

VILLAGE OF HILLBURN
Board of Trustees Meeting
Thursday, March 16, 2017 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Thursday, March 16, 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
Eleanor J. DeGraw, Trustee
Elizabeth K. Cassidy, Village Attorney
Thomas M. Conklin, DPW Supt.

RECORDER OF MINUTES: Mary Boone, Clerk-Treasurer

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Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Village resident, Rhonda Jennings, led in the Salute to the Flag.

Mayor Flanagan reported that the meeting scheduled for 3/14/17 was duly rescheduled to this evening due to the 3/14/17 snowstorm.

Audit Report for YE 5/31/16

Mr. Alan Kassay of O’Connor Davies was present at the 2/28/17 meeting and gave an overview of the Audit Report. A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to accept and adopt the Audit Report for YE 5/31/16, as prepared by the Village’s Auditor, O’Connor Davies.

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

Minutes of the 2/28/17 Meeting - Approved by Village Board.

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

Street & Water Commissioners Reports – Approved by Village Board.

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

-RC Health Department -2017 Mosquito Control (Veterans Memorial Park Pond): \$625.00 – The Village Board reviewed a quote obtained by DPW Supt. Conklin for the purchase of mosquito treatment (Altosid XR Briquets) to be administered by the DPW and determined it was not cost effective.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to contract with the RC Health Department for the 2017 Mosquito Control (Veterans Memorial Park Pond) at the cost of \$625.00.

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

Police Commissioner’s Report – Mayor Flanagan deferred the report until the arrival of a Ramapo Police Officer.

DPW Report – DPW Supt. Thomas Conklin reported:

RE: Emergency Purchase of Plow Edges –

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify the emergency purchase of three snow plow edges from Traffic Safety & Equipment, at the total cost of \$532.50.

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

RE: Repair of Small Overhead Door at Terrace Avenue Garage – Quote from Dutchess Overhead Door: \$328.00 (Install 2 New Springs). **Approved by Village Board.**

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

RE: Purchase of 24 Water Meters – Meters have been received and are being installed as needed.

Princeton Hydro - Proposal – (2017 Pond Management Services – Veterans Memorial Park Pond) –

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the proposal from Princeton Hydro for 2017 Pond Management Services (Veterans Memorial Park Pond), on an as needed basis, as follows:

Algaecide Application	\$435.00 Each Application
Herbicide Application (Sonar Genesis)	\$775.00 Each Application
Herbicide Application (Aquapro)	\$985.00 Each Application

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

FCC Notification for Spectrum Manager Lease Ownership Disclosure Information and Spectrum Lease Agreement – Water Meter Reader

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the Mayor to sign the FCC Notification for Spectrum Manager Lease Ownership Disclosure Information and Spectrum Lease Agreement, as per the review and approval of the Village Attorney.

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

RE: Tree Complaint – In response to a complaint received regarding an uprooted tree in the area of Second Street, O & R Utilities was contacted and removed the tree on 3/15/17 and will be coming back tomorrow to remove several others.

RE: Municipal Green Team – Summer Door Hanger Project & Waste Decals – Supt. Conklin reported on the project that will include Rockland Conservation and Service Corps Members distributing hangers throughout the community and a supply a Waste Decals for residents to place on their own container(s). **Approved by Village Board.**

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

HFD Report – Chief Starr not present – No report.

RE: Status of Delivery of Chief’s Vehicle – Attorney Cassidy was requested to confirm the delivery date.

NYS Department of Labor – 10/17/16 Inspections of Village Buildings –

The status of the pending Citations was discussed at a workshop meeting held this evening at 6:00PM.

-Citation 1 Item 3, 4, 5, 6 - A formal Workplace Violence Prevention Program will be prepared by the Village Attorney for adoption by the Village Board.

-Citation 1 Item 7 - Recordkeeping for Reporting of Workplace Violence Incidents

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the Village Attorney to prepare a written recordkeeping system for incidents of workplace violence.

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

Village Engineer’s Report – Engineer McCreedy not present.

