

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, June 14, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, June 14, 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

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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 5/20/16 Special Meeting – Approved by Village Board.

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

Minutes of 5/24/16 Meeting – Approved by Village Board.

Ayes: Mayor Flanagan & Trustees DeGraw
Noes: None
Abstention: Trustee O’Blenis (not present)

Street & Water Commissioners Reports – Approved by Village Board.

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

Police Commissioner’s Report – (tabled until later in meeting)

DPW Report – DPW Supt. Thomas Conklin reported:

RE: Removal of Tree on 4th Street and Rockland Avenue – 6/3/16 Quote from Perfect Cut in the amount of \$750.00.
Approved by Village Board.

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

RE: Road Patching – 6/8/16 Quote from Chuck Bugbee Blacktopping in the amount of \$1,250.00. Areas to be patched: Mountain Avenue (Village Office), 5th Street (from HFD bay to Post Office) and Sixth Street (in area of 23 Sixth Street).
Approved by Village Board.

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

RC Solid Waste Management Authority – Notice providing the Village of Hillburn an opportunity to participate in a Green Program to utilize the Authority’s crushed glass aggregate as back fill. **Approved by Village Board – Participation Letter signed by Mayor Flanagan.**

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

RE: Veterans Memorial Park Pond – 6/2/16 Proposal/Contract from Princeton Hydro for water treatment.
A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the quote from Princeton Hydro, at the maximum cost of \$2,195.00, subject to confirmation of the quote by the DPW Supt. (Purchase Orders to be made for specific treatments).

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

RE: Extension of Electrical Service – Area of Sixth Street Gate – Supt. Conklin contacted O & R Utilities who provided a breakdown of the fees totaling \$417.11 (DPW Supt. to supply a copy of same and the process that has to be done).

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

RE: Repair to Overhead Door - H.F.D. Bay –
-6/10/16 emergency service. Receipt of invoice is pending. **Approved by Village Board.**

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

6/14/16 Quote from Dutchess Overhead Door: \$1,419.00 (Tabled – DPW Supt. to obtain clarification of the quote)

Police Commissioner’s Report – Mayor Flanagan acknowledged the presence of Officer Caro who stated he had taken a Police Report on the incident whereby the lock to the Sixth Street gate was taken.
-Mayor Flanagan reported the lock has been replaced. Installation of a camera in the area is being considered.

RE: 6/10/16 Response from NYS DOT Regarding Village of Hillburn’s 6/1/16 Invoice - 5/29/16 Call Out of DPW by Ramapo Police – Tree in Route 59 Roadway – The NYS DOT has advised they will not be reimbursing the Village for the service, due to their department had been contacted and had up to an hour to respond.
-Officer Caro stated he had contacted DPW Supt. after waiting at least one hour for the NYS DOT to arrive. Officer Caro will provide a copy of the report to the DPW Supt.

-Trustee O'Blenis requested more police visibility on the west side of Route 17.

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

(H.F.D. Bldg. door covered under DPW Report)

6/17/16 Correspondence – RBC Wealth Management (RE: Service Award Program) – The Village Clerk-Treasurer reported that completion of the form is not needed due to no change in Village Officials/Officers.

Village Engineer's Report – Engineer McCreedy not present.

Unsafe Structure 53 6th Street – As appointed at the 5/24/16 Board Meeting, a professional representative from Brooker Engineering and a professional representative of Aufgang Architects have scheduled a inspection of the premises for Thursday, 6/16/16.

Attorney Cassidy reported she had received correspondence on this date from the property owner, Ronald Losner, stating he had not received prior notice and requesting the inspection be postponed for 30 days in order to schedule his own professional to be present at the inspection.

Attorney Cassidy confirmed that all correspondence had been mailed to the new address provided by Mr. Losner via regular and certified mail. Although the certified mailing was not claimed, the regular mailing had not been returned from the Post Office. Further, although a Building Permit Application was obtained by Mr. Losner, an application has not been submitted to the Building/Fire Inspector.

