

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, January 10, 2017– 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, January 10, 2017, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

**PRESENT:** Craig M. Flanagan Jr., Mayor  
Bonnie R. O’Blenis, Trustee  
Eleanor J. DeGraw, Trustee  
Elizabeth K. Cassidy, Village Attorney  
Thomas M. Conklin, DPW Supt.

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

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Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. DPW Supt. Conklin led in the Salute to the Flag.

**Minutes of the 12/13/16 Meeting - Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None  
Abstention: Trustee DeGraw (absent from meeting)

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

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

**Police Commissioner’s Report –**

Ramapo Police Officer Caro was present and reported the Village is quiet. 3 summonses and several warnings were issued for violation of the parking regulations during snow events.

-Mayor Flanagan stated a reminder of the new regulations will be included in the February 2017 Village Memo.

-Officer Caro advised he has been assigned to the Spring Valley/Monsey area. Officer Lee has been assigned to the Village of Hillburn.

**Mayor Flanagan introduced Ted L’Estrange, representative of Falun Gong practitioners in the Hudson Valley.**

Mr. L’Estrange addressed the Village Board and the public and made a presentation requesting the condemnation of China’s State-sanctioned harvesting of organs from Falun Gong Practitioners for Profit.

Informational documents were provided to the Village Board.

Mayor Flanagan thanked Mr. L’Estrange for his presentation.

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

Property Maintenance - 132 Sixth Street – Supt. Conklin reported that the DPW cleaned the property (i.e. removed tree, trimmed bushes, etc) as directed by the Village Board. A breakdown of expenses (labor and equipment use) has been compiled and will be supplied to the Clerk-Treasurer to generate a bill to the property owner for the service rendered by the Village of Hillburn.

Water Billing – p/e 1/31/17 – Meter readings are being obtained.

**Youth Center –**

-RE: Items Required by Fire Inspector – The Emergency Lights and reflective building numbers have been installed. Other items on the list to be discussed with the Mayor.

-Repair to Heating System – Design Air was called and determined there were loose parts on unit.

Meter Reader – Suez Meter Pit – A quote for a meter reader has been requested from Census (Bill Roth).

**2008 Ford (Truck #4) –**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the 1/5/17 proposal in the amount of \$1,608.43 to Suffern Sales & Service for front end repairs to the 2008 Ford (Truck #4).

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

-Supt. Conklin will be attending a Comp. Alliance seminar regarding DPW Safety at the Village of Maybrook: on 1/19/17; and a Highway Superintendents Association of Rockland County Luncheon on 1/26/17.

O & R Utilities - Smart Meter Project – Notice has been received from O & R Utilities that on 1/13/17, O & R will begin installing data collectors on utility poles at the following locations: 297 Route 17, 6<sup>th</sup> Street, Bridge Street and Orange Turnpike. Prior to the installation of smart meters on homes and businesses, a meeting will be held to discuss the implementation process.

RE: Dutchess Overhead Door – 1/5/17 Quote – Emergency Repair of HFD Quad Bay Door - \$778.00.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the 1/5/17 quote from Dutchess Overhead Door for a Complete Electric Safety Edge with Retainer, etc., on the HFD Quad bay overhead door, in the amount of \$778.00, plus the 12/30/16 emergency call in the amount of \$216.00.

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

**HFD Report – Chief Starr reported:**

-The HFD responded to a total of 114 calls in 2016.

-HFD Member Frank Lazcares will begin taking the FF1 Course next week.

-New HFD Member – Request for Village Board approval – RE: Physical: Jodie Williams. Approved by Village Board.

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

-New HFD Vehicle – Chief Starr questioned if a delivery date had been obtained.

Penflex, Inc. – Service Award Program – 2016 Data Request Package was received and must be filed by March 2017. Chief Starr reported the required information has been posted and will remain for 30 days.

**Village Engineer’s Report – Engineer McCreedy not present.**

1/6/17 Claim – General Engineering – (12/20/16 Stormwater Consortium Meeting): \$75.50 **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

**Community Development Program - 2017**

The RC CD Office has scheduled the required Public Hearing to be held on 1/24/17 at 7:15PM during the regular Village Board Meeting.

