

**VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, March 26, 2019– 7:00PM**

**MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, March 26, 2019, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.**

**PRESENT:** Craig M. Flanagan, Jr., Mayor  
Bonnie O’Blenis, Trustee (arrived late)  
Eleanor J. DeGraw, Trustee  
Richard Ellsworth, Village Attorney  
Thomas Conklin, DPW Superintendent

**ABSENT:** Eve Mancuso, Brooker Engineering  
(Vacation)

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

Meeting called to order by the Hon. Craig M. Flanagan, Mayor. Asst. Clerk-Treasurer Mary Boone led in the Salute to the Flag.

Mayor Flanagan congratulated the newly elected Mayor, Joseph Tursi and newly elected Trustee, Bernadette Tarantino. Mayor Flanagan expressed his interest to meet with Mayor-elect Tursi to discuss pending issues.

**Minutes of the 3/05/19 Meeting – Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee DeGraw  
Noes: None

Trustee O’Blenis arrived at meeting.

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

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 – Supt. Thomas Conklin**

Hillburn Clean-Up Day – 3/30/19 (Rain Date: 4/6/19) – Everything is in order. Supt. Conklin will pick up the supplies provided by Keep Rockland Beautiful.

Street Repaving - Supt. Conklin reported a proposed road replacement program has been discussed with Village Engineer Mancuso and Tilcon.

Purchase of Tires (Red DPW Truck) – Quotes will be obtained.

AGL Welding Supply Co., Inc. – Cylinder Lease (Expires 4/30/19) – One Year Renewal Quote: \$75.00 Per Cylinder (2).

**Approved by Village Board.**

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

**4<sup>th</sup> Street Railroad Bridge**

Trustee DeGraw reported on the meeting held with the Town of Ramapo on 3/18/19 regarding the 4<sup>th</sup> Street Bridge deck replacement. The Ramapo Town Officials verbally reported that the project is scheduled to go out for bids in April and bid will be awarded in May 2019.

Mayor Flanagan thanked Carolyn Caccamo for going to the Town of Ramapo to advocate for repair of the bridge.

Attorney Ellsworth stated that the Town of Ramapo will secure a BAN to fund the project.

-Mayor Flanagan stated that the bridge may be closed completely, or may be one lane while the project is being done.

**HFD Report – Chief Shane Starr not present.**

Penflex, Inc. – Service Award Program – 2018 Data Request Package has been completed by the H.F.D. Chief. Package was

**Approved and Signed by Village Board.**

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

**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 4<sup>th</sup> St. – On 3/11/19, Supt. Conklin reported he was advised by Teri Johnson of O & R Utilities that she was waiting for additional information from the Village of Hillburn. In response, Asst. Clerk-Treasurer Boone provided Ms. Johnson will copies of the 7/13/17 and 10/25/17 emails, with attachments, that had been previously supplied to her. No response as of this date. Approved upgrade still pending.

-3/1/19 Correspondence from O & R – RE: Required Security Deposit – RE: Flood Lights - Asst. Clerk-Treasurer Mary Boone reported matter was discussed with Trish Austin of O & R Utilities who advised the security deposits would be waived and taxes would no longer be applied to the 2 respective accounts; however, the Village would need to seek tax reimbursement from New York State.

**-RealTerm Energy LED Street Light Proposal –**

At the 11/13/18 meeting, the Village Board accepted a proposal from RealTerm Energy LED, subject to review, approval and preparation of a formal Resolution by the Village Attorney. At the 3/5/19, the Village Board adopted a Resolution authorizing the Mayor to execute an Agreement with Municipal Leasing Consultants.

Pending: Signing of a Contract with RealTerm Energy and signing of a Contract with Municipal Leasing Consultants.

-The Village Clerk-Treasurer advised that she is only in possession of copies of the unsigned Contract(s). (Mayor Flanagan stated he has the original Contract(s)).

