

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, June 19, 2018 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, June 19, 2018, 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
Eleanor J. DeGraw, Trustee
Richard Ellsworth, Village Attorney

ABSENT: Eve Mancuso, Village Engineer
(vacation)

Thomas M. Conklin, DPW Supt.

RECORDER OF MINUTES: Robin Miele, Clerk-Treasurer

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Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Trustee Bonnie O’Blenis led the Salute to the Flag.

Minutes of the 5/29/18 Meeting – Approved by Village Board

Ayes: Mayor Flanagan & Trustee DeGraw
Noes: None
Abstention: Trustee O’Blenis (absent from meeting)

Street & Water Commissioners Reports – Approved by Village Board.

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

-SUEZ Water NY – Bill of 6/13/18 – The Village Board acknowledged receipt of the bill of 6/13/18 (5/10/18-6/11/18), in the amount of \$12,297.17. The Village’s next water billing to customers will be for the 6 month period ending 7/31/18.

Police Commissioner’s Report –

Mayor Flanagan reported the Village is quiet. Report deferred until arrival of Ramapo Police Officer.

DPW Report – DPW Supt. Thomas Conklin not present.

RC Multi-Jurisdictional Natural Hazard Mitigation Plan – Notification of FEMA approval of the RC Multi-Jurisdictional Natural Hazard Mitigation Plan as APA (Approvable Pending Adoption); and FEMA’s requirement that each municipality adopt a Resolution adopting the plan (sample Resolution supplied) – **Tabled by Village Board** for review by Village Attorney.

RC Shared Services Initiative – Correspondence of 6/7/18 and 6/19/18 – RE: Worksheets to be completed.

-Mayor Flanagan stated he will follow up on scheduling a meeting with Andy Stewart, Shared Services Coordinator.

5/24/18 Water Main Break – Hillburn Industrial Park (143 Route 59)

-6/4/18 Claim - J. Fletcher Creamer & Son, Inc. – Invoice #C-1805197 in the amount of \$14,064.56 – Village Attorney to supply written notification to J. Fletcher Creamer & Son, Inc. that the Village of Hillburn is disputing the claim, based on several discrepancies reported by DPW Supt. Conklin.

-Assistance Rendered by John Conklin – As approved at the 5/29/18 meeting, John Conklin (Suffern Water Dept.) provided a certified voucher claim and has been compensated in the amount of \$300.00 for his assistance to the Hillburn DPW (labor) during the 5/24/18 water main break.

3/22/18 Damage to Guardrail-Terrace Ave & Suffern Rd – 5/16/18 Bill sent to Michael W. Sciscione in the amount of \$490.00 (Labor: \$261.00 + Materials: \$229.00) - Payment was received on 6/18/18 in the total amount of \$490.00.

Village Water System

Civil Design Works, LLC. – Special Engineering Consulting Services

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify payment of Invoice #10312 received 6/7/18 in the amount of \$310.00 to Civil Design Works, LLC, in accordance with the 4/19/18 proposal accepted by the Board on 4/24/18.

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

4th Street Railroad Bridge

RE: Resurfacing by Town of Ramapo –A meeting was held at the Town of Ramapo on Tuesday, 6/12/18.

-Asst. Clerk-Treasurer Mary Boone reported that the Town is awaiting a response from the State regarding the Grant Application. The next meeting is scheduled for July 16, 2018.

HFD Report – Chief Starr not present

Repair of Old Chief’s Car (2003 Ford Expedition)

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to approve payment of Invoice #5625, in the amount of \$1,399.65, to Suffern Sales and Service for repairs to the old Chief’s Car.

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

New Members – Physicals

The Clerk reported that the Purchase Orders sent to Mahwah Medical for physical exams of the following HFD members have been void, in accordance with notification received from HFD Starr that he was in receipt of physical exams that were completed by private physicians (to be supplied to Village Office): Robert Cirincione, Anthony Henry, Andrew Stryko and Daniel Stryko.

RBC Wealth Management – Account Statement – May 2018.

LED Street Lighting Upgrade

-O & R – RE: NY Public Service Commission Case 16-E-0226; O & R's Add'l LED Street Lighting Options Available to Municipalities – Upgrade of 9 streetlights to LED along 4th St. – Upgrade still pending.