**Village Attorney’s Report – Attorney Elizabeth Cassidy reported:**

**RESOLUTION FOR NEW YORK STATE OFFICE OF GENERAL SERVICES  
MINI-BID REQUEST FOR HFD CHIEF’S VEHICLE**

**WHEREAS**, the Hillburn Fire Department is in need of a new Fire Chief’s Vehicle;

**WHEREAS**, the Hillburn Fire Department has submitted to the Village Board for review the model information for the vehicle as well as a list of specifications to be included in the vehicle;

**WHEREAS**, New York State Office of General Services (“OGS”) has comprised a vehicle marketplace for the purchase of vehicles by registered municipalities from a variety of dealers on contract with New York State under awards 22898 and 22904;

**WHEREAS**, the Village of Hillburn submitted a mini-bid to the OGS vehicle marketplace for a Ford F-150 4x4 Supercrew – 157 including the specifications as approved by the Village Board;

**WHEREAS**, on Tuesday, November 29, 2016, OGS provided the Village of Hillburn with three mini-bid responses which all met the requested specifications provided for in the mini-bid;

**WHEREAS**, one of the bidders, Webster Ford Inc. DBA Henderson Family Ford, provided the quickest delivery timeframe for the proposed vehicle;

**NOW THEREFORE, BE IT RESOLVED**, that after review of the OGS mini-bid responses as well as the vehicle specifications provided by each response, the Village Board hereby authorizes the Mayor, Clerk-Treasurer and the Attorney for the Village to accept the bid from Webster Ford Inc. DBA Henderson Family Ford for a Ford F-150 4x4 Supercrew – 157, for a price of \$35,038.31 and delivery timeframe of 8-10 weeks.

**BE IT FURTHER RESOLVED** that the Village Treasurer is hereby authorized to prepare a Purchase Order for the vehicle in the amount of \$35,038.31 and said purchase is to be funded through the 9/1/16 B.A.N, as allocated.

Motion by: Trustee DeGraw

Second by: Trustee O’Blenis

Ayes: Craig M. Flanagan, Jr., Mayor

Bonnie R. O’Blenis, Trustee

Eleanor J. DeGraw, Trustee

Noes: None

Abstain: None

**Town of Ramapo: 2017 Agreement – Dog Control Services**

Attorney Cassidy stated she had reviewed the contract and recommends that the same wording being included as last year, stipulating costs are not to exceed the budgeted amount in the Village Budget appropriation..

-A discussion was held on the Dog Control Officer’s schedule and the need to check in at the Village Office when in the Village.

-The 2017 Agreement for Dog Control Services was tabled by the Village Board.

**Town of Ramapo: 2017 Agreement – Ramapo Fire Protection Districts No. 1 and 5**

The amended 2017 fee amount for fire coverage in Ramapo Fire Districts No. 1 and 5 is \$144,525 (equivalent to 2016)

-Attorney Cassidy stated she had reviewed the Agreement and found it to be substantially the same as the 2016 Agreement.

-Mayor Flanagan stated his displeasure that the requested amount of \$150,000 per District was not approved.

-The Village Clerk-Treasurer questioned and determined that no Village Official had attended the 12/14/16 Public Hearing at the Town of Ramapo at which time comments/objections could have been made.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the 2017 Agreement between the Town of Ramapo and the Village of Hillburn to provide fire coverage for Ramapo Fire Protection Districts No. 1 and 5 for the fee amount of \$144,500 and

FURTHER, Mayor Flanagan is authorized to sign said Agreement.

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

**Verizon 10 Year Special Franchise Agreement – Expiration Date: October 2017** – Attorney Cassidy has been in contact with Verizon’s Attorney via email. Information regarding double-poles was supplied.

**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 – Decision and Order of the Supreme Court of the State of New York dated November 29, 2016**

Attorney Cassidy stated there is no further information to report.

-The Village Clerk-Treasurer questioned if the information pertaining to the Supreme Court Order should be posted. Attorney Cassidy stated it is not required.

**RE: 1/4/17 Claim filed by the Law Office of Elizabeth K. Cassidy, PLLC - \$881.90** **Approved by Village Board**

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

**RE: Land Use Law Center** – Land Use Leadership Alliance Training Program (LULA). - Attorney Cassidy stated she has been in contact with Tiffany Zezula of the Land Use Law Center to schedule a meeting to discuss the program and to assist in the selection of four to six appropriate leaders from the community to attend the program.

**Tax Certioraris – (2014, 2015, 2016)** – Attorney Cassidy stated Attorney Speno has requested the scheduling of a conference call to discuss the status of the Tax Certiorari matters. When scheduled, the conference call would not be public as it is Attorney/Client privilege.

-Claim of Law Office of Rebecca Speno in the amount of \$50.00. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

**RE: Unsafe Structure – 53 Sixth Street – Property Owner: Losner, R.**

Attorney Cassidy reported on the status of the matter. An alternative process was used to serve the property owner with the Court documents and the statutory time frame for a response is 20 days. However, if it is determined that the condition of the structure becomes dangerous; an Emergency Order could be requested from the Court.