Claims filed by Brooker Engineering, PLLC:

A MOTON was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the following two claims:

3/7/17 Claim- \$528.50 (Includes attendance at 2/11/17 Master Plan Committee Mtg - \$453.00) Funding: BAN)

3/7/17 Claim - \$151.00 (Against Escrow – Jay Kim – Application for Building Permit - 111 Sixth Street)

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

-Mayor Flanagan reported the Village Engineer will be meeting with a representative of Habitat for Humanity tomorrow morning at 10:00AM at Village Hall.

Community Development Program – No report.

-The Village Board concurred that this item be removed from the Agenda.

Public Hearing –Local Law #1, 2017 (Local Law to authorize a property tax levy in excess of the limit established in GML §3-c)

The Public Hearing, originally scheduled for 3/14/17, was rescheduled to 3/28/17. Notices will be published and posted. **Approved by Village Board**

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

Village Attorney’s Report – Attorney Elizabeth Cassidy reported:

Village of Hillburn v. Losner

Attorney Cassidy reported a Motion For Summary Judgment was filed with the Court. At the end of the statutory time frame, on 3/31/17 the matter will be referred to the assigned Judge. If the condition of the structure becomes dangerous, emergency measures can be taken.

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 – Decision and Order of the Supreme Court of the State of New York dated November 29, 2016

Attorney Cassidy she had no further information to report.

-As recommended by the Village Attorney, the Village Board concurred to remove this item from the Agenda until there is further action.

-RE: Land Use Law Center – Land Use Leadership Alliance Training Program - 4 Sessions (April 7 & 21 and May 5 & 12) -

The required Letter of Commitment has been sent. Designated participants: Mayor Flanagan, Trustee DeGraw and ZBA Member Timothy Williams. At this date, one completed registration form has been received: Trustee DeGraw.

Rockland County MS4 Mapping Grant – Attorney Cassidy stated she had contacted Village Engineer McCreedy, who stated his recommendation of the Grant. The Grant requires each participating municipality to match 25% (\$3,125.00) of the received grant amount of \$12,500.00.

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to adopt the Resolution to participate in the NYSDEC Contract C00079GG “Rockland County MS4 Grant”

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

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

RE: New HFD Chief’s Vehicle – Reported earlier in meeting.

RE: DPW Tractor – A meeting of the Mayor and DPW Supt. will be held next week.

Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017 –

RE: Double Poles – Supt. Conklin reported Verizon removed approximately 3-4 poles and has not been back.
 -Further discussion of the Special Franchise Agreement will be postponed until double poles are removed.

Insurance 2016-2017

A questionnaire received from Garrett Durland was completed and returned.

-NYS Municipal Workers' Compensation Alliance

-Wright Risk Management – RE: Inspection of Municipal Buildings - 2017 Recommendations. (Discussed at 6:00PM Workshop) The Village Justice has responded (via Court Clerk) that the existing Court Room protocol is satisfactory. The Village has 60 days to reply as to the status of the Recommendations.

Tax Certioraris – (2014, 2015, 2016) –

RE: The Fujita Trust v. Village of Hillburn - A meeting will be scheduled with representatives of The Fujita Trust..

2016 Master Plan Committee

Mayor Flanagan acknowledged the presence of Deputy Treasurer Parquiris DeLeon, who is serving as Secretary to the Master Plan Committee. Attorney Cassidy stated Ms. DeLeon is doing a great job.

-Attorney Cassidy reported that in the absence of Bonnie Francine, her assistant, Max Short, attended the 3/11/17 Committee meeting. The Committee is on track to meet the target time frame (1 year to 18 months).

-The next meeting of the committee will be held on Saturday, April 1, 2017. Attorney Cassidy's associate, Jessica Mahoney, will be present.

-Mayor Flanagan requested the Village Engineer be requested to attend. Attorney Cassidy suggested the Building/Fire Inspector attend some of the meetings.

Zoning Board of Appeals –

SUEZ Water New York – Project: Ramapo Well #97 GWUDISW Improvements – Joint Public Hearing: 2/16/17 - The ZBA Clerk reported that the Resolutions have not been supplied by the Attorney for SUEZ Water New York as of this date. Attorney Cassidy stated she will follow up on the status of the Resolutions and the 2/16/17 Public Hearing.

Planning Board – Joint Public Hearing: 2/16/17 (reported under ZBA Report)

-A vacancy still exists on the Planning Board.

