

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, June 20, 2017 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, June 20, 2017, 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
Elizabeth K. Cassidy, Village Attorney
Thomas M. Conklin, DPW Supt.
Mary M. Boone, Clerk-Treasurer

RECORDER OF MINUTES: Robin Miele, Asst. Clerk-Treasurer

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Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Chad Glinsky led the Salute to the Flag.

Minutes of the 6/6/17 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 DeGraw & O’Blenis
Noes: None

Police Commissioner’s Report – Deferred until the arrival of a Police Officer.

DPW Report – DPW Supt. Thomas Conklin reported:

RE: Water Meter Testing - Notification has been received from SUEZ Water New York that they will be testing the meter on Route 17 on Friday, 6/23/17. Although it is not expected to affect any water service, notices have been prepared for distribution to the property owners on the west side of Route 17.

-Water Meter Reader – PO #1656 – Vendor: HD Supply Waterworks - Invoice #G796161, in the amount of \$3,057.40. SUEZ Water New York is unable to connect the water meter reader to their network.

-The Village Clerk-Treasurer confirmed that the check is still being held.

IT WAS RESOLVED by the Village Board:

- That the equipment be returned to HD Supply Waterworks
- PO #1056, in the amount of \$3,057.40, be voided and
- No payment be made.

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

Fallen Tree – 7th Street – DPW Supt. stated that the tree had fallen in an area that is typically used as a parking area (across from 32 7th Street). The tree has been moved off the road and will be removed tomorrow.

-Mayor Flanagan stated installation of a guardrail will be considered to prevent cars being parked there.

Striping of Fire Lane on old 4th Street (area of 201 Route 59) – Supt. Conklin stated the area will be cleaned by the DPW on Friday, 6/23/17 and the authorized striping will be done over the weekend.

Youth Center Air Conditioning – Repair is needed - service by Design Air is scheduled for tomorrow, 6/21/17.

Repair of Back-Hoe – Throttle is sticking and is in need of repair. A quote will be obtained.

5th St Salt Shed Building – Dutchess Overhead Door will be providing a new quote for a wider door.

7th St. Drain Pipe Project (Area of 32 7th St.) – The contractor, DeSimone & Sons, has placed pipe and sand bags on site. Start date of 7/10/17 will be confirmed and a pre-construction conference will be scheduled.

NYS Department of Labor – Notice of Violation and Order to Comply – Terrace Ave DPW Garage – Violation: Eyewash Station (Deadline Date to be Abated: 7/25/17) Supt. Conklin stated the eyewash station installed and approved by the NYS Dept. of Labor a few years ago is no longer acceptable. A quote will be provided at the next Village Board meeting.

Municipal Building – 6/13/17A/C Unit Replacement – E.B. Design Air

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify the emergency replacement of an A/C Unit for the Municipal Building by E.B. Design Air, and payment of Invoice #1-139166, in the amount of \$3,760.00.

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

HFD Report – Chief Starr reported:

Requests for Purchases:

- (3) Pagers – Vendor: Goosetown Communications – Quote: \$2,019.00 – **Approved by Board**
- (2) Sets of Turn-Out Gear – Vendor: First Due Fire Equip. – Quote: \$5,548.12 – **Tabled by Board**

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

Lettering of the New 2017 Chief's Truck – Scheduled to be done this weekend.

Mutual Aid – The H.F.D. has been participating in Mutual Aid training with Departments 7, 15, 19, 20, and Mahwah co2. A drill is scheduled with Tallman F.D. tomorrow at their department. Plans are being made to hold a Mutual Aid Drill in Hillburn to include all 5 companies – location being determined.

RE: 6/1/17 Correspondence received from MES – RE: Flow Testing of Scott Air-Paks – Chief Starr advised that the testing will be scheduled in 2018.

RE: Penflex, Inc. – The Village Board acknowledged receipt of the Executive Summary and participant statements as of 12/31/16. The minimum contribution due in 2017 is \$37,722.

RE: Invoice #17-0357 (Misc. Annual Fees) - \$1,192.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brienis

Noes: None

NYS Department of Labor – The required Workplace Violence Training session is scheduled for Monday, 6/26/17 at 1:00PM at Village Hall and will be conducted by Attorney Cassidy. (-Chief Starr advised that the H.F.D. had attended the Workplace Violence Training that was held at the RC Fire Training Center. Information to be provided)

O & R – RE: NY Public Service Commission Case 16-E-0226; O & R's Add' l LED Street Lighting Options

Available to Municipalities – Mayor Flanagan stated the Village would be entitled to upgrade 10 street lights at no cost and recommended upgrading the street lights on 4th Street, from the Thruway bridge to Mountain Avenue.