**Village Engineer’s Report - Claims Approved by Village Board:**

-Inv. #154430 – Hillburn General Engineering (Feb. 2019) \$ 160.00  
-Inv. #154432 – Hillburn MS-4 Stormwater Mapping Grant \$ 320.00

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

**Village Attorney’s Report – Village Attorney Richard Ellsworth**

**-Pending Litigation – Village of Hillburn v. Losner –**

Attorney Ellsworth reported the RC Supreme Court Judge has adjourned matter to 4/23/19. At this date, Mr. Losner has not agreed to a date for the exterior and interior inspection of the property to determine if the house is habitable.

**Town of Ramapo – 2019 Agreement - Fire District #1 and Fire District #5**

At the 3/18/19 meeting with the Town of Ramapo, it was verbally confirmed that the fee for Fire District #5 would be increased the additional \$20,000. The documents on file in the Village Office were amended accordingly and the Agreement and Vouchers for Fire District #1 and Fire District #5 were signed and returned to the Town of Ramapo.

**NYS Firefighter Cancer Benefit Program** -No further information received.

**Insurance**

**-2019-2020 Insurance Policy (Expires 4/15/19) –** The Village’s insurance agent, Seeley & Durland, recommends that, due to the limited time frame, the Village should continue with Selective Insurance, who provides excellent coverage. **Approved by Village Board.**

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

**Laberge Group – Correspondence received 3/5/19 – RE: Town of Ramapo – Town Board – Notice of Intent to be Lead Agency – Future Land Use Generic Environmental Impact Statement & Northeast Ramapo Strategic Plan Project.**

This correspondence was referred to the Village Attorney, as it includes the Hillburn Youth Center and Hillburn Veterans Memorial Park. Objections must be sent in writing within 30 days.

-Attorney Ellsworth stated that the project is regarding SEQR review for a mapping system. He has no concerns.

**Special Council – Jacobowitz and Gubits, LLP:**

A review of the pending claims was made and a breakdown fees pertaining to the pending Court Matter and fees charged regarding Noved Building Mgmt’s Moratorium Waiver Request and Planning Board Application was made as follows:

Invoice #277683:    \$2,471.77

Hillburn vs. Nicholas Ciancioruso, et.al. (Creelman Rd)            \$ 2,160.89 (includes 50% of Expenses)  
Noved Bldg. Mgmt.–Moratorium Request & P/Board Appli.        \$ 310.88 (includes 50% of Expenses)

Invoice #277963:    \$4,326.22

Hillburn vs. Nicholas Ciancioruso, et.al. (Creelman Rd)            3,413.11 (includes 50% of Expenses)  
Noved Bldg. Mgmt.–Moratorium Request & P/Board Appli.        \$ 913.11 (includes 50% of Expenses)

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to approve payment of a portion of Invoice #277683 and Invoice #277963 that pertains to Hillburn vs. Nicholas Ciancioruso, et.al., in the total amount of \$5,574.00, and

FURTHER, the balance of the two respective invoices, in the total amount of \$1,223.99, are hereby tabled pending the establishment of an escrow account by Noved Building Mgmt.

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

**RE: Introductory Local Law 1 of 2019 – A Local Law to Override the Tax Levy Limit Established in General Municipal Local §3-C**

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

**WHEREAS**, the Village Board of Trustees wishes to have the ability to override the tax cap in order to meet the financial needs of the Village.

**NOW THEREFORE BE IT RESOLVED**, that an introductory Local Law entitled A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C is hereby introduced.

**BE IT FURTHER RESOLVED** that copies of the aforesaid introductory local law be laid upon the desk of each member of the Board, and

**BE IT FURTHER RESOLVED** that the Village Board hereby declares lead agency and further declares that this action is a “Type II” action under the State Environmental Quality Review Act and no further environmental review is required.

**BE IT FURTHER RESOLVED** that a public hearing shall be held on April 9, 2019 at 7:30 P.M. or as soon thereafter as may be heard in the Mary M. Boone Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931.

**BE IT FURTHER RESOLVED** that the Village Clerk/Treasurer shall cause to be published public notice in the official newspaper as is required by law.