-Attorney Cassidy stated she is in the process of preparing a proposed local law regarding the appointment of Alternates on the ZBA and Planning Board.

Building/Fire Inspector's Report – Inspector Adam Gordon not present. (Copies of correspondence acknowledged)**Escrow**

-Brooker Engineering Claim Against Escrow – Jay Kim – Application for Building Permit - 111 Sixth Street (covered under Village Engineer's Report)

Senior Citizens –

Trip Request: Westchester Broadway Theatre – 4/19/17 – Village's Share: \$500.00 (50 Participants @ \$10.00 each)
Approved by Village Board.

Ayes: Mayor Flanagan, Trustees O'Brien & DeGraw

Noes: None

Recreation – A written Report was provided and read by Trustee O'Brien.**-2017 Summer Camp & Swim Program**

There are presently 30 children registered for Camp.

Village Share of Swim Program Registration Fee \$15.00 (for Village Residents). **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees O'Brien & DeGraw

Noes: None

Appointment of Nurse -

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to appoint Rosita Benjamin to serve as the Nurse for the 2017 Summer Camp & Swim Program, for the fee of \$1,200.00.

Ayes: Mayor Flanagan, Trustees O'Brien & DeGraw

Noes: None

Hillburn Sewer Rebate Committee – Trustee DeGraw reported applications are still being accepted.**2017 Tentative Assessment Roll** –

The Board of Assessors acted on 7 of the 9 Grievances filed. The 2017 Assessment Roll will be finalized on 3/28/17.

2017 Village Election – Tuesday, March 21, 2017 – The Village Clerk-Treasurer reported everything is in order for the Election.

Public Comments –

Trustee O'Brien stated a meeting needs to be scheduled with the Ramapo Police Department to discuss the ongoing issues at 275 Route 17, Hillburn, NY. Neighboring residents have complained regarding the actions of the unsupervised youth who are living in the dormitory. Trustee O'Brien stated the importance of calling the Ramapo Police Department and documenting all complaints.

Trustee O'Brien stated the Building/Fire Inspector needs to make an inspection of 23 Chestnut Avenue as children have been seen entering the vacant dwelling. (A meeting with the property owner will be scheduled)

Ashleigh Jennings (53 Fifth Street) stated that youth living at 275 Route 17 have thrown rocks at passing vehicles.
 -Trustee O’Blenis reiterated the need to report incidents to the Ramapo Police Department.
 -Attorney Cassidy stated that Action Forms can be filed at the Village Office.

2017 Hillburn Day – A Committee Meeting was scheduled for 4/7/17 at 6:00PM at the Youth Center. Volunteers will be advised.

Grants (Applications and Status)

SAM Grant - Village of Hillburn #7063 – HVAC System for Youth Center – Awaiting the approval of the grant.

2017 Local Government Records Management Improvement Fund Grant (LGRMIF) Application was filed on 1/17/17 – Response pending.

Correspondence – The Village Board acknowledged receipt of copies of correspondence, regular and email, including:
 -Action Form – Complaint regarding “No Parking” sign placed in the area of 15 Lake Avenue. Mayor Flanagan stated the sign was placed for safety reasons.
 -RSVP (Retired and Senior Volunteer Program – Invitation to attend the Mayors and County Recognition Day for National Service on 4/4/17 at RCC – Due to Mayor Flanagan’s unavailability, Trustee DeGraw will attend the event..

Application for Use of Community Room –

- D. Farrison - Date: Thursday, 3/16/17 Time: 7:00PM - Hillburn Scholarship Meeting **(Ratified)**
- L. Morgan - Date: Sunday, 5/07/17 Time: 1:00-5:00PM - Baby Shower **(Approved Subject to Receipt of Certificate of Insurance and Required Fee)**
- J. Van Dunk - Date: Saturday, 6/03/17 Time: 6:00-11:00PM - Party **(Approved Subject to Receipt of Required Fee – Certificate of Insurance is on File)**

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

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

Schedule of Annual Organizational Meeting- Monday, April 3, 2017 – 7:00PM. Approved by Village Board.

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

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn the meeting at 8:02PM.

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