduled for Saturday, 3/12/16 at 12:00noon.

Rockland County Dept. of Health – 2016 Mosquito Control Service – Fee: \$625.00

DPW Supt. is to be given prior notice by the RC Health Dept. of the scheduled date/time of the service. **Approved by Village Board.**

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

Rockland County Dept. of Health - Youth Center - The RC Department of Health has scheduled an inspection of the Youth Center tomorrow, 2/10/16.

HFD Report – Chief Kelly reported:

Penflex, Inc. – Service Award Program – 2015 Data Request Package has been submitted to the Village Clerk for filing.
Request for Purchase – (2) Survivor Lights – 2/9/16 Quote from Fire-End & Croker Corp. - \$30.00 each. **Approved by Village Board.**

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

Village Engineer’s Report – Engineer McCreedy not present

-A proposal for engineering services for the 2016-2017 fiscal year was supplied by Brooker Engineering, PLLC. (tabled)

Community Development –

2015 CD Program – Project: “After School Program 2015-2016” – At present, financial information has been provided by (7) participants of the After School Program and same have been forwarded to the RC CD Office.

-Consolidated Plan for Rockland County for Years 2015-2019 and Analysis of Impediments to Fair Housing Choice – Being reviewed.

Village Attorney's Report – Attorney Cassidy reported:

-Unsafe Structure – 53 Sixth Street – Attorney Cassidy reported on a letter received via email from the Building/Fire Inspector regarding the unsafe condition. Attorney Cassidy read a Resolution for adoption by the Village Board.

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

WHEREAS, pursuant to Chapter 88 of the Village of Hillburn Code, the Village may remove or secure buildings which are determined to be unsafe;

WHEREAS, pursuant to §88-2, the Village Board of Trustees has received a written report of the Building/Fire Inspector indicating that the structure located at 53 Sixth Street is unsafe which is annexed hereto;

NOW THEREFORE BE IT RESOLVED that the Village Clerk Treasurer is hereby authorized to send notice attached hereto as required by §88-4 to the property owner directing that the property owner properly secure the property within 60 days;

BE IT FURTHER RESOLVED that in the event the record property owner fails to comply, a survey shall be conducted in accordance with §88-6.

BE IT FURTHER RESOLVED that all costs and expenses incurred by the Village shall be assessed and levied against the land on which the structure stands in accordance with §88-8 of the Village Code.

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

Noes: None

Abstentions: None

A discussion was held on the procedures for unsafe structures in accordance with the Village Code.

2015 Tax Certioraris – Village Attorney reported:

United Water New York – Consent Judgment/Notice of Entry and Demand for Payment was received from the Supreme Court of the State of NY, County of Rockland.

A.F.K.O.S. – A Stipulation is being drafted. Attorney Cassidy met with representatives of A.F.K.O.S. and the Building/Fire Inspector. Matters discussed included maintenance of property, unauthorized road opening onto Route 17, and conduct of youth living at the premises.

Hillburn Park Corp., TBS Mgmt, LLC and Fujita Trust – Matters will be deferred until the next Budget cycle.

Comprehensive Planning/Zoning RFP – Proposals are due by 2/23/16. Attorney Cassidy advised that award of the project does not have to be based on the lowest proposal.

2015 LGRMIF Grant – 9/10/15 Agreement with Hudson Archival – Digitizing of Village Records – The Village Clerk-Treasurer reported Hudson Archival had notified the Village that they are unable to fulfill the project. Subsequently, all documents have been returned and a full refund has been received.

-Attorney Cassidy stated she has no objection to cancelling the contract.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to terminate the 9/10/15 contract with Hudson Archival.

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

-The Village Clerk-Treasurer stated alternative proposals are being sought.

Insurance

Attorney Cassidy advised she had spoken with Mr. Durland, the Village's insurance agent, who advised of the need for uniform contracts. She will provide the required language/uniform contract for adoption by the Village Board at the next Village Board meeting.

Zoning Board of Appeals –

RE: Appeal filed by Kristian Matthews/Stoneworks Estates - A Public Hearing was held on 1/28/16.

Attorney Cassidy advised that the two ZBA members who were not present at the Public Hearing will be eligible to vote on the matter, contingent on their review of materials submitted at the Public Hearing and reading of the transcript.

-Next meeting of the ZBA – 3/10/16 in the Community Room.

Appointment of Alternate Planning Board and Zoning Board of Appeals Members – A discussion was held on the benefits of appointing alternates for the boards. The alternates would be present at meetings; however, would only vote if necessary in the event of absences and recusals of sitting members.

-Attorney Cassidy stated the adoption of a local law may be required.

Planning Board – A meeting was held on 1/21/16.

