

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, January 24, 2017– 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, January 24, 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. Resident, Rhonda Jennings, led in the Salute to the Flag.

O’Connor & Davies – Village Auditor – The presentation of the audit for y/e 5/31/16 has been postponed to the 2/14/17 meeting due to inclement weather.

Minutes of the 1/10/17 Meeting - Approved by Village Board.

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

Street & Water Commissioners Reports – Approved by Village Board.

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

Police Commissioner’s Report – Mayor Flanagan deferred report until the arrival of a Ramapo Police Officer.

DPW Report – DPW Supt. Thomas Conklin reported:

Highway Superintendents Assoc. of Rockland County – -Annual Membership Fee: \$25.00 - **Approved by Village Board.**

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

-Supt. Conklin will be attending a Luncheon Thursday, 1/26/17.

-**RC Hazard Mitigation Plan - FEMA Mitigation Strategy Workshop** – A workshop is scheduled for 2/16/17 from 10:00AM – 12:00noon at the RC Fire Training Center.

-**Meter Reader – Suez Meter Pit** – A quote for a meter reader is pending.

-**Water Meters**–A number of meter read-outs are failing. New water meters with touch pads are needed. (quotes to be obtained)

-**Stormwater Consortium – Pollution Education for Municipal Employees – Thursday, 1/26/17 – Town of Ramapo** – The DPW Supt. and staff will be attending the class.

-**2014 Truck – Repair of Plow Assembly** – Quote Pending from Traffic Safety & Equipment Co., Inc.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the repair of the plow assembly on the 2014 DPW Truck by Traffic Safety & Equipment Co., Inc., for an amount not to exceed \$500.00.

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

-**CHIPs Program** – Deadline to file report: 2/7/17.

HFD Report – Chief Starr reported:

New HFD Chief’s Vehicle

-Purchase of Cap – 1/19/17 Quote #2016-19320 from York Motors, Inc. - \$4,755.00 (3 Week Delivery).

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the purchase of a cap from York Motors, Inc., as per quote #2016-19320, in the amount of \$4,755.00, to be funded through the 9/1/16 B.A.N. Appropriation.

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

-Chief Starr advised the VIN Number of the new truck will be needed. Attorney Cassidy stated she will follow up on same.

-Quotes for Lighting – Chief Starr reported two quotes will be provided at the next Board meeting.

H.F.D. Drivers – Request to place Joseph Neyen on the Village’s insurance. **Approved by Village Board (subject to approval by Village Insurance Company)**

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

Dinner for Ex-Chief Ed Kelly – Scheduled for February 11, 2017.

-Mutual Aid Coverage will be provided by the Village of Suffern from 4:30PM on 2/11/17 to 12:00pm on 2/12/17.

Request for Purchase – Batteries for Scott Air Packs – Total of 170 “AA” Batteries and 20 9V Batteries. Prices will be obtained from Home Depot and a Purchase Order will be prepared.

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

RBC Wealth Management – Report for 2016 was received.

Village Engineer’s Report – Engineer McCreedy not present.

Mayor Flanagan reported he had spoken to the Village Engineer and he will be attending a future Board meeting.

Community Development Program – 2017 - Public Hearing is scheduled for 7:15PM.

Village Attorney’s Report – Attorney Elizabeth Cassidy reported:

Town of Ramapo: 2017 Agreement – Dog Control Services

Attorney Cassidy stated she had prepared a rider to the Agreement, that includes basic waiver language, “limits the annual total annual fee to the 2015-2016 budgeted amount of \$2,500” and requires the Dog Control Officer to check in with the Village Office when in the Village.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to enter into the 2017 Agreement with the Town of Ramapo for Dog Control Services and to authorize the Mayor to sign the Agreement, with the Rider.

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

Tax Certioraris – (2014, 2015, 2016) – Attorney Cassidy stated she had received an email from Attorney Speno and requested an Executive Session be held after the meeting for Attorney/Client discussion.

Ramapo Police Officer Morgan Tighe arrived at meeting and stated he has been assigned to Hillburn. The Village Board welcomed Officer Tighe to the Village.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to suspend the regular meeting, to hold the scheduled 7:15PM Public Hearing.

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

7:15PM – Public Hearing – 2017 Community Development Program

The Village Clerk-Treasurer read the Notice of Public Hearing that was prepared and publicized by the RC Office of Community Development.

Mayor Flanagan stated that on 11/15/16, the Village Board adopted a Resolution opting out of the Consortium of Rockland County Towns and Villages “Urban County” for the 2017 Community Development Block Grant Funds under the U.S. Housing & Community Development Acts and its amendments; a 2017 CDBG, HOME and ESG Application will not be filed by the Village of Hillburn. The decision was based on the following:

- Recapture/Cancellation of Previous Years’ Grants that were granted to the Village of Hillburn:
 - 2012-13 \$10,000 (Sidewalk Project)
 - 2014 \$48,000 (Youth Center Heating/Cooling Unit)
 - 2015 \$25,000 (After School Program)
- Determination that, in accordance with the revised income threshold, the Village of Hillburn does not qualify for funding. (info. received at 11/3/16 2017 CDBG Application Training meeting)

A certified copy of the 11/15/16 Resolution was supplied to the RC Office of Community Development and the US Dept. of HUD, along with a cover letter.