-New York Power Authority (NYPA) LED Street Lighting Program – Mayor Flanagan reported he had reviewed the initial estimate of the project costs and savings received from NYPA. Costs are higher than RealTerm Energy.

-RealTerm Energy LED Street Light Proposal – Mayor Flanagan scheduled a Special Meeting of the Board of Trustees to be held tomorrow, 6/20/18 at 3:30PM – Agenda Item: Presentation by Realterm Energy Recovery Specialist Sandy Stead.

-Attorney Ellsworth stated that due to it is a presentation, notice of the Special Meeting only has to be posted on the Village Office door.

Village Engineer's Report - Engineer Eve Mancuso not present (Vacation)**MS-4 Report – Period Ending 3/9/18 (Received 6/8/18)**

A MOTION was made by Trustee O'Blenis and seconded by Trustee DeGraw to accept the MS4 Annual Report for period ending 3/9/18, as prepared and filed by Eve Mancuso, P.E. of Brooker Engineering. Report is available for public review.

Ayes: Mayor Flanagan, Trustees O'Blenis & DeGraw

Noes: None

Claims Filed by Brooker Engineering, PLLC: Approved by Village Board

-6/19/18 Claim – Invoice #125026 - \$1,200.00 (MS-4 Report)

-6/19/18 Claim – Invoice #125025 - \$ 852.50 (General Engineering)

-6/23/18 Claim – Invoice #125027 - \$ 310.00 (Escrow – Best Choice Confectionery – TBS)

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw

Noes: None

Village Attorney's Report – Village Attorney Richard Ellsworth**Requests for Relief from Moratorium**

TBS Realty Mgmt, LLC (3/5/18 Letter (Rec. 3/13/18) – 201 Route 59 (Property I.D. 847.19-2-2) Proposed Project: Addition – Attorney Ellsworth recommended this item be removed from the Agenda until the applicant supplies additional requested information in order to determine if the project is exempt from the Moratorium. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw

Noes: None

Village of Hillburn v. Losner – Attorney Ellsworth stated this matter is open litigation and should be removed from the Agenda. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw

Noes: None

Village of Hillburn vs. Nicholas Ciancioruso, et.al. (Creelman Road) - RE: Litigation Regarding Illegal Operation of a Contractor's Yard on Property located on Creelman Road in Violation of Stop Work Order – Attorney Ellsworth stated this matter is open litigation and should be removed from the Agenda. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw

Noes: None

Village of Hillburn vs. Creelman Road Property Owners – Attorney Ellsworth stated this matter is open litigation and should be removed from the Agenda. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw

Noes: None

Jacobowitz and Gubits, LLP – Special Counsel – Creelman Road Violations

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis authorizing payment of Invoice #272784 submitted by Jacobowitz and Gubits, LLP, Special Counsel for the matter of Creelman Road Violations, in the amount of \$21,235.60 (Period Covered: 3/01/18 – 5/31/18).

RE: Village Property Located at 40 5th Street –

The Village Board acknowledged the presence of Keith Albert of Habitat for Humanity.

-Attorney Ellsworth reported a proposed Contract of Sale had been supplied to Habitat for Humanity on 6/19/18. The closing will proceed upon execution of the contract, and required approvals by the ZBA and, if required, the Planning Board.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to approve the sale of Village property located at 40 5th Street, and

FURTHER, upon receipt of a signed Contract of Sale from Habitat for Humanity, Mayor Flanagan is authorized to execute same.

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw

Noes: None

Verizon 5 Year Special Franchise Agreement – Expiration Date: Oct. 2017

John Harrington of KHP, LLP, representative of Verizon, supplied a draft proposal for renewal of Verizon's franchise. Attorney Ellsworth stated he is reviewing the gross revenues.

-RE: Free Hook-Ups for Village-owned Buildings – At the 10/24/17 meeting, former Village Attorney Cassidy had reported that, in lieu of free hook-ups for all Village-owned buildings (presently provided by Cablevision), an amount of \$2,250 will be provided to the Village, in addition to the annual \$1,500 PEG Grant earmarked for public outreach purposes. Attorney Ellsworth will review the status of this provision.

-Mayor Flanagan reiterated his interest in implementing a local law similar to the Town of Greenburg whereby a time limit is set for removal of double poles and, if the poles are not removed within the set time period, a fine of \$1,000.00 is imposed.

