

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, July 12, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, July 12, 2016, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Bonnie R. O’Blenis, Deputy Mayor
Eleanor J. DeGraw, Trustee
Jessica Mahoney, Village Attorney Representative
Thomas M. Conklin, DPW Supt.

ABSENT: Craig M. Flanagan Jr., Mayor
(work related)

RECORDER OF MINUTES: Mary Boone, Clerk-Treasurer

Meeting was called to order by the Hon. Deputy Mayor Bonnie O’Blenis. DPW Supt. Thomas Conklin led in the Salute to the Flag.

Municipal Audit Services, LLC (“MUNI”) - (Proposal/Agreements – RE: Utility Tax Receipts, Cable TV Receipts)

Representative President: Joseph J. Messina, Managing Director.

-Village Clerk-Treasurer Mary Boone stated that, in accordance with the Hillburn Village Code, every utility providing services in the Village is required to remit a 1% Gross Receipts Tax. There is a need for this auditing service as no back-up data is supplied with payments and this related audit is not done by the Village’s Municipal Auditors.

Mr. Messina addressed the Village Board and gave an overview of the services provided by my “MUNI”, a consulting company specializing in tax compliance and recovery of tax revenues paid by telecommunication service providers and utility companies in the form of gross receipts taxes and franchise fees.

-In addition to auditing payments currently being received by municipalities, MUNI researches to ensure all companies are filing the required Return by Utilities of Tax on Gross Income

-MUNI reviews the Tax Returns filed and asks the companies to provide back-up data. (the Village of Hillburn would be requested to issue a Letter of Agency to give his firm authorization to act on the Village’s behalf to request information and obtain data. The Letter of Agency will be prepared by MUNI and supplied to the Village Clerk for signature.)

-Audit Objectives: To ensure all revenue is included in the returns, including late payment fees, surcharges, etc. MUNI will file claims for any monies owed and make sure the vendors remit any amounts due.

-MUNI fees are 45% of any amounts initially reclaimed and 25% of annual increases received by the Village for a period of two years. If no amounts are found to be owing to the Village; there is no charge.

The Village Board thanked Mr. Messina for his presentation. Mr. Messina left meeting.

Police Commissioner’s Report

-Ramapo Police Officer Caro stated the Village has been quiet - No further complaints regarding bicyclists on sidewalks.

-Trustee O’Blenis requested attention be given to cars being parked on Village sidewalks.

-Officer Caro stated he is monitoring the parking of attendees at the Ramapo Central School District this evening.

6/28/16 Meeting Minutes – Tabled until arrival of Mayor Flanagan. (Trustee DeGraw was absent from 6/28/16 meeting)

Street & Water Commissioners Reports – Approved by Village Board.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw

Noes: None

DPW Report – DPW Supt. Thomas Conklin reported:

RE: 6/14/16 Proposal from Dutchess Overhead Door - Repair to Overhead Door - H.F.D. Bay – **Remains Tabled**

RE: Sewer hook-up at the H.F.D./Community Room Building – The RC Sewer District has advised that the pump will be obtained in the next few days and should be installed prior to the next Village Board meeting.

RE: 2004 Ford F-350 – As authorized on 6/28/16, (4) tires were purchased from Eastern State Tires and installed.

RE: Removal of Tree on 4th Street and Rockland Avenue – Perfect Cut has re-scheduled the removal of the tree to 7/14/16.

RE: 2008 Ford – Quotes for lining of truck bed will be obtained.

RE: Dead Tree Limb – Area of Youth Center – Limb will be removed with the use of the Village of Suffern’s bucket truck.

HFD Report – Chief Shane Starr not present – no report.

Village Engineer’s Report – Engineer McCreedy not present.

Unsafe Structure 53 6th Street – Inspection Report is still pending.

Community Development – 2015 CD Program – Project: “After School Program 2015-2016” – No further action.

-The RC CD Office supplied a Notice of Public Hearing -July 25, 2016, 4:30PM – RE: 2016 Annual Action Plan. Notice has been posted.

Village Attorney’s Report – Attorney Jessica Mahoney reported:

RE: Regulation of Bicycle Use on Village Sidewalks and Streets – Attorney Mahoney provided a 7/5/16 memo to the Village Board.

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 – Attorney Mahoney reported a Motion to Dismiss has been filed on behalf of the Village of Hillburn; and a response motion opposing same was filed by Stonework Estates. A response to Stoneworks motion is being prepared.

Verizon 10 Year Special Franchise Agreement – Expiration Date: October 2017 – Attorney Mahoney reported the meeting date with Verizon is still being coordinated.

