

VILLAGE OF HILLBURN

Board of Trustees Meeting

Tuesday, January 26, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, January 26, 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. Hillburn resident, Rhonda Jennings, led in the Salute to the Flag.

Minutes of 1/12/16 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 reported he had spoken with a Ramapo Police Officer who stated the Village is quiet. Tickets for overnight parking are being issued.

DPW Report – DPW Supt. Thomas Conklin reported:

Village Hall – Emergency Replacement of Hillburn Municipal Building Meeting Room Exit Door – Add-Ventures has installed the door and will be back to install weather stripping.

12/31/15 Vandalism to 6th Street Gate – Gate has been welded by J. McDade Welding, Inc. who will be submitting an invoice for same.

1/14/16 Water Leak Detection – NY Leak Detection was in the Village on 1/14/16 and detected a potentially large leak approx. 6-7’ deep near Building 6 at Hillburn Industrial (143 Route 59). Estimated daily loss: 20,000 gallons. A repair plan will be coordinated with Village Engineer McCreedy.

1/16-17/16 Snow Storm – Small repairs were made to the equipment following the plowing.

DPW Supt. requested an account be set up at Stateline Diner in Mahwah, NJ.

Comp Alliance – Regional Safety Seminar – 1/27/16 – 8:00AM-12:00noon – Monroe, NY – The Village Clerk confirmed the Mayor and DPW Superintendent have been registered to attend.

CHIPs – Notification of the next cycle has been received.

HFD Report – Chief Kelly not present. Written report was read by Mayor Flanagan.

-New Members – The H.F.D. approved Kamryn MacIntosh as a Junior Member and Robert Cirincione as an Active H.F.D. member.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the H.F.D.’s approval of Kamryn MacIntosh as a Junior H.F.D. member and Robert Cirincione as an Active H.F.D. Member to be placed on the Village’s insurance.

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

-The Village Board acknowledged receipt of correspondence regarding the LOSAP Program.

Village Engineer’s Report – Engineer McCreedy not present

The detected water leak will be discussed with Enginee McCreedy.

Community Development –

2016 CD Program – The RC Community Development Office has scheduled a Public Hearing on the 2016 Program for today, January 26, 2016 at 7:15PM.

-2016 Citizens Advisory Committee – Two meetings have been held and minutes have been provided.

2015 CD Program – Project: “After School Program 2015-2016” – Email correspondence from the RC CD Office was acknowledged stating the voucher submitted will remain pending until compliance to requirements. Failure to comply by February 1st will result in the recapture of the funding award.

Mayor Flanagan stated the Youth Center Director is compiling a letter to be sent to parents stressing the importance of supplying the required information.

-Trustee DeGraw stated she had attended the 1/14/16 Annual CD Program Block Grant Meeting. According to the listing of the average income of Villages that was provided at the meeting, the Village of Hillburn does not meet the income eligibility for funding. This is the second year the CD Program has awarded funding, directed the Village to commence the authorized project, and then retracted the funding.

-The Village Clerk stated breakdown also does not list the Village of Hillburn After School Program 2015-2016 as an open project. Further, the Agreement for this project was duly signed and returned to the RC CD Office by the Village and when it was returned, it contained an attachment regarding income requirements.

-Village Attorney will review matter.

-A discussion was held regarding the Village’s desire to remain a part of the Consortium.

7:15PM

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to suspend the regular meeting in order to hold the duly scheduled Public Hearing regarding the 2016 Community Development Program.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

The Notice of Public Hearing that was duly posted and published by the RC Office of Community Development was read by the Village Clerk.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to open the Public Hearing.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Minutes of the Citizens Advisory Committee meetings held on 12/3/15 and 12/17/15. Projects discussed: Sidewalk Replacement and Street Light Upgrade (LED).

Hearing was opened for public comments.

Rhonda Jennings (54th St.), a member of the 2016 CD Citizens Advisory Committee, agreed with the stated projects.

A discussion was held on the status of 2015 CD Program and whether the Village should go forward with the 2016 CD Program.

-Attorney Cassidy stated past projects were construction in nature and were not subject to the income eligibility requirements. There has also been a change in how income levels are calculated, thus making the Village ineligible as a whole. Future income eligible projects can be submitted for only those participants who meet the criteria.

-Trustee O'Brien stated the income requirement should have been stated prior to the award of the project and expressed her displeasure in how the 2015 CD Project has been handled.

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

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to return to the regular meeting.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to abstain from filing an application for the 2016 Community Development Program.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to file a FOIL Request with the RC Community Development Office for copies of all 2015 Applications and respective Quarterly Reports due February 1, 2016.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

-Consolidated Plan for Rockland County for Years 2015-2019 and Analysis of Impediments to Fair Housing Choice – Mayor Flanagan stated he would like to look into more affordable housing.