-Attorney Cassidy stated she had reviewed the Agreement and it is acceptable in form.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brienis to enter into the Agreement with O & R Utilities to participate in the Two Percent System Threshold option, and FURTHER, Mayor Flanagan was authorized to sign said Agreement.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brienis

Noes: None

Village Engineer's Report – Engineer McCreedy not present.

SAM Grant - Village of Hillburn #7063 – HVAC System for Youth Center – Mayor Flanagan reported he had spoken with Engineer McCreedy who advised the Bid Package will be provided early next week – Pending: Receipt of NYS Prevailing Wage Rates.

-The Village Clerk-Treasurer questioned the Village Attorney if she will be preparing the Notice to Bidders. Attorney Cassidy stated the Notice to Bidders is a part of the Village Engineer's Bid Package and she will coordinate with Engineer McCreedy.

Opening of Bids was scheduled for Tuesday, July 18, 2017 – 7:15PM.

6/14/17 Proposal for Engineering Services (6/1/17 – 5/13/18)

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brienis to accept the proposal for Engineering Services for the period from 6/1/17 to 5/31/18, and FURTHER, Mayor Flanagan was authorized to sign the proposal.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brienis

Noes: None

2017 MS-4 Report (Received 6/14/17)

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brienis to accept the 2017 MS4 Annual Report, as prepared and filed by Eve Mancuso, P.E. of Brooker Engineering. Report is available for public review.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brienis

Noes: None

Village Attorney's Report – Attorney Cassidy reported:

RE: Climate Smart Communities – Tabled for further review.

RC Board of Elections– RE: Request for Use of Hillburn Community Room: 9/12/17 (Local Primary) and 11/7/17 (General Election) - In response to the 4/28/17 letter from Village of Hillburn advising of required fees for use of the Community Room (rental and personnel services), a 6/7/17 email was received from Thomas Simeti, Principal Asst. County Attorney, advising that no rent is to be paid to the Village for use of a facility as a polling place; however, custodial expenses can be charged. The email included an attachment from the State Comptroller's Office, citing an opinion dated 10/28/1980, and stating a caveat that the opinion may no longer represent those views in the event there have been subsequent court cases or statutory amendments.

-The Village Clerk-Treasurer advised that the Village of Hillburn pays the County of Rockland over \$1,000.00 for rental of equipment and for personnel support for its Village Elections.

-The Village Board concurred that expenses incurred by the Village for the County's use of the Community Room should be charged to the County and requested Attorney Cassidy to follow up on this matter.

Village of Hillburn v. Losner – Attorney Cassidy reported she and the Building/Fire Inspector will be attending a Hearing, scheduled by the Judge, on 7/20/17.

Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017 – A meeting with Verizon representatives will be held prior to either the July 18th or August 22nd Board Meetings.

Community Development - Membership in the Consortium for FY 2018, FY 2019 and FY 2020

-A discussion was held on the RC CD Office's requirement that a Resolution be approved by the Village Board in order to remain in the Consortium.

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

WHEREAS, the Community Development Cooperation Agreement between the County of Rockland and the municipality expires with the 2017 Program year, and

WHEREAS, in order for the County of Rockland to apply for Community Development funds as an Urban County, three year Cooperation Agreements for the Programs Years 2018, 2019 and 2020 must be executed;

NOW, IT IS THEREFORE resolved this 20th day of June 2017 that the Village of Hillburn hereby accepts the Cooperation Agreement submitted by the County of Rockland for Community Development Program Years 2018, 2019 and 2020 and be it further;

RESOLVED, that the municipal counsel has determined that the Cooperation Agreement complies with State, Town and Village Law and be it further;

RESOLVED, that the Chief Executive Officer of the Village of Hillburn is hereby authorized to execute said agreement and to take all steps necessary to implement this Resolution.

Members Voting Aye: Craig M. Flanagan, Jr., Mayor
Eleanor J. DeGraw, Trustee
Bonnie R. O'Brien, Trustee

Nay: None

RESOLUTION was unanimously adopted.

Resolution and signed Agreement are to be mailed to the RC community Development Office on 6/21/17.

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

A Financial Report as of 6/20/17 was supplied by the Village Treasurer.