RE: Skyview Skylights – Site Plan Approval granted: Machine Shop - Bldg. B1 at 201 Route 59 (TBS Realty).

-Mayor Flanagan stated he would like the Planning Board to be more specific in the approval Resolutions (i.e. dimensions of trucks permitted, allotted parking spaces) and require compliance to all regulations, including proper striping of all parking areas, prior to any approvals.

Letter of Resignation from Planning Board – Mr. Thomas Lyons submitted a letter of resignation effective 2/9/16. Mayor Flanagan publicly thanked Mr. Lyons for his service to the Village as a Planning Board member for 15 years, (April 2, 2001-February 9, 2016) (three 5 year terms that includes the present term that ends April 4, 2016). -Attorney Cassidy stated it was a privilege to work with Mr. Lyons and commented on his diligence on behalf of his community.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the resignation of Thomas Lyons from the Planning Board, effective 2/9/16.

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

-An appointment to fill the unexpired 5-year term ending 4/4/16 will be made. (A 5-Year Term Appointment will be made at the April 2016 Re-Organizational Meeting)

Building/Fire Inspector’s Report – Inspector Adam Gordon not present:

Mayor Flanagan reported he had met with Inspector Gordon today and discussed issues of concern, including cars parked half in driveways and blocking sidewalks; and enforcement of property maintenance regulations on vacant homes.

Escrow Accounts – Village Clerk-Treasurer reported:

RE: Stoneworks Estates, Inc. – 9/17/15 Escrow – ZBA Application

-In accordance with the 1/28/16 approval by the ZBA, the following claims have been processed for payment:

Brooker Engineering	12/14/15 Claim	\$ 216.00
Brooker Engineering	1/11/16 Claim	144.00
Law Office of Elizabeth Cassidy:	01/7/16 Claim:	1,335.00

(2) claims are pending ZBA Approval:

Law Office of Elizabeth Cassidy:	01/29/16 Claim:	\$ 690.00
Brooker Engineering	02/09/16 Claim:	720.00

RE: 1/29/16 Claim filed by Law Office of Elizabeth Cassidy – The Village Clerk-Treasurer reported the claim is for services rendered regarding the Planning Board Application of Skyview Skylights; however, no escrow was ever recommended or established. Claim has been forwarded to the Planning Board.

2016 Village Election – March 15, 2016 –

At this date, there are two nominations for the Office of Trustee. The list of candidates will be provided at the 2/23/16 Board Meeting.

Senior Citizens – Trustee Eleanor DeGraw (Senior Citizens Liaison) stated there was no report.

Recreation – Trustee O’Blenis read the written Report.

Cooking Class – Instructor, Trustee Eleanor DeGraw, is doing a great job with the children.

2016 Summer Camp Program

-Payment Plan Registration was held on 1/25/16. 18 participants were registered.

-The Town of Ramapo has been contacted regarding re-certification for CPR.

-Currently there are 6 applications on file for the Michelle A. Noel Scholarship for Summer Camp. (Deadline: 3/1/16)

Breakfast with the Easter Bunny – 3/19/16. Shelly Ramos has volunteered to assist. Anyone interested in volunteering can call the Youth Center.

Easter Egg Hunt – 3/26/16 – Request for \$200.00 for expenses. **Approved by Village Board.**

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

Youth Center Hours - Due to a snow day, school will be open on 2/19/16 and the Youth Center will be open regular hours (3:00PM-6:00PM).

2015-2016 After School Program – A second letter was sent to parents requesting financial documents for the 2015 Community Development Program Grant.

2016 Assessment Roll – Grievance Night - Tuesday, February 16, 2016 – Attorney Cassidy advised that Grievance Night must be at least four hours. Therefore, the Board of Assessors will be available from 5:00PM to 9:00PM on 2/16/16. (Notices will be amended)

Hillburn Sewer Rebate Committee - Trustee DeGraw reported rebates have been sent out to Non-Resident Property Owners. At this date, there are no pending Applications; however, Sewer Rebate Applications are still being accepted.

RE: Properties with Existing Violations – Attorney Cassidy confirmed any existing violations must be remedied prior to receiving a Sewer Rebate.

Public Comments –

Carolyn Caccamo (27 Terrace Avenue) stated her Water Bill (period ending 1/31/16) was very high.

-DPW Supt. Conklin reported the matter is being evaluated by re-reading the meter at different intervals to determine if it is reading properly. Three readings have been made and one more reading will be done on 2/16/16 at which time he will prepare a report for the Village Board.

Timothy Williams (31 6th Street) stated that approximately one week after the Notice to Residents of a possible water interruption, he experienced brown water.