Village Attorney's Report – Attorney Cassidy reported:

2016 Dog Control Contract – The Village Clerk-Treasurer advised a fully executed copy of the Agreement has been received from the Town of Ramapo.

2016 Agreement with Town of Ramapo - Ramapo Fire Protection Districts No. 1 and 5 – The Village Clerk-Treasurer reported the fully executed Agreement has not been returned by the Town of Ramapo at this date; however, it was effective January 1, 2016. A call will be placed to the Town of Ramapo.

Master Plan – Attorney Cassidy has received several responses from Planners regarding the RFP (Request for Proposal).

Pilgrim Pipeline Project – Correspondence has been received from other communities expressing their displeasure with the designation of the NYS Thruway Authority and the NYS DEC as Co-Lead Agency for the project.

General Code – Local Law #3, 2015 and Local Law #4, 2015 have been duly filed with the State. A quote for updates to the Village Code will be obtained.

Insurance

Attorney Cassidy reported she had drafted a letter to the Village's existing broker, Warwick Resources, notifying of the Village's decision to change brokers.

Seely & Durland, Inc. had provided drafts of two "Broker of Record Change" letters to be signed by Mayor Flanagan and sent to Selective Insurance Co. and Harford Insurance Co.

-The Village Clerk-Treasurer advised of the notice received from Warwick Resources regarding insurance renewal.

Attorney Cassidy stated it appears to be a computer generated letter.

-State Insurance Fund – Correspondence – Policy Renewal (Firemen) 3/1/16-3/1/17 (Approved by Village Board)

2015 Tax Certioraris – Village Attorney reported:

A.F.K.O.S. – Stipulation being finalized. Resolution will be prepared by the next Village Board meeting.

United Water New York – (The Village Clerk-Treasurer stated documentation of the stipulation is needed).

-Attorney Cassidy stated it is on record with the Court and is complete except for the final paperwork.

-Attorney Cassidy stated that the 2015 Fujita Trust, Hillburn Park and TBS Tax Certioraris will be put on hold until the next budget cycle. This will not prejudice the Village.

Zoning Board of Appeals –

-RE: Appeal filed by Kristian Matthews/Stoneworks Estates - A Public Hearing date is scheduled for 1/28/16. Hearing will be held in the Community Room.

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

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

NYSBOC Rockland Spring 2016 Seminar – April 19-21, 2016 – Inspector Gordon requests authorization to attend - Registration Fee: \$275.00. **Approved by Village Board.**

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

Position of Village Justice

Letter of Resignation – Village Justice Brian D. Nugent

Mayor Flanagan read the 1/25/16 letter from Brian D. Nugent notifying of his resignation from the position of Village Justice, effective 2/12/16. Reason: Acceptance of a partnership position in his law firm.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to accept Brian D. Nugent's letter of resignation from the position of Village Justice, effective 2/12/16.

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

Appointment of Village Justice (2/12/16 – 4/3/17)

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to appoint current Acting Village Justice Jerome Jefferson to the position of Village Justice February 12, 2016 through April 3, 2017.

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

At the end of the appointed term, the procedure for filling the position of Village Justice will be as follows:

- In the March 2017 Election, an election for the Office of Village Justice will be held for a (1) year term ending April 2, 2018.
- In the March 2018 Election, an election for the Office of Village Justice will be held for the (4) Year term ending April 2022.

The appointment of an Acting Village Justice will be made in the near future.

Mayor Flanagan acknowledged the presence of **Ramapo Police Officer Sanchez** at the meeting who reported local traffic concerns are being enforced. Officer Sanchez acknowledged receipt of Mayor Flanagan's email.

-Mayor Flanagan mentioned areas of concern: Speeding on 4th Street in the area of Lake and Rockland Avenues; need for additional patrol in area of 6th Street Gate.

A discussion was on the ongoing issue of vandalism to the 6th St. gate and trespassing on Village property. ATVs are brought via trucks that are parked at the end of 6th Street, the gate is vandalized and ATVs are driven on Village property. The area at the entrance has been designated as a No Parking area; however, the sign has been removed.

Officer Sanchez recommended painting the roadway with No Parking and then the Ramapo Police can enforce the law by having the parked vehicles towed.

-Attorney Cassidy recommended adopting a Resolution to re-designate the area as No Parking.

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

BE IT RESOLVED that the area of Sixth Street, from the driveway of 179 Sixth Street to the Reservoir Gate be designated as a No Parking zone.

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

Escrow Accounts – Village Clerk-Treasurer reported:

-RE: United Water New York – Building Permit #040215 –

-Bond - As authorized at the 1/12/16 Board meeting, the Bond was released to United Water New York.

-Escrow Established 10/30/14 (Floodplain Dev. Permit) & 4/01/15 (Bldg. Permit Reviews/Prep) – As authorized at the 1/12/16 Board meeting, a refund to United Water of the escrow balance, in the amount of \$23.74, will be made upon the filing of a claim.