RE: Installation of Stop Signs - Draft Resolutions were provided by Attorney Ellsworth.

Resolution to Install a Three Way Stop Sign at the Intersection of Sixth Street and Fox Hollow

WHEREAS, the intersection of Sixth Street and Fox Hollow Road is wholly within and fully maintained by the Village of Hillburn, and

WHEREAS, the Board of Trustees, takes great pride in taking action to make its public streets and highways safe for its residents, and

WHEREAS, the Board of Trustees, after due deliberation, has further determined that a three-way stop sign should be installed at the intersection of Sixth Street and Fox Hollow Road, and

NOW THEREFORE, for all of the foregoing reasons, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the Department of Public Works to take the necessary action to install a three-way stop sign at the intersection of Sixth Street and Fox Hollow Road, and

The foregoing was moved by Trustee O’Blenis and seconded by Trustee DeGraw and was duly adopted by unanimous vote.

Ayes: Craig M. Flanagan, Jr., Mayor
Bonnie O’Blenis, Trustee
Eleanor DeGraw, Trustee
Noes: None

Resolution to Install a Stop Sign at the Intersection of Fourth Street and Terrace Avenue

WHEREAS, the intersections of Fourth Street and Terrace Avenue is wholly within and fully maintained by the Village of Hillburn, and

WHEREAS, the Board of Trustees, takes great pride in taking action to make its public streets and highways safe for its residents, and

WHEREAS, the Board of Trustees, after due deliberation, has further determined that another stop sign should be installed at the intersection of Fourth Street and Terrace Avenue to create a three way Stop Intersection, and

NOW THEREFORE, for all of the foregoing reasons, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the Department of Public Works to take the necessary action to install a stop sign at the intersection of Fourth Street and Terrace Avenue, and

The foregoing was moved by Trustee O’Blenis and seconded by Trustee DeGraw and was duly adopted by unanimous vote.

Ayes: Craig M. Flanagan, Jr., Mayor
Bonnie O’Blenis, Trustee
Eleanor DeGraw, Trustee
Noes: None

Resolution to Install a Four-Way Stop Sign at the Intersection of Fourth Street and Rockland Avenue

WHEREAS, the intersections of Fourth Street and Rockland Avenue is wholly within and fully maintained by the Village of Hillburn, and

WHEREAS, the Board of Trustees, takes great pride in taking action to make its public streets and highways safe for its residents, and

WHEREAS, the Board of Trustees, after due deliberation, has further determined that installation of two Stop signs should be installed on Fourth Street, at the intersection with Rockland Avenue to create a four-way stop intersection, and

NOW THEREFORE, for all of the foregoing reasons, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the Department of Public Works to take the necessary action to install a four-way stop sign at the intersection of Fourth Street and Rockland Avenue, and

The foregoing was moved by Trustee O’Blenis and seconded by Trustee DeGraw and was duly adopted by unanimous vote.

Ayes: Craig M. Flanagan, Jr., Mayor
Bonnie O’Blenis, Trustee
Eleanor DeGraw, Trustee
Noes: None

2/22/18 Fuel Spill – Torne Valley Rd – Reimburse. for HFD Expenses/Losses – No response received at this date.

Insurance – No report.

Various Capital Improvements (In accordance with 9/1/16 Bond) – RE: Comprehensive Plan

-Claim filed by Nelson Pope & Vorhees (Period: 4/6/18 – 5/23/18)– Paid 6/12/18. **Ratified by Village Board**

Invoice #16753: \$3,153.75
Invoice #16831: \$2,205.00
\$5,358.75

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

2016 Master Plan Committee – No meeting has been scheduled.

2020 Census – Local Update of Census Address Operation (LUCA) – Deputy Village Clerk Yvonne Van Dunk is following up with same.