Hearing was opened for Public Comment.

Tim Williams (31 Sixth St) questioned if the letter included the Village’s reasons for opting out of the 2017 CD Program. -The Village Clerk-Treasurer replied yes and stated it was sent by certified mail with return receipts.

The Village Board extended its thanks to the members of the Community Development Advisory Committee for their service.

With no further comments,

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to close the Public Hearing.

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

The minutes of the Public Hearing will be supplied to the RC Office of Community Development.

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

A Treasurer’s Report at 1/31/17 was supplied to the Village Board.

Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017 – Attorney Cassidy has been in contact with Verizon’s Attorney who stated double-poles will be removed. Contact information will be given to DPW Supt.

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.

Insurance 2016-2017

-**NYS Municipal Worker’s Compensation Alliance** – 1/12/17 Risk Assessment Inspection of Village Municipal Building & Terrace Avenue Garage – The Village is in compliance.

-**2017-2018 Village Insurance (4/15/16 – 4/15/17)** – A discussion was held regarding the Village Board’s option to either: renew the current policy; solicit proposals from various insurance agents; or request the Village’s insurance broker, Seely & Durland, to solicit proposals. Attorney Cassidy was authorized to obtain a recommendation from Seely & Durland.

-**NYS Insurance Fund – Workers’ Compensation Renewal Policy – HFD (3/1/17 – 3/1/18)**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the renewal of the Workers’ Compensation Renewal Policy for the HFD for the period 3/1/17 – 3/1/18)

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

2016 Master Plan Committee

The next meeting of the Committee will be held on 2/11/17 at 10:00AM. Notices have been sent to members.

-Trustee DeGraw will supply the minutes of previous meetings to Parquiris DeLeon, the present Recorder of Minutes.

Zoning Board of Appeals –

SUEZ Water New York – Project: Ramapo Well #97 GWUDISW Improvements – A Joint Public Hearing of the Zoning Board of Appeals and Planning Board will be held on Thursday, February 16, 2017 at 7:00PM

Planning Board – The Village Board was in receipt of minutes from the 12/15/16 meeting.

RE: Beautiful Acres/IWS Transfer Station - Prop. I.D.: 47.14-1-5-1, 2 & 3 (321, 331, 341 Route 17)

1/16/17 Letter Request for Temporary Permit Modification to allow for the limited operation of the IWS Transfer Station on two Sundays (April 9 & 16, 2017) to receive trash from Kiryas Joel via On Time Disposal.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to endorse the Hillburn Planning Board’s 1/19/17 action to deny the request for Temporary Permit Modification, and to require Beautiful Acres/IWS Transfer Station to comply with the hours of operation specified in the Hillburn Planning Board’s 11/17/2005 Stipulation.

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

-RE: NYSBOC Rockland Spring Seminar 2017 (4/18/17 – 4/20/17) – The Building/Fire Inspector has requested authorization to attend the Seminar, at a registration cost of \$275.00. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O’Blenis & DeGraw

Noes: None

Escrow

Piotr Pytel – Prop. ID: 47.18-3-71 – 33 6th St. - Establishment of \$1,000.00 Escrow (Pending) - Unauthorized Dumping of Fill - Mayor Flanagan reported a discussion was held with the Village Engineer and Building/Fire Inspector regarding Mr. Pytel’s request for a decrease in the amount of escrow.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to rescind the 11/15/16 Resolution requiring Piotr Pytel to establish an escrow account in the amount of \$1,000.00 ; and FURTHER, to require Piotr Pytel to establish an escrow account in the amount of \$250.00 to cover the costs for review and inspection by the Village Engineer regarding the unauthorized dumping of fill.

Ayes: Mayor Flanagan & Trustees O’Blenis & DeGraw

Noes: None

TBS Realty Mgmt, LLC – Prop. ID: 847.19-2-2 (201 Rte 59–Bldg. B1) - 7/26/16 Special Permit App. to Planning Bd.

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to authorize the close out of the 8/25/16 escrow account established by TBS Realty Mgmt, LLC, as recommended by the Planning Board, and to return the balance of \$200.00 upon the filing of a certified claim by the Applicant.

Ayes: Mayor Flanagan & Trustees O’Blenis & DeGraw

Noes: None

Senior Citizens – No report

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

-The newly purchased hockey table has been delivered and is being enjoyed by the children.