2016 Village Election – March 15, 2016 –

-Appointment of Inspectors of Election –

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to appoint the following Inspectors for the 2016 Village Election: Helen Peterson, Patricia Van Dunk, Laurie Gage and Vivian DeGroat.

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

At this date, there are no nominations for the 2016 Election.

Senior Citizens – Trustee Eleanor DeGraw (Senior Citizens Liaison) reported:

One meeting held in January and February.

-An Executive Session of Senior Citizens Organization Officers was held on 1/25/16.

Recreation – Trustee O’Blenis read the written Report.

Youth Center Extended Hours:

Winter Recess – 2/16-18/16 (12:00noon-5:00pm) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Superintendent’s Conference – 3/11/16 (9:00AM – 5:00PM) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

2016 Summer Camp Program

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

Regular Registration will be held as follows: Residents: Friday, 3/4/16 (6:00PM-8:00PM) and Saturday, 3/5/16 (10:00am-12:00pm); Non-Residents: Saturday, 3/12/16 (10:00am-12:00noon).

-Two Camp Brochures were submitted for approval. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

2016 Swim Program –

Village’s Share of Registration – Village Residents Only: \$15.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-RE: Participants of the Swim Program Only – Parents of children who are not enrolled in the Summer Camp Program only pay a registration fee for the Swim Program that is paid directly to the Town of Ramapo. A discussion was held on the need to impose a separate fee for the supervision provided by the Hillburn Recreation Department.

Upcoming Events:

Breakfast with the Easter Bunny – 3/19/16. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Annual Easter Egg Hunt – 3/26/16. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Ink is needed for the Brother printer (black & color) (The Village Clerk-Treasurer reported it is on order)

2016 Assessment Roll – A Summary Report of the Tentative Assessment Roll @ 1/26/16 was provided to the Board.

Tentative Roll will be filed 1/31/16.

Grievance Night will be held on Tuesday, February 16, 2016 from 6:00PM-9:00PM.

Hillburn Sewer Rebate Committee - Trustee DeGraw reported at this date, \$175,000 has been distributed in rebates. Sewer rebate applications are still being accepted. At present, there are 10 applications on file pending refund.

Public Comments –

Wilma Powell (68 5th Street) questioned when the State will be restriping Route 17 in the area of Mt. Fuji. The current condition of the striping is confusing to motorists who think it is a two-lane highway (old markings are still visible. (matter to be followed up)

Frank Lazceras (39A 7th Street) stated his concern regarding the youth at 275 Route 17 (A.F.K.O.S.). He has had experiences where the youth pretend to jump into the roadway in front of his car; as well as having a traffic cone thrown at his vehicle.

-Mayor Flanagan stated he has been approached by a resident who has also had a traffic cone thrown at his car.

-Police Officer Sanchez stressed the importance of reporting all incidents, no matter how small, to the Police Department so that a record can be kept.

Requests for Use of Village Property

Hillburn Ladies Auxiliary – Request for Temporary Road Closure - Location: 5th St. (Mountain Avenue to Lake Avenue) 8:00AM-4:00PM for Annual Block Sale **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Hillburn Ladies Auxiliary – Use of Community Room - Mon, 1/25/16 – 7:00PM-RC Ladies Auxiliary Meeting - **Ratified**

Hillburn Scholarship Com. – Use of Community Room - Wed., 1/27/16 – 7:00PM – Committee Meeting – **Approved**

Steven Starrantino – Use of Community Room - Sunday, 4/24/16 – 8:00AM-5:00PM - Purpose: Online Auction – **Approved** subject to receipt of rental fee of \$150.00 (insurance documents submitted).

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Robin Miele – Request for Refund of Rental Fee of \$150.00 – Approved Use of Community Room – Event Cancelled (Snow) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Jamie Van Dunk – Partial Application - Use of Youth Center – Saturday, 2/6/16 – 3:00PM-6:00PM. Incomplete - No Action Taken – Memorandum of Understanding not filed.

Correspondence included:

-NYCOM – Winter Session

NYS DEC – Arbor Day Grant – Application due by 2/11/16. **Approved for filing by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-NYS Senator David Carlucci – Legislative Grant Application – Application due by 2/5/16. Proposed Project: Fire Hydrant Repair/Replacement. **Approved for filing by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Township of Mahwah – Notice of Ordinance no. 1774.

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

-NY Leak Detection – Invoice in the amount of \$1,750.00 (Approved subject to Mayor Flanagan speaking with DPW Supt.)

-BOND Shoeneck & King – (5) Bills totaling \$847.00 (Approved)

Firematic Supply Co., Inc.– Invoice in the amount of \$781.25 (Referred to H.F.D. Chief)

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn the meeting at 8:34PM.

Ayes Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None