2018 Hillburn Day – July 28, 2018 (Rain Date: 7/29/18) Chairperson: Trustee Eleanor DeGraw reported:

-**RE: Health Department – Permit to Operate Temporary Food Service Establishment – Cost: \$60.00** **Approved by Village Board.**

-**Promo-Direct** – Commemorative Give Aways– P.O. #1800 dated 6/11/18: \$748.65. **Ratified by Village Board**

Rhode Island Novelties – Game Prizes – P.O. #1805 dated 6/15/18: \$410.10. **Ratified by Village Board**

-**Royal Tees** – Commemorative T-Shirts – P.O. # 1808: \$528.00 and P.O. #1809: \$33.75. **Ratified by Village Board**

-**Fudgie the Clown** –Clown (3 Hours) – Fee: \$300.00 (Deposit: \$100.00) Mayor Flanagan authorized to sign the Contract Agreement. **Ratified by Village Board**

-**Inflatable Party Adventures, Inc.** – Trackless Train w/Drive (3 Hours) - Fee: \$750.00. Certificate of Insurance to be Provided. **Ratified by Village Board**

-**Deuces Wild** – Band Performance (3 Hours) – Fee: \$900.00. **Ratified by Village Board**

Ayes: Mayor Flanagan, Trustee O’Blenis & DeGraw

Noes: None

Zoning Board of Appeals –

RE: Vulfrano Lazcares – 11/17/17 ZBA Application – At the 6/18/18 meeting, the ZBA accepted the applicant’s withdrawal of the application filed 11/17/17.

-Escrow Established 11/17/17: \$400.00 – 6/19/18 letter from ZBA. As recommended by the ZBA,

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to require the applicant to remit an additional \$150.00, thus increasing the escrow account to \$550.00.

Ayes: Mayor Flanagan, Trustee O’Blenis & DeGraw

Noes: None

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve payment of the 2/9/18 claim filed by The Law Office of Elizabeth K. Cassidy, in the amount of \$550.00, subject to receipt of the additional escrow.

Ayes: Mayor Flanagan, Trustee O’Blenis & DeGraw

Noes: None

Vulfrano Lazcares – Revised ZBA Application filed 5/16/18 – RE: Addition to Existing Single Family Dwelling: 2 Car Garage with 2nd Floor Bedroom & Bath. A Public Hearing was held on 6/18/18 regarding the application and will continue on 7/23/18.

-RE: Escrow – As recommended by the ZBA,

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis that an escrow account, in the amount of \$1,500.00 be established by the applicant, Vulfrano Lazcares, to cover professional reviews.

Ayes: Mayor Flanagan, Trustee O’Blenis & DeGraw

Noes: None

Planning Board – Next meeting: 7/18/18.

Building/Fire Inspector’s Report –

-Maintenance of Brandt Road – The Village Board was in receipt of a copy of the 6/8/18 letter sent to property owners of Brandt Road regarding the need to maintain the private road in passable condition for access by emergency personnel.

Property Maintenance – Grass/Shrubbery – Letters have been sent to property owners whose property is in violation.

Escrow – No change to the Status of Escrow Accounts Report supplied @ 5/29/18.

Senior Citizens – No report

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

-Movie Night (4yrs – 6th Grade) held Friday, 6/15/18, was a great success.

2017-18 After School Program –

-Youth Center Schedule: 6/18-22/18 - 12:00PM – 6:00PM (half day of school)

End of Year Party – Friday, 6/22/18.

2018 Summer Camp & Swim Programs – July 9 – August 10, 2018

-Request for Petty Cash (Snacks & Supplies): \$800.00. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustees O’Blenis & DeGraw

Noes: None

-**RC Health Department** – Pre-Inspection will be made on 7/2/18 at 10:00AM.

-Youth Center Maintenance – Request for thorough cleaning prior to the start of camp, including bulb replacement of overhead lighting in the sports closet in gym. (DPW Supt. to follow up on same)

Appointment of Seasonal Employees

Recreation Aides for the 2018 Summer Camp and Swim Programs (Orientation was held on Monday, June 18, 2018)

A total of 17 Applications were received. As recommended by Recreation Director, Angela Flanagan,

A MOTION was made by Trustee O'Blenis and seconded by Trustee DeGraw to ratify the Mayor's appointment of the following applicants to serve as Recreation Aides for the 2018 Summer Camp and Swim Programs from 7/9/18 – 8/10/18:

Camp & Swim Program: Orianna Lee, Chayanne Duhaney, Marcangel Fabre and Nicholas Cirruzzo
 Camp Program: Alyssa Flanagan, Gianna Landrum and Jaya Persaud
 Swim Program: Ruth Fleurimond and Cheridan Williams

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw
 Noes: None

Student Laborers – Department of Public Works

A total of 3 Applications were received. As recommended by DPW Supt. Conklin,

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to ratify the Mayor's appointment of the following applicants to serve as Student DPW Laborers from 6/25/18 – 8/10/18:

Andrew Stryko
 Daniel Stryko

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw
 Noes: None

Hillburn Sewer Rebate Committee -Trustee DeGraw reported one additional application has been received.