DPW Tractor – DPW Supt. Conklin stated he has obtained quotes. Additional funding is needed.

Surplus Equipment A list of equipment that is no longer needed will be supplied to the Village Board to be declared as surplus.

Ramapo Police Officer Morgan Tighe arrived at meeting and reported the Village is quiet.

RE: Use of Terrace Avenue as a Thoroughfare – Officer Tighe stated motorists are being directed onto Terrace Avenue by their GPS to gain access to Route 17 and recommended the "No Thru Traffic" sign be placed on Route 59.

-Mayor Flanagan stated that consideration has been given to closing the Suffern Road entrance to Route 17.

RE: Overweight Vehicles on Railroad Bridge – Mayor Flanagan stated the 5 ton weight limit is being violated.

Officer Tighe stated that the 5 Ton Limit sign should be posted on Route 59 as well. Motorists are already on the bridge by the time they see the sign.

(The NYS DOT will be contacted for authorization to place signs along Route 59, a state-owned roadway)

RE: Trucks Parking on Route 17 – Supt. Conklin stated that trucks are again parking on Route 17, under the Thruway overpass. NYS DOT was requested to post signs and has not.

Officer Tighe stated signs are needed. Mayor Flanagan directed the DPW Supt. to follow up with having No Parking signs posted.

-HFD Chief Starr stated the need for lighting under the overpass. Mayor Flanagan stated the NYS Thruway is responsible.

RE: Speeding – A discussion was held on the best location for Police Officers to park to witness speeding.

-H.F.D. Chief Starr suggested lowering of the speed limit throughout the Village.

RE: Parking on Boulder Avenue – Trustee O'Brien stated vehicles parked on both sides of roadway blocks access/egress. Mayor Flanagan stated an inspection will be made and necessary signs will be posted.

NYS Deferred Compensation Plan (6/5/17 Correspondence)

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien authorizing the Mayor to sign a request for the Village of Hillburn to be supplied with additional information regarding the NYS State Deferred Compensation Plan, a State sponsored voluntary retirement savings plan.

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

Tax Certioraris – (2014, 2015, 2016) – Attorney Cassidy requested an Attorney/Client session be held after the meeting.

2017 Final Assessment Roll

Petitions filed by Fujita Trust, Hillburn Industrial Park and TBS Realty. Matters to be discussed in Attorney/Client session following meeting.

2016 Master Plan Committee –

Committee Secretary, Parquiris DeLeon, reported that the meeting scheduled for 6/17/17 had been cancelled – Reason: Lack of Quorum – Four members in attendance. -Scheduling of next meeting remains pending.

-Committee Member Carolyn Hairston informed those present she is relocating and this would be her last meeting.

-The Clerk-Treasurer questioned the need for a quorum for committee meetings. Attorney Cassidy confirmed that the meeting could have been held, as committee meetings are not subject to the Open Meetings Law.

-Committee Member Tim Williams reported that the Village Planner, Bonnie Francin, would be sending emails to the Committee through "Survey Monkey" for review.

Zoning Board of Appeals –

The ZBA Clerk reported there are no pending applications before the ZBA.

-ZBA Chairperson Carolyn Hairston has advised she will be resigning from the ZBA, effective 6/30/17. A formal letter of resignation will be requested.

Planning Board – Next Meeting:**Recommended Escrows to cover professional reviews**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to require the following applicants to establish escrow accounts, as recommended by the Hillburn Planning Board:

Leonard Gluck – Prop. I.D.: 47.18-2-50 (23 Chestnut Ave) 1/27/17 *Site Plan Application to Hillburn Planning Board (*6/2/17 Site Plan Filed -6/16/17) Amount of Escrow recommended: \$850.00

Yehuda Levi -Property Owner: 345 Route 17, LLC Property I.D.: 47.14-1-2 and 3 – 345 Route 17 5/18/17 Site Plan Application to Hillburn Planning Board Amount of Escrow recommended: \$1,325.00

Lisa Jennings - Property I.D.: 47.18-1-15 and 16 (120 Sixth Street) 6/9/17 Subdivision Application to Hillburn Planning Board Amount of Escrow recommended: \$1,325.00

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Attorney Cassidy made mention of the fee schedule that reflects escrow fees.

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

-The Village Board was in receipt of correspondence from the Building/Fire Inspector.

Escrow

Status of Escrow Accounts Report @ 6/20/17 - The Village Board acknowledged receipt of the report as prepared and supplied by the Village Clerk-Treasurer.