Bond Resolution Authorizing Various Capital Improvements (Tabled until arrival of Mayor Flanagan)

Insurance 2016-2017 – Selective will make an inspection of Village owned buildings tomorrow morning at 9:00AM.

-The Commercial Policy Information Page Schedule (effective June 14, 2016) supplied by Selective, was referred to the Village Attorney for review.

RE: 2016-2017 LGRMIF Application – Filed on 3/14/16. No response as of this date.

Tax Certioraris – (2014, 2015, 2016) – 6/30/16 Claims filed by Special Legal Counsel -Rebecca Speno – \$801.57 (Total).

A MOTION was made by Trustee DeGraw and seconded by Deputy Mayor O’Blenis to approve the 6/30/16

Claim for the following four invoices: Invoice #31	General Assessment Work/Postage:	51.57
Invoice #32	Fujita Truck	250.00
Invoice #33	Hillburn Park Corp.	250.00
Invoice #34	TBS Realty Mgmt	<u>250.00</u>
		<u>801.57</u>

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

Zoning Board of Appeals – No report.

Planning Board – Next Meeting: 7/21/16.

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

The Village Board acknowledged receipt of copies of correspondence.

-Attorney Mahoney reported she had received an email from Inspector Gordon stating that the loading dock at 201 Route 59 has been removed and they will be repaving.

-Trustee DeGraw reported it appears a new loading dock is being constructed.

Escrow Accounts – The written Escrow Report for month ending 6/30/16 was submitted by the Village Clerk-Treasurer. (reported at 6/28/16 meeting)

Senior Citizens –

Trustee DeGraw reported a meeting was held last night. The next meeting will be held in August.

The Seniors will be taking a trip to Lake Hopatcong, NJ on 7/18/16 (Annual Picnic)

-An Open House is being scheduled for Hillburn to recruit residents interested in joining the Senior Citizens Organization.

-Meals on Wheels will be holding a Hillburn Seniors Club Open House on 7/22/16 at the Ramapo Senior Activity Center.

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

2016 Summer Camp & Swim Program

-The 7/6/16 Pre-inspection/Meeting was held at the Rockland County Health Department - everything is basically in order. (The Village Clerk-Treasurer advised a written report had been received)

-Camp began on Monday, 7/11/16. All is going well.

-H.F.D. Chief Starr and H.F.D. member Justin Galfo visited the Camp today. They spoke to the children regarding fire safety and conducted a fire drill. They did not bring the fire truck – hopefully they can bring it at another time.

-RE: 8/10/16 Trip to Playland Park – Request for Pre-Payment in order to receive Tickets in Advance. (50 Tickets at \$20.00 = \$1,000.00). **Approved by Village Board.**

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

2016-2017 After School Program – Proposed Fees: \$325.00 for Residents and \$425 for Non-Residents; with a \$25.00 discount for siblings. Registration to be held while Camp is still in session. **Approved by Village Board.**

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw
Noes: None

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

Public Comments

Nevaeh Torres (54 5th St) stated the pond is very dirty and smells. She is worried about mosquitoes.

Camella Magano (25 Hickory Ave) stated she is worried about the turtles that live in the pond.

-Deputy Mayor O’Blenis stated the Village is addressing the problems. (DPW Conklin stated the trash has been removed and Princeton Hydro treated the pond last Thursday. It will take some time to work. Discussions have been held regarding fixing the walls in order to retain water)

Chevron Torres (54 5th St) questioned if a Public Hearing would be held prior to adopting a Local Law regulating bicycle use on Village sidewalks and streets.

-Attorney Mahoney replied yes.

Timothy Williams (31 6th St) advised the Village Board that he had received a postcard regarding selling his house.

-Trustee DeGraw stated the Village of Airmont had recently adopted a “No Knock Law” to deal with unrequested solicitations for residents to sell their home.

-The Village Clerk-Treasurer stated the Village of Hillburn Code includes a local law pertaining to peddling & soliciting.

Wilma Powell (68 5th St) questioned if the Village has considered implementing a payment installment plan for Village taxes. The Town/County taxes can be paid in installments and it is very helpful.

-The Village Board requested Attorney Mahoney to look into this matter.

Chevron Torres reported that on 7/5/16 at approx. 12:00AM, she heard what sounded like a back-hoe digging and people talking coming from the direction of ConServ.