Public Comments –

Michael Palmucci (Landlord – 21 Mountain Avenue) questioned if there are plans to repair the 4th Street Railroad Bridge. -Mayor Flanagan advised Mr. Palmucci of the Town of Ramapo's grant application for funds to make the repairs and the ongoing meetings with the Town of Ramapo.

Patricia Van Dunk (23 Mountain Avenue) stated there is an ongoing issue of tenants and/or visitors of 21 Mountain Avenue parking their vehicles so as to obstruct access to her driveway. The tenants had informed her that their landlord, Mr. Palmucci, does not allow them to park in the driveway of 21 Mountain Avenue.

-Michael Palmucci confirmed that his tenants are not permitted to park in the driveway, as he requires access to the garage, which they do not rent, for his business.

-A discussion was held on same. Matter will be monitored and brought to the attention of the Building/Fire Inspector to determine compliance with the Village's Zoning Local Law.

Applications for Use of Hillburn Community Room Ratified by Village Board

-Applicant: Eleanor DeGraw: Tues, June 5, 2018 - 7:00PM – Hillburn Day Committee Meeting.
 -Applicant: Eleanor DeGraw: Wed., June 13, 2018 - 7:00PM – Hillburn Day Committee Meeting.

Ayes: Mayor Flanagan & Trustees O'Blenis & DeGraw
 Noes: None

Applications for Use of Hillburn Community Room Approved by Village Board

-Applicant: Patricia Van Dunk: Tues., June 19, 2018 - 6:30PM - Ladies Auxiliary Meeting
 -Applicant: David Farrison: Wed., June 20, 2018 - 7:00PM - Hillburn Scholarship Com. Mtg.
 -Applicant: Eleanor DeGraw: Tues., June 26, 2018 - 7:00PM – Hillburn Day Meeting
 -Applicant: Tanya Cirincione: Fri., July 13, 2018 - 6:30PM – Ladies Auxiliary Meeting
 -Applicant: Eleanor DeGraw: July 24 – 27, 2018 - 7:00PM – Hillburn Day Meetings
 July 28, 2018 - All Day - Hillburn Day

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

-Hillburn Ladies Auxiliary – Flier – “Christmas in July” – 7/14/18, 9:00-12:00PM.

-Vulfrano Lazcares – 6/5/18 Notice – RE: ZBA Public Hearing – 6/18/18.

-RC Highway Dept. – Highway Superintendents Association Luncheon - 6/21/18.

-RC Dept. of Planning – GML Review – Application of Village of Suffern – Proposed Local Law Amending Chapter 266 – RE: Special Permits for Live Entertainment.

-Cornell Education – 6/19 and 7/17/18 Stormwater Consortium Meetings.

-Office of Real Property Tax Services – Final 2018 Equalization Rate for the Village of Hillburn: 15.81.

-NYCOM – Legislative Update.

-RC Planning Dept. – Upcoming Training opportunity – “The Future of the Automobile and Smart Parking Solutions”.

RC Office of Community Development – Notice of 2nd Consortium Meeting –RE: Changes to the CDBF Program – Thursday, 6/7/18 at 11:00AM. Trustee DeGraw reported she and Deputy Clerk Yvonne Van Dunk attended meeting. The changes do not change the Village's ineligibility for funding.

RE: FEMA Funding (DR 4020-DR-NY) - Hurricane Irene – Feb. 2012 – Request for Project Completion and Certification Report. The P4 Form was completed and returned.

NYCLASS

The Village Board acknowledged the 6/8/18 Notice: Amendments to NYCLASS Investment Policy.

Schedule of Board Meetings – Tuesday, July 17 and Tuesday, August 21, 2018 **Approved by Village Board**

Ayes: Mayor Flanagan, Trustee O'Blenis & Trustee DeGraw
 Noes: None

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

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to adjourn the meeting at 8:07PM.

Ayes: Mayor Flanagan & Trustee DeGraw
 Noes: None