-Escrows Pending Establishment: McIntosh, Robert, TBS Realty Mgmt, LLC, Realty Mgmt/Hillburn Park Corp.

Senior Citizens – A meeting of the Senior Citizens Organization was held on 6/19/17.**Recreation** – A written Report was read by Trustee O’Blenis.

2016-2017 After School Program – Youth Center Hours for the last week of the program: Monday – Thursday: 12:00noon–5:00PM and Friday: 11:30AM-5:30PM (Pizza Party)

2017 Summer Camp & Swim Program – Registration is full.

-Orientation for Camp Counselors was held on 6/16/17.

-Recreation staff will be working the last week of June to finish Camp Program preparations.

-Rockland County Pre-Inspection is scheduled 6/29/17 at 10:00AM.

-A request was made for the Youth Center to be cleaned for Camp.

-A request was made for H.F.D. Chief Shane Starr to conduct a fire drill on the first day of Camp to fulfill the requirements of Rockland County. Chief Starr stated he will perform the drill. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-2017-2018 Camp & Swim Program Packet was submitted to the Village Board. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Hillburn Sewer Rebate Committee – Trustee DeGraw reported two rebates had been recently processed. Applications are still being accepted.

2017 Hillburn Day – Sat. 7/29/17 (Rain Date: 7/30/17) -Committee Co-Chairperson Beverly Flanagan not present.

RE: Placement of Trash at Curbside – Amendment to Attorney Mahoney’s report 6/6/17 Report – Attorney Mahoney had cited only a portion of the Local Law that states bulk trash can be placed a curbside the weekend before the scheduled pick-up. The complete text, that includes the requirements for household garbage, was read aloud by Mayor Flanagan: “§ 184-10 - Placement of waste for collection. All receptacles and other waste material and trash shall be placed at the curb for collection. In the case of household garbage, said receptacles shall not be placed at the curb any earlier than the evening before the scheduled pickup. In the case of trash, the same shall not be placed at the curb earlier than the weekend before the scheduled pickup. Within 24 hours of pickup, all receptacles shall be removed from the curb.”

Public Comments

Chad Glinsky (38 5th Street) stated the Village looks great and complimented the DPW for their hard work.

-In regards to clean-up of contaminated dirt, Mr. Glinsky alleged contaminated dirt was also dumped in the area between the exit and entrance from the NYS Thruway to Route 59. (Mayor Flanagan stated he would bring up the matter at the next meeting of the RC Sewer Commission)

Timothy Williams (31 Sixth Street) stated his complaint regarding smoke coming into his home from neighboring residents burning wood, leaves, etc.

-H.F.D. Chief Starr recommended the fire department be called.

SAM Grant - Village of Hillburn #7063 – HVAC System for Youth Center –

As reported under the Village Engineer’s report, Opening of Bids is scheduled for 7/18/17 at 7:15PM.

2017 Local Government Records Management Improvement Fund Grant (LGRMIF) – Grant Award: \$28,631.00 - Final approval is still pending from the New York State Archives Grants Administration Unit.

Pilgrim Pipeline – The Resolution adopted on 6/6/17 was distributed to the respective Officials.

NYS Department of Civil Service – Empire Plan Quarterly Experience Report and 2018 projected premium rates.

6/17/17 Hillburn Community Scholarship Award Ceremony – Deputy Mayor DeGraw reported she had attended the ceremony. Ceremony was in honor of the 1992 Village Board - Mayor: Brian L. Miele, Trustees: Dennis Connington and David K. Farrison. The two Scholarship recipients were Nicholas Torino and Gabriella Caccamo.

Application for Use of Community Room

Bonni O’Blenis - Dates: Saturdays, July 15, Aug. 19, Sept. 16, Oct. 21 & Nov. 18, 2017 / Time: 10:00AM – 3:00PM
Purpose: Language Classes - **Approved by Village Board.**

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

Action Form - RE: Poison Ivy on Property Owned by St. James Mar Thoma Church (41 Fourth Street) – Complaint was referred to the Building/Fire Inspector who is following up on same (Letter sent).

Correspondence – The Village Board acknowledged receipt of copies of correspondence, regular and email, including:
-Village of Suffern Planning Board – Notice of 6/21/17 Public Hearing – Site Plan Application.

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

Schedule of July and August Village Board Meetings

One meeting will be held in each month: July 18, 2017 and August 22, 2017. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw
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