-Mayor Flanagan stated he and the Building/Fire Inspector had inspected the structure that is in very poor condition.

**RE: 12/30/16 Claim filed by The Law Office of Elizabeth K. Cassidy, PLLC** in the amount of \$197.50. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

**Insurance 2016-2017**

A representative of Comp Alliance will be at the Village Office and DPW Garage on Thursday, 1/12/17 at 9:00AM to make a risk management inspection.

**2016 Master Plan Committee**

The next meeting of the Committee will be held on 2/11/17 at 10:00AM.

Notices will be sent to members. Attorney Cassidy will confirm the meeting with Bonnie Francin of Nelson Pope & Voorhis.

**Zoning Board of Appeals –**

**SUEZ Water New York – Project: Ramapo Well #97 GWUDISW Improvements** - The ZBA is in receipt of correspondence from the Planning Board referring SUEZ Water New York to the ZBA for a variance needed for the proposed project. Application to the ZBA has not been filed at this date.

**Planning Board** – Next Meeting: 1/19/17.

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

-The Village Board was in receipt of copies of various correspondence.

**RE: Application filed by Jay Kim to Construct a Single Family Dwelling at 111 Sixth Street (Property Owner: Molinaro)**

The Building/Fire Inspector recommends an escrow account be established to cover reviews/inspections by the Village Engineer.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to require the Applicant, Jay Kim, to establish an escrow account in the amount of \$1,000.00 to cover the Village Engineer’s reviews of the Building Permit Application, and inspections during construction.

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

**Escrow –**

-The Village Board was in receipt of the Status of Escrow Report dated 12/31/16.

The Clerk-Treasurer reported that the required escrow has not been established by Piotr Pitel as of this date.

-Mayor Flanagan stated he will discuss this matter with the Building/Fire Inspector again.

**Senior Citizens** – A meeting of the Seniors was held last night, 1/9/17. Approximately 30 people were in attendance.

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

**12/7/16 Annual Christmas Party** – The party was very nice and was well attended. The pre-registration worked well and will be implemented again next year. Appreciation was extended to the Village Board, Kayla Williams, Mr. & Mrs. Conklin and the USMC Toys for Tots and Mr. Rick Herschner, our beloved Santa.

2017 Summer Camp Program – The Payment Plan Registration will be held on Friday, 1/20/17 from 6:00-7:00PM.

Michelle A. Noel Memorial Scholarship – Applications are now available. Deadline for filing: 2/1/17.

The Youth Center will be closed on Monday, 1/16/17, in observance of Martin Luther King Jr. Day.

Request for Purchases Approved by Village Board

-New Air Hockey Table – Vendor: Pelican Sport Center – Cost: \$899.00.

-Gym Balls – Vendor: S&S – Cost: \$126.98.

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

Request to Declare Non-Working Computers as Surplus

The Village Board approved the disposal of the computers (previously donated), subject to providing the number of computers and their serial numbers.

Hillburn Sewer Rebate Committee – Trustee DeGraw reported one additional rebate has been issued and applications are still being accepted.

2017 Assessment Roll – The workshop meeting of the Board of Assessors scheduled for Thursday, 1/5/17 at 7:00PM was not held. The workshop was rescheduled for Tuesday, 1/17/17 at 4:30PM.

Veterans Exemptions – A total of 6 Applications that are in effect were approved.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Real Property of Aged Persons Exemption – A total of 9 Renewal Applications and 1 New Applications were received and approved.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Full Exemption – Church Properties – A total of 10 Renewal Applications were received and approved.

Lighthouse Worship Center: 7 Applications **Approved**

Brook Presbyterian Church: 2 Applications **Approved**

St. James Mar Thoma Church: 1 Application **Approved**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

New Full Exemption Application – 2 New Full Exemption Applications have been filed by Khal Torah Chaim of Rockland A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to table the applications for exemption filed by Khal Torah Chaim of Rockland for review by the Village Attorney.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

2017 Village Election – Tuesday, March 21, 2017.

Public Comments - None

Application for Use of Community Room –

Applicant: David Farrison / Date: Saturday, February 18, 2017 / Time: 12:noon – 4:00PM / Purpose: Baby Shower

**Approved by Village Board subject to receipt of Certificate of Insurance.**

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

Correspondence – The Village Board acknowledged receipt of copies of correspondence, regular and email.

RE: Increase to Minimum Wage - The Clerk-Treasurer reported that effective 1/1/17, the minimum wage is \$9.70 per hour.

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

A MOTION was made by Trustee DeGraw seconded by Trustee O’Blenis to adjourn the meeting at 8:00PM.

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None