

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, June 6, 2017 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, June 6, 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  
Jessica Mahoney, Associate–Law Office of Elizabeth K. Cassidy  
Thomas M. Conklin, DPW Supt.  
Mary M. Boone, Clerk-Treasurer

**ABSENT:** Eleanor J. DeGraw, Trustee  
(Attending School)

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

Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Village resident Lisa Jennings led the Salute to the Flag.  
-Mayor Flanagan reported Trustee DeGraw was attending school and could not be present at the meeting.

**Minutes of the 5/23/17 Meeting - Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None

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

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None

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

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

**New Equipment** – The new trimmers and blowers were picked up at Pomona Power Equipment (authorized on 5/23/17).  
**Striping of Fire Lane on old 4<sup>th</sup> Street (area of 201 Route 59)** – Mayor Flanagan stated the striping is necessary in order for the Town of Ramapo Police to enforce the parking restriction.

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to accept the 5/25/17 quote from Jason Duncan in the amount of \$700.00 to stripe approximately 2000 feet of Village-owned roadway on old 4<sup>th</sup> Street to designate as a fire lane.

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None

-Mayor Flanagan requested the DPW Supt. to sweep the roadway prior to the work being done.

**Surplus Equipment** – Supt. Conklin will supply a list of equipment for review and approval by the Village Board.

**Property Maintenance (Tall Grass)** –Supt. Conklin stated the letters sent to property owners by the Village Board have been very effective, as respective property owners have responded by mowing their lawns.

-RE: 32 2<sup>nd</sup> St (Vacant Dwelling) – Violation has not been rectified. Village Attorney to confirm the Village has fulfilled all legal steps to allow the DPW to perform the work at the property owner’s expense. .

**7<sup>th</sup> St. Drain Pipe (Area of 32 7<sup>th</sup> St.)** – The contractor, DeSimone & Sons, signed the Contract and provided Certificate of Insurance that has been approved by the Village Attorney. Estimated Project Start-Up date is July 10<sup>th</sup> and end date is July 14th. Mayor Flanagan requested the DPW Supt. to contact the contractor to determine if the date could be moved up.

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan authorizing the Mayor to sign the contract, as approved at the 5/23/17 meeting.

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None

**HFD Report – Chief Starr not present. No report provided.**

**NYS Department of Labor** –Required Workplace Violence Policy (adopted 5/23/17) - Attorney Mahoney reported Village Attorney Cassidy will work with DPW Supt. Conklin regarding the required workplace Violence Training (Abatement Date: 6/28/17)

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

**Proposal – Surveying of 40 5<sup>th</sup> Street**

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to accept the 6/6/17 proposal from Brooker Engineering, PLLC, to survey the Village-owned property located at 40 5<sup>th</sup> Street, as follows:

Certified Boundary Survey of Property: \$1,200.00 Lot Corner State Out: \$350.00 = \$1,550.00

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None

**Village Attorney’s Report – Attorney Mahoney reported:**

**Pilgrim Pipeline** – The following RESOLUTION was read aloud by Mayor Flanagan:

WHEREAS, Pilgrim Pipeline Company (“Pilgrim”) is proposing to build a new bi-directional pipeline through the Village of Hillburn that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey; and

WHEREAS, the pipeline will carry a large volume of crude oil through areas of the Village of Hillburn and may place residents in harm’s way should a spill occur; and

WHEREAS, any rupture or compromise of the Pipeline even without an explosion or fire, will require extraordinary cleanup efforts, could force residents from their homes, and place a large number of residents in close proximity to hazardous materials; and

WHEREAS, most of the Village of Hillburn depend on ground water and public community water systems for potable water supplies, the integrity and safety of which may be jeopardized by the Pipeline; and

WHEREAS, the Village of Hillburn finds that the proposed Pilgrim Pipeline potentially threatens the health, safety, and welfare of the community; could decrease values of homes located along its route and in surrounding neighborhoods; and could negatively impact future development in the Village of Hillburn;

NOW THEREFORE BE IT RESOLVED as follows:

1. The Village Board hereby calls upon the New York State Thruway Authority to reject use of its right-of-way for the purpose of transporting oil or gas by pipeline; and further calls upon the New York State Department of Transportation (DOT) to deny an exception to its Accommodation Plan for said purpose, and
2. The Village Board urges Governor Cuomo and the State Legislature to oppose construction of the Pilgrim Pipeline in the New York State, and
3. The Village Board directs the Village Clerk to forward copies of this resolution to the NYS Thruway Authority Chair, Joanne M. Mahoney, NYS DOT Commissioner Matthew J. Driscoll, U.S. PHMSA Acting Deputy Administrator Howard McMillan, U.S. Senators Charles Schumer and Kristen Gillibrand and U.S. Representative Nita Lowey, Governor Andrew Cuomo, NY Assembly Member Ellen Jaffee, NY Senator David Carlucci, and NYS DEC Commissioner Basil Seggos.