2017 Summer Camp Program – The Payment Plan Registration was held on 1/20/17. 9 children are registered.

2017 Swim Program – Request for approval of \$125.00 Registration Fee for Children participating in the Swim Program only (increased fee covers the cost of transportation and supervision for the 5 week program). **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O’Blenis & DeGraw

Noes: None

2017 Easter Egg Hunt – Saturday, April 8th at 10:00AM (Rain Date: 4/16/17) **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O’Blenis & DeGraw

Noes: None

Michelle A. Noel Memorial Scholarship – Request to Hold a Fundraiser Bingo at Youth Center – Date: 5/6/17 – Donation: \$10.00 (includes Entry Fee, dinner and One Bingo Card). A \$20.00 wrapped gift is required. Tickets are limited – no tickets will be sold at the door. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O’Blenis & DeGraw

Noes: None

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

2017 Assessment Roll –

New Full Exemption Applications –

2 New Full Exemption Applications filed by Khal Torah Chaim of Rockland (tabled at 1/10/17 Meeting);

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify the following action taken at the 1/17/17 workshop:

47.18-1-10 - Disapproved on the following grounds: Property not in compliance with the Hillburn Village Code as of January 1, 2017, the Taxable Status Date.

47.14-1-8 (Vacant Land) - Disapproved on the following grounds: Property is not being used for a purpose that qualifies as tax exempt under the Real Property Tax Law.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

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

BE IT ENACTED that the Village Board of Assessors (Village Board) adopt the 2016 Town of Ramapo Assessment Roll for the 2017 Village of Hillburn Assessment Roll with the following changes, as set forth in the three (3) categories: (attachments)

- Category I - (Same as '16 Village Assessment)
- Category II - (Changes – New Construction at 1/1/17)
- Category III - (Other Changes)

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

BE IT ENACTED that the 2017 Village Assessment Roll be prepared and be on file in the Office of the Clerk-Treasurer by January 31, 2017; and such roll is to be open for public inspection, during regular office hours, from February 1, 2017 until February 21, 2017 and on Tuesday, February 21, 2017 from 6:00 PM until 9:00 PM, the Village Board of Assessors (the Village Board) will be present for the Hearing of Complaints.

2017 Village Election – Tuesday, March 21, 2017

-The 10/11/16 Notice of Offices to be Filled was amended on 1/13/17 to include the Office of Village Justice for a one (1) Year Term, to complete the unexpired four year term (2014-2018) of Brian D. Nugent (resignation effective 2/12/16). (Jerome S. Jefferson was appointed to serve until April 2017).

-Inspectors of Election – Appointments pending.

HFD Chief Shane Starr stated that although he has contacted TBS Realty's property manager, Danny, to obtain updated maps and to schedule a walk-thru of 201 Route 59 with the HFD members, he has been unsuccessful. He would like to meet with the Planning Board and Building/Fire Inspector to discuss compliance to these requests, as there are HFD members who are unfamiliar with the layout of the building.

Public Comments –

Rich Morales (128 6th Street) questioned the status of the Resolution to oppose the Pilgrim Pipeline.

-Attorney Cassidy stated she will follow up on same.

NYS OSC – Accounting Class - 5/23-25/17 – Town of Wappinger – Registration Fee: \$85.00. Registration Fee and Related Expense for Parquiris DeLeon to attend. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O'Brien & DeGraw

Noes: None

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

-**Ramapo Central School District Superintendent** - 1/17/17 letter inviting Mayor Flanagan to serve on a Task Force of Community Leaders. (Mayor Flanagan stated his work schedule prohibits him from accepting)

-**RC Archives** – Notice that they will soon be offering records storage services for Rockland towns and villages.

-**Vivian DeGroat**, longtime Village resident has advised she will be receiving an award from the NAACP at an event in April 2017 and she would like the Village Officials to attend. An invitation is forthcoming.

-The Village Board expressed interest in attending and in joining the NAACP.

-**Stormwater Consortium Correspondence** – Eve Mancuso of Brooker Engineering, PLLC is the Village's representative.

-**NYCOM Correspondence** – NYCOM's 2016 Summary of Legislation

Application for Use of Community Room –

Applicant: Annmarie Basile-HFD / Date: Sat, 2/18/17 / Time: *3:00PM–12:00AM / Purpose: HFD Wing Night Fundraiser **Approved by Village Board** *(Time Approved: 4:30PM-12:00PM - due to a conflict with a previously approved event)

Ayes: Mayor Flanagan & Trustees O'Brien & DeGraw

Noes: None

2017 Local Government Records Management Improvement Fund Grant (LGRMIF) Application was filed on 1/17/17.

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

RE: (23) 2017 Town of Ramapo Tax Bills – Village Owned Properties: \$5,836.11 – Mayor Flanagan stated he would like to review the possibility of selling properties that are not needed by the Village. Attorney Cassidy will look into process.

February 2017 Meeting Schedule - Two meetings will be held in February: February 14 & 28, 2017

Approved by Village Board.

Ayes: Mayor Flanagan, Trustees O'Brien & DeGraw

Noes: None

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to adjourn the meeting at 8:00PM.

Ayes: Mayor Flanagan, Trustees O'Brien & DeGraw

Noes: None