-Deputy Mayor O’Blenis stated the matter would be referred to the Building/Fire Inspector and stated the need to call the Ramapo Police to document the incident. (**Mrs. Torres** stated she did call the police anonymously)

Application for Use of Community Room

Applicant: Hillburn Ladies Auxiliary / Date/Time: July 19 & 20, 2016 / 7:00PM Purpose: Meetings (**Approved**)

- Correspondence** – The Village Board acknowledged receipt of copies of correspondence, regular and email, including:
- NYS Dept. of State – RE: 7/21/16 Webinar – Topic: A “How-To” Guide to Shared Services.
 - General Code – RE: eCode360 Enhancements. (The link to view the Village Code online has been placed on the Village’s Website)
 - RC Cooperative Extension – 6/21/16 Stormwater Consortium meeting minutes.
 - Verizon – Notice of Changes to FIOS TV programming effective on or after 10/1/16.
 - SUEZ New York – Municipal Newsletter (includes Rate Case Update: PSC Conducts Public Hearings)
 - NYS Public Service Commission – Notice Seeking Comments – RE: Petition of CTIA – The Wireless Association for the Commission to Update and Clarify Wireless Pole Attachment Protections.
 - Town of Ramapo Public Information Coordinator – RE: Flyer - Ramapo Summer Concert Series.

NYS Homeland Security & Emergency Services Grant – LM#151643– Pending \$8,500 Grant for H.F.D. Equipment - H.F.D. Chief Starr submitted a 6/28/16 quote from MES for the purchase of (18) sets of Bail-Out Gear – Total Amount: \$8,499.42.

A MOTION was made by Trustee DeGraw and seconded by Deputy Mayor O’Blenis to accept the 6/28/16 quote from MES for the purchase of (18) sets of Bail-Out Gear at the total cost of \$8,499.42, and FURTHER, upon payment of the expenditure, a claim for reimbursement will be filed with the NYS Homeland Security & Emergency Services, as set forth in the grant procedure.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw

Noes: None

SAM 7063 Hillburn HVAC Grant – The Village Clerk-Treasurer read the 7/12/16 email from the DASNY Grants Administration advising that the grant is undergoing a financial review and awaiting bond counsel approval; and stating that although the grant programs do not impose a specific process, the DASNY encourages Grantees to seek bids from a number of vendors.

-A discussion was held on the bids received in 2014. Said bids were rejected/returned when the RC Community Development Office withdrew the 2014 CD Grant Award.

-Attorney Mahoney stated that due to the bids were received two years ago; the Village may have to rebid the project.

A MOTION was made by Trustee DeGraw and seconded by Deputy Mayor O’Blenis that a legal opinion be obtained from the Village Attorney.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw

Noes: None

Quarterly Payroll

Trustee DeGraw stated she had spoken with Mayor Flanagan regarding the change of the Village Board’s payroll period from a quarterly basis to monthly basis. Matter was tabled.

Bond Resolution Authorizing Various Capital Improvements

Deputy Mayor Bonnie R. O’Blenis offered the following resolution and moved its adoption:

(The full content of the Bond Resolution was read aloud by Deputy Mayor O’Blenis and Trustee DeGraw – copy attached)

BOND RESOLUTION OF THE VILLAGE OF HILLBURN, NEW YORK, ADOPTED JULY 12, 2016, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$205,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF \$10,000 FROM THE EQUIPMENT RESERVE FUND TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE VILLAGE IN THE PRINCIPAL AMOUNT OF \$195,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

AYES: Bonnie R. O’Blenis, Deputy Mayor
Eleanor J. DeGraw, Trustee

NOES: None

ABSENT: Craig M. Flanagan, Jr., Mayor

The resolution was declared adopted.

A summary of the Resolution will be published in the Journal News and posted.

Personnel

Ernest S. Buonocort has signed his Oath of Office for the position of Acting Village Justice.

Municipal Audit Services, LLC (“MUNI”) - (Proposal/Agreements – RE: Utility Tax Receipts, Cable TV Receipts)

A MOTION was made by Trustee DeGraw and seconded by Deputy Mayor O’Blenis to approve the proposal submitted by Municipal Audit Services and the Mayor was authorized to sign the two Agreements (one in reference to Utility Tax, one in reference to Cable TV)

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw

Noes: None

Dwaine Perry – Request to Purchase Village Property – Mr. Perry requested a meeting with Village Board

(A meeting was scheduled for 6:00PM on Tuesday, 8/16/16)

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

A MOTION was made by Trustee DeGraw and seconded by Deputy Mayor O’Blenis to adjourn the meeting at 8:15PM.

Ayes: Deputy Mayor O’Blenis & Trustee DeGraw

Noes: None