Supt. Conklin reported that although there was no interruption on the scheduled day (United Water replaced their meter), the DPW did flush a hydrant on Torne Valley Road and that may have caused the discolored water.

-Mayor Flanagan reported on the ongoing leak detection program. A large leak was detected in the area of Hillburn Park Corp., 143 Route 59. Two smaller leaks that were detected have been repaired.

Mr. Williams requested the next Village Memo include a reminder regarding the prohibition of outdoor burning, as he continues to confront this problem with neighbors.

Frank Lazcares (39A 7th Street) stated he is working on his property and has a backhoe temporarily stored on his property. Mayor Flanagan and Village Attorney approved the temporary storage.

Requests for Use of Village Property

Steven Starrantino – Use of Community Room - Sunday, 4/24/16 – 8:00AM-5:00PM - Purpose: Online Auction –Approved at 1/26/16 Board Meeting, subject to receipt of rental fee of \$150.00 (still pending at this date)

Jamie Van Dunk – Partial Application - Use of Youth Center – Saturday, 2/6/16 – 3:00PM-6:00PM. The required fee of \$150.00 was received on 2/1/16. Mayor Flanagan reported Mr. Van Dunk was unable to obtain a Certificate of Insurance; however, he granted approval to use the Youth Center. **Ratified**

Hillburn Scholarship Com. – Use of Community Room – Saturday, 6/4/16 – 7:00PM – Award Ceremony. **Approved**

Hillburn Ladies Auxiliary – Use of Community Room – (3) Applications:

-Dates: Thurs, 1/7, 2/4, 3/3, 4/7, 5/5, 6/2, 7/7, 8/4, 9/1, 10/6, 11/3 / Time: 7:00PM - Purpose: Meetings. **Approved**

-Date: Wed., 2/10/16 / Time: 7:00PM – Purpose: Meeting. **Approved**

-Date: Wed., 2/24/16 / Time: 7:00PM - Purpose: Street Fair Committee Meeting. **Approved**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Presidents Day – 2/15/16 – All Village departments will be closed. Notice has been posted (Garbage Collection: 2/15/16; Recyclables/Bulk Pick-Up Collection: 2/16/16.

Complaints Received

Menichetti Carting – Sanitation Worker advised Village Office that approximately 25-30 heavy bags are placed at the bottom of Brandt Road on Monday mornings. DPW Supt. confirmed the bags contain household garbage. The quantity of the bags can be attributed to several residences and that garbage is only placed for pick-up once per week.

23 Hickory Avenue – Report of a incidents of brown water. DPW Supt. advised resident that the issue could be resolved by flushing of hydrants that will be done, weather permitting.

2016 Agreement with Town of Ramapo - Ramapo Fire Protection Districts No. 1 and 5 – The fully executed Agreement has been received.

Correspondence included:

-US Dept. of Commerce – Notice that a 2016 Government Units Survey will be conducted in preparation for the 2017 Census of Governments.

-The Daytop Preparatory School – Implementation of the “Step Up Program” for at-risk youth. Request for contributions and an invitation to 2/11/16 Luncheon.

-NYCOM – Fall 2015 Municipal Bulletin. Includes notice of 8th Annual Fire & EMS Law & Management Conference – Village Fire Departments: Responsibilities of the Village Board - 4/1/16, 8:30AM-12:30PM – Turn Stone Casino & Resort.

-RC Conference of Mayors – Notice of Upcoming Meeting – 2/29/16, 6:30PM – Da Nina’s Restaurant – Mayor will attend.

-O & R - Request for meeting to discuss scheduled vegetation management work in the Village.

- Request to be supplied with the Village’s paving schedule to coordinate their underground gas & electric projects.

-Town of New Paltz – Copy of 1/12/16 letter to NYS DEC opposing the SEQR Co-Lead Agency of the NYS DEC and the NYS Thruway.

-NYS Comptroller – Notice of release of 2015 Annual Report on Local Governments.

-RC Municipal Planning Federation – Notice of Rescheduling of 2/9/16 Educational Session to 2/11/16.

-Wright Risk Management – RE: 1/27/16 Regional Safety Training Seminar. (DVD of the seminar will be available)

-NYS Municipal Workers Comp. Alliance – Comp Alliance E-News Advisor – February 2016, Issue 3.

-RC Youth Bureau – Request for Nominations for several awards to be presented at the 36th Annual Youth Forum and Awards Night to be held on 5/12/16.

-NYS Dept. of State – RE: Municipal Restructuring Fund (MRF) – 2/11/16 and 2/18/16 Webinars.

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

-Town of Ramapo – 12/31/16 Claim Received 2/1/16 for Dog Control Services \$855.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to adjourn the meeting at 8:30PM.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None