I, Bonnie O’Blenis, offer this resolution as read. Seconded by Craig Flanagan.

The vote of the forgoing resolution was as follows:

<b>Mayor Craig Flanagan</b>	<b>Aye</b>
<b>Trustee Bonnie O’Blenis</b>	<b>Aye</b>
<b>Trustee Eleanor J. DeGraw</b>	<b>Absent</b>

**RE: Placement of Trash at Curbside** – Attorney Mahoney reported Section 184.10 of the Village Code states trash can be placed at curbside the weekend before the scheduled pick-up and containers must be removed from curbside within 24 hours. Matter will be further reviewed.

**RE: Climate Smart Communities** – A proposed Resolution and information packets were supplied to the Village Board for review.

**RE: Code Enforcement** – The Village Attorney is in the process of preparing a draft local law, as recommended by the NYS Department of Labor, to better enable the Building Inspector to enforce the State Building Code and to make it more clear as to what is required. Draft local law will be supplied soon.

**Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017** – No update.

**Village of Hillburn v. Losner** – No update.

**Tax Certioraris – (2014, 2015, 2016)** – Matters are moving forward.

**2017 Final Assessment Roll**

Petitions filed by Fujita Trust, Hillburn Industrial Park and TBS Realty. No Update.

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

A Financial Report as of 5/31/17 was supplied by the Village Treasurer.

**RE: Allocation for Fire Chief’s Vehicle** – Fully expended. Balance of expenses to be paid out of the General Fund.

-Lettering on Vehicle - A 50% deposit has been remitted to Legacy Signs.

**Insurance**

2017-2018 Insurance Policy - The Clerk-Treasurer advised that the Village Attorney had reviewed and approved the 2017-18 Policy (Selective Insurance).

NYS Insurance Fund – Disability Benefits Policy

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to approve the renewal of the NYS Insurance Fund Disability Benefits Policy for the period 7/01/17 – 7/01/18) at the annual premium of \$172.79.

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None

**2016 Master Plan Committee** –

The next meeting of the Committee is scheduled for 6/17/17 at 10:00AM.

**Community Development**

As discussed at the 5/23/17 meeting, the Village of Hillburn will remain as a member of the consortium for FY 2018, FY 2019 and FY 2020.

**Zoning Board of Appeals** – No report.

**Planning Board** – Next Meeting: 6/15/17

**-Rockland Municipal Planning Federation – 2017 Annual Membership Dues: \$100.00 Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis  
Noes: None

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

-Inspector Gordon provided a spreadsheet to the Village Board outlining his activities and status of pending matters.

-6/2/17 Floodplain Development Permit Application filed by Buck Seifert & Jost – Escrow Established: \$500.00.

As recommended by Building/Fire Inspector Gordon,

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan that due to a conflict of interest with Brooker Engineering, Martin Spence Engineering be designated to provide engineering services pertaining to Floodplain Development Permit Application filed by Buck Seifert & Jost for SUEZ Water, NY.

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

**RE: 5/23/17 Building Permit Application Filed by Robert McIntosh - Project: Landscaping** – As requested by the Building/Fire Inspector,

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan that the applicant, Robert McIntosh, establish an escrow account in the amount of \$500.00 to cover the fees for review of the application by the Village Engineer.

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

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

### **Escrow**

**Status of Escrow Accounts Report @ 5/31/17** - The Village Board acknowledged receipt of the report as prepared and supplied by the Village Clerk-Treasurer.

**Senior Citizens** – No report.

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

**2016-2017 After School Program** – The last day of the program is 6/23/17 and a Pizza Party is planned. Requested Funding: \$150.00. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

**2017 Summer Camp & Swim Program** – There are currently 38 children registered.

-Petty Cash for Camp Expenses (Snacks and Special Events) - Requested Funding: \$600.00. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

**Appointment of Recreation Aides for the 2017 Summer Camp and Swim Programs**

A total of 17 applications have been received.

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan that the following applicants be appointed to serve as Recreation Aides for the 2017 Summer Camp and Swim Programs::

Camp & Swim Program: Orianna C.Lee, Gabriella R. Caccamo, Chayanne R. Duhaney,  
Ethan V. Goya, Emmanuel Fasuyi and Kamryn E. McIntosh

Camp Program: Alyssa R. Flanagan

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

Orientation will be held on Friday, June 16, 2017 at 6:15PM.

**Hillburn Sewer Rebate Committee** – Applications are still being accepted.

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

The itemized list approved by the Village Board on 5/23/17 is being followed up on by the Village Office (i.e. Contracts, deposits).

### **Public Comments-**

**Dave McNally (25 Lake Avenue)** recommended fines of \$500-\$1,000 per day be imposed for violations of the Village Code: Working without a required Building Permit and/or in defiance of a Stop Work Order. Also, the property owner should be made to remove all unauthorized construction.