-The Village Board concurred that Mr. Losner's request be denied as due notice had been given. The Village Attorney was authorized to send written notice of the Village Board's decision to Mr. Losner.

Claims filed by Brooker Engineering, PLLC

6/6/16 Claim – General Engineering – May 2016: \$75.50

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to authorize payment of the 6/6/16 claim of Brooker Engineering in the amount of \$75.50. (General Fund)

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

6/6/16 Claim – Hillburn Youth Center Drop Off Improvements (Claim #2): \$2,383.50

A MOTION was made by Trustee O'Blenis and seconded by Trustee DeGraw to authorize payment of the 6/6/16 claim of Brooker Engineering in the amount of \$2,383.50. (Engineer Service – May 2016 – General Fund)

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

6/6/16 Claim – Stonework Estates v. Village of Hillburn: \$453.00

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to authorize payment of the 6/6/16 claim of Brooker Engineering in the amount of \$453.00. (May 2016 Service – General Fund)

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

6/6/16 Claim Against Escrow – Salamone Redi-Mix – Inspections - 12/9/15 Building Permit

A MOTION was made by Trustee O'Blenis and seconded by Trustee DeGraw to authorize payment of the 6/6/16 claim of Brooker Engineering in the amount of \$302.00. (Escrow Account – Salomone)

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Community Development –

2015 CD Program – Project: “After School Program 2015-2016” – A third request for income documentation was sent out to parents of participants in the 2015-2016 After School Program. As of 6/13/16, responses have been received from 11 of the 50 participants. The claims for funding will not be processed by the CD Office until the required income documentation has been filed and approved.

-Attorney Cassidy stated the Village has to establish that 51% of the participants have low to moderate incomes.

Village Attorney's Report –

Contract Agreement for Professional Planning Services By and Between the Village of Hillburn and Nelson, Pope & Voorhis, LLC – (2/23/16 Proposal for Preparation of a Generic Environmental Impact Statement (GEIS) for the Comprehensive Plan, and Adoption of Zoning Code for the Village of Hillburn)

At the 5/10/16 Village Board meeting, the Retainer Agreement with NP & V was accepted by the Village Board. Attorney Cassidy stated she had received and reviewed the contract and presented same for Mayor Flanagan's signature.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to enter into a Contract Agreement with Nelson, Pope & Voorhis, LLC and authorizing Mayor Flanagan to sign same.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Tax Certioraris – Special Legal Counsel -Rebecca Speno - Retainer Agreement

-As approved, Mayor Flanagan signed the Retainer Agreement to provide special legal counsel for pending Tax Certiorari matters and the authorization form to transfer files from BOND Schoeneck & King to Rebecca Speno.

Attorney Cassidy will also notify the Court of the Village's change in counsel.

-The Village Clerk reported a claim was received from BOND Schoeneck & King (RE: Town of Ramapo v. Village of Hillburn – 6/11/16 Bill – May 2016 Service). **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Lease Agreement Between 20 & 60 Torne Valley Road, LLC, as Landlord and the Village of Hillburn, as Tenant

Attorney Cassidy presented a finalized Agreement, signed by John Lynch for Landlord, in conformity with the Resolution adopted by the Village Board on 5/24/16 accepting donation from 20 & 60 Torne Valley, LLC, to use premises for a Municipal Salt Shed.

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to approve the Lease Agreement and to authorize Mayor Flanagan to sign same.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

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 Cassidy stated there is no additional information at this time.

Verizon 10 Year Special Franchise Agreement – Expiration Date: October 2017 – The Village Attorney is coordinating a meeting date

General Code Update – General Code has acknowledged receipt of the updates and is in the process of updating the Village Code.

Municipal Audit Services, LLC – RE: Gross Receipts Taxes and Franchise Fees

A representative of Municipal Audit Services, LLC will be present at the 6/28/16 Village Board Meeting.

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

Tax Certioraris (2014, 2015, 2016) (covered earlier)

Zoning Board of Appeals – No report.