-Mayor Flanagan agreed that penalties must be imposed and advised that matters are being followed up by the Building/Fire Inspector.

**Mr. McNally** questioned the location of the proposed Pilgrim Pipeline in the Village of Hillburn and if there would be a benefit to the Village. Mayor Flanagan advised the proposed pipeline would cross over a small area in the Village located on the New Jersey border in the mountain area behind the bus garage on Route 17. Mayor Flanagan had met with the Vice President of the Pilgrim Pipeline and the benefit to the Village would be monetary.

**Mr. McNally** questioned the status of the removal of contaminated dirt in the Village and questioned who authorized the dumping. Mayor Flanagan stated the contractor was retained by the RC Sewer District. An investigation is ongoing regarding the dumping of contaminated dirt, both in the Village of Hillburn and in the Village of Sloatsburg.

**Timothy Williams (31 Sixth Street)** questioned what is being done with the property behind the Sewer Treatment Plant.

-Mayor Flanagan stated the property is being surveyed by the RC Sewer District for possible sale.

**Mr. Williams** questioned who is responsible for the 4<sup>th</sup> St Railroad Bridge. Mayor Flanagan advised the railroad is responsible for under the bridge. The Town of Ramapo is responsible for the decking; however, the Town has stated there is a lack of funds. Matter will be pursued with the Town, as this is a main ingress/egress to the Village. Mayor Flanagan stated he has spoken with the Ramapo Police Chief regarding issuance of summonses and fines for overweight vehicles on the bridge (5 ton weight limit).

**Lisa Jennings (th St)** questioned if Building Code violations can become criminal violations. Attorney Mahoney stated that Building Code violations are inherently criminal although the police do not get involved.

**Tony Powell (121 Sixth St)** questioned the work being done in the Creelman Road area, as it appears construction work is being done. Mayor Flanagan stated the Building/Fire Inspector has issued a Violation Notice and Stop Work Order for dumping. Only clean up work is being done.

### **Complaints**

#### **Ann McCormick (10 Brook Street)**

-RE: Request for "Hidden Driveway" Sign – (Action Form filed 4/27/17) Mayor Flanagan stated that the matter was reconsidered and DPW Supt. Conklin was requested to install the sign. (Supt. Conklin to coordinate the location of the sign with Mrs. McCormick)

-RE: Trimming of Bushes on her Brook Street Property by DPW – Supt. Conklin stated he had met with Mrs. McCormick - matter was rectified.

**Letter from Motorist on Torne Valley Road** – RE: flat tire allegedly caused by pothole. Mayor Flanagan referred the motorist to the Town of Ramapo.

**SUEZ Water New York – 2017 Annual Water Quality Report** – Booklets have been received and will be included with the August 2017 Village Memo.

### **Application for Use of Community Room**

**Hillburn Ladies Auxiliary** – Wednes., 6/07/17 – 6:30PM – Tricky Tray Committee Meeting. **Approved**

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None

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

-NYS Office of Real Property Tax Services – Notice of Final Equalization Rate for 2017: 16.60.

**Rockland County Hazard Mitigation Plan** – Jurisdictional Annex Review Sign-Off Sheet – Signatures Requested: Village Officials, Dept Heads, Planner, Police Dept. & Fire Dept. The Village Board had no objection to the requirement.

**Police Commissioner's Report** - Mayor Flanagan acknowledged the presence of Ramapo Police Officer Robert McIntosh. Mayor Flanagan recommended a reference book be compiled for the Ramapo Police Department listing the Village of Hillburn Vehicle & Traffic Code.

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

The respective required exhibits and executed Agreement have been filed. The project will need to go out to bid.

**2017 Local Government Records Management Improvement Fund Grant (LGRMIF)** An email was received on 6/5/17 from the New York State Archives Grants Administration Unit advising that the Village of Hillburn has been awarded a grant in the amount of \$28,631.00. A final approval notice is pending. (Additional follow up/info. is required)

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

**Preliminary Audit FYE 5/31/17** – PKF O'Connor Davies will commence the Preliminary Audit starting tomorrow.

### **RE: Amendment to Personnel Manual**

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

BE IT RESOLVED that the Village of Hillburn's Personnel Manual, as it pertains to Employee Benefits, be amended to read as follows:

Section 10 – Employee Benefits –

i. Medical Insurance

2. Family Plan

b. *"The Village will pay 90% of the premium for employees hired after June 1, 2015 for the first two years of employment"*

Ayes: Craig M. Flanagan, Jr., Mayor  
Bonnie O'Brien, Trustee

Noes: None

Absent: Eleanor DeGraw, Trustee

RESOLUTION was unanimously adopted.

### **RE: Unused Vacation at 5/31/17**

A MOTION was made by Trustee O'Brien and seconded by Mayor Flanagan authorizing the carry-over of unused vacation @ 5/31/17 to the fiscal year 2017-2018.

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None

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

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None