Planning Board –

-Minutes of Meetings were supplied to the Village Board.

-Appointment of a Planning Board member is pending by the Village Board.

Building/Fire Inspector's Report – Inspector Adam Gordon not present. (copies of correspondence supplied)

Escrow Accounts –

Status of Escrow Accounts Report @ 6/14/16 - Supplied to the Village Board by the Clerk-Treasurer.

RE: 201 Route 59 – Property Owner: TBS Realty Mgmt., LLC - Loading Dock – Mayor Flanagan questioned the status of the violation that is presently in Village Court.

-Attorney Cassidy stated the TBS Realty's Attorney recently retired and new counsel has been retained. A "Global Settlement" has been entered into regarding the various violations on the property. At this date, approximately 90% of the violations have been rectified.

Hillburn Justice Court - Attorney Cassidy reported the Hillburn Justice Court will not be in session on 6/23/16.

Senior Citizens – Vice President, Diana DeGroat, reported:

-A good meeting was held on 6/6/16 with over 40 members in attendance. A game involving advertisements/slogans was enjoyed by all.

-Next meeting: 6/20/16.

-Trustee DeGraw will be attending a Senior Advisory Committee Meeting on 6/23/16.

Recreation – A written Report was provided and read by Trustee O'Brien.

-The Open Gym held on 6/3/16 was a success with over 20 children participating.

Trip to Provident Bank Park – Cuban National Baseball Team – 6/24/16 – Tickets are still available. Request to advertise on the Village Notice Board. (Approved by Village Board)

2015-2016 After School Program

-Request for \$150 for an end of Year Pizza Party – **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

-Staffing on 6/23/16 – The After School Program will be understaffed on 6/23/16, due to the High School Graduation of Recreation Aides Orianna Lee and Alyssa Flanagan.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to approve three (3) appointed Summer Camp Counselors to fill in on said date, from 3:00PM to 6:00PM, under the supervision of Marty Perrano.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

2016 Summer Camp & Swim Program

-Summer Camp Welcome Packet – Packet includes Program Requirements and Activities - **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Supplies for Swim Program – Needed: Lightweight First Aid Kit. (DPW Supt. was requested to determine if Fastenal carries the First Aid Kit) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Orientation for Counselors and Staff was held on 6/8/16.

-An increase of pay is recommended for Gabby Caccamo, who passed her First Aid/CPR/Life Guard Tests.

9:00/hour to \$10.00/hour - **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-The RC Health Department will be making a Camp Pre-Inspection on Wednesday, 7/6/16 at 10:30AM.

-Purchase of Camp Supplies/Snacks – Request for \$600.00 Petty Cash. - **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Cooking Class – An Awards Ceremony will be held on Monday, 6/20/16 at 4:00PM.

Fall Festival – Proposed Date: 10/15/16 (Rain Date: 10/16/16) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-Budget Request: \$3,500.00 – Mayor Flanagan stated that any monies raised would be refunded back to the Village to cover expenses. **Tabled by Village Board.**

Hillburn Sewer Rebate Committee – Trustee DeGraw reported five applications are presently under review. Applications are still being accepted.

Public Comments

Dwaine Perry (13 Boulder Avenue) requested a meeting with the Village Board to discuss his request to purchase Village property.

-A Workshop Meeting was scheduled for 6/28/16 at 6:00PM.

Deborah Noviri (15 Lake Avenue) commented on two issues regarding trees located on properties that abut her daughter’s property at 15 Lake Ave. Mrs. Noviri stated a dead tree at 30 6th Street has been removed; however, she alleged that a tree at 19 Lake Avenue is a threat to her daughter’s home and has roots that are encroaching on her property.

-Attorney Cassidy advised Mrs. Noviri that this is a civil matter that must be handled between property owners.

-Mayor Flanagan stated the Village cannot get involved in civil matters.

Beverly Flanagan (17 Blakeslee Place) questioned the date of the next bulk trash pick-up. (Monday, 6/20/16).

Diana DeGroat (173 6th Street) questioned the status of her recommendation made at the 5/24/16 Board meeting that a notice be posted advising residents of the RC Court decision to allow Stonework Estates to continue working while the case is being determined.

-Attorney Cassidy stated that she will prepare a memo; however, only limited information can be included.

Mrs. DeGroat gave a summary of the incidents of illegal dumping at the end of 6th Street by a tree service located in Suffern, NY. Mrs. DeGroat had reported this matter at the 5/10/16 and 5/24/16 Board Meeting and was informed the company would no longer be dumping tree limbs on the property; however, on 5/25/16 trucks were dumping again. At this date, approximately 11 truck loads of trees have been dumped.

-Mayor Flanagan confirmed no further dumping will occur. The trees dumped were good wood and some residents have been taking it.

Dwaine Perry requested a tree located on Village property in front of his home at 13 Boulder Avenue be inspected. (DPW Supt. Conklin will follow up on matter).

Patricia Van Dunk (23 Mountain Avenue) questioned the status of the Youth Center Drop Off Improvement Project.

-Mayor Flanagan stated the project will be done in stages over the next two years. One stage will be removal of the fence.

Mrs. Van Dunk questioned if a public meeting is required.

-Mayor Flanagan stated a public meeting will be held regarding this project.

Action Form – RE: 25 Mountain Avenue – Catch Basin. (DPW Supt. stated matter has been addressed)

IMA Technologies – Proposal for Purchase of LaserFiche Software – A meeting date for a representative of IMA Technologies to attend will be scheduled.

Shining Lights Helping Hands – Annual Back to School Collection – A donation box has been placed in the Village Office lobby along with a flyer detailing items being collected for distribution to children in need.

Correspondence – The Village Board acknowledged receipt of correspondence, including:

- Rockland Municipal Planning Federation – Municipal Mapping Class – 6/15/16 – RC Fire Training Center – Planning Board Clerk Yvonne Van Dunk and ZBA Clerk Robin Miele will be attending.
- RC Solid Waste Management Authority – Notice to Green Team Members – Updates. (supplied to DPW Supt.)
- Brooker Engineering, PLLC – Invitation to Grand Opening – 6/23/16 – 5PM – 8PM.
- NYS Office of Real Property Tax Services – Final State Equalization Rate for 2016 Assessment Roll: 18.28.

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

Village Audit – FYE 5/31/16 – The Village Clerk-Treasurer reported the preliminary audit was done on 6/9 & 10/16.

GASB #45 – Year Ending 5/31/16 Report Preparation

Danziger & Markhoff, LLP – Fee Proposal:

\$3,180 for Year Ending 5/31/16
\$1,113 for Year Ending 5/31/17
\$1,113 for Year Ending 5/31/18

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the proposal from Danziger & Markhoff for preparation of the GASB #45 reports for years ending 5/31/16, 5/31/17 & 5/31/18.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Grant #LM151643 for Fire Equipment - Assemblywoman Jaffe - \$8,500 – Proposal for fire equipment is needed.

SAM 7063 Hillburn HVAC Grant –Senator Carlucci – The remaining documents required were filed today.

Agreement #TM51617 – Funded Amount: \$7,500.00 – Request for final payment has been filed.

H.F.D. Chief’s Car – At present, the light bar is not working properly and will cost \$1,500.00 to replace.

Mayor Flanagan stated the purchase of a new Chief’s vehicle is being reviewed.

The village Clerk-Treasurer stated information is needed including the funding mechanism.

Personnel

Health Insurance Deduction – In accordance with the Village’s Personnel Manual adopted 11/17/15, deductions commenced at June 1, 2016.

Rockland County Personnel – Thomas Conklin has been approved as MEO II and Maintenance Supervisor.

Summer DPW Laborer – A 6/3/16 letter was received from Ryan DeGroat thanking the Village Board for the appointment; however, advising he has accepted a position with another company.

Mayor Flanagan will look into filling the position.

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to adjourn the meeting at 8:20PM.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None