**AYES:**            **Craig M. Flanagan, Jr., Mayor**  
                         **Eleanor DeGraw, Trustee**  
                         **Bonnie O’Blenis, Trustee**  
**NOES:**            **None**  
**ABSENT:**         **None**

**RESOLUTION** was unanimously adopted.

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

The Village Board acknowledged receipt of a Financial Report as of 3/26/19, as prepared by the Asst. Village Clerk-Treasurer.

**2019 Assessment Roll**

The Village Board of Assessors/Village Board of Trustees signed the Verification of Assessors for the 2019 Final Assessment Roll.

**2019 Village Election – Tuesday, March 19, 2019**

The Village Clerk read the Statement of Canvass of votes cast at the 3/19/19 meeting, as supplied by the Inspectors of Election:

**Office of Mayor (2 Year Term)**

Craig M. Flanagan, Jr.: 88 Votes  
Joseph P. Tursi: 142 Votes

**Office of Trustee (2 Year Term)**

Eleanor DeGraw: 103 Votes  
Bernadette A. Tarantino: 121 Votes

**2016 Master Plan Committee –**

Committee Secretary, Parquiris DeLeon, reported that no meeting has been scheduled at this time.

-Attorney Ellsworth stated he is in receipt of a Final Draft, emailed to him by Bonnie Francin.

**2019-2020 Tentative Budget –** The Tentative Budget has been filed by Mayor Flanagan.

A Public Hearing on the 2019-2020 Tentative Budget was scheduled for Tuesday, 4/23/19 at 7:15PM.

**Garbage Contract (Present 3 Year Contract Expires 5/31/19)**

Tabled.

**Cablevision Franchise Fee Audit –** A meeting was held today at 4:00PM.

With representatives from Cablevision/Altice: John Dullaghan, Director of Government Affairs and Robert Hoch, Counsel of Government Affairs and representatives from MUNI - Municipal Audit Services, LLC: Joseph J. Messina, CPA, Managing Director and Gerard Fishburg, Cullen and Dykman, LLP.

-Cablevision/Altice disagrees with the results of an audit of the Franchise Agreement performed by MUNI that determined additional franchise revenue was owed to the Village of Hillburn. Following a discussion, it was agreed that Cablevision/Altice will provide a proposed offer in approximately two weeks to settle the matter.

**Zoning Board of Appeals –** Next Meeting: 4/29/19.**Planning Board –** Next meeting: 3/27/19

-The Village Board was supplied with notification regarding ZBA and Planning Board members whose 5 year terms expire April 1, 2019.

**Building/Fire Inspector's Report –** Misc. correspondence was acknowledged.**Escrow –** Status of Escrow Accounts Report @ 3/26/19 was supplied.

-3/1/19 Inv. #421.1-12 filed by Spence Engineering – (RE: SUEZ Water New York - 8/16/18 Building Permit #082218): \$752.00. **Approved by Village Board**

Ayes: Mayor Flanagan, Trustees O'Blenis & DeGraw

Noes: None

**Senior Citizens –**

Trustee DeGraw reported she had attended the Senior Citizens' meeting held last evening and everything is going well.

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

**Annual Easter Egg Hunt –** Saturday, 4/13/19 (Rain Date: 4/20/19) - Request for the DPW to bring tables to Veterans Memorial Park on Friday, 4/12/19. Approved by Village Board.

**2019 Summer Camp Program –** There are currently 25 children registered for Camp. Registration will remain open until 40 children are registered.

-Request for approval of trips:

Liberty Science Center: Cost: \$22.50 per child; \$26.50 per counselor

AMC Movies: Cost: \$ 7.00 per person

**Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees O'Blenis & DeGraw

Noes: None

-Quotes for bus transportation for the following trips are needed:

7/10/19 - Dave & Busters/AMC Movies, Nyack, NY 10:00AM – 4:00PM

7/17/19 - Medieval Times, Lyndhurst, NJ 10:00AM – 2:30PM

7/24/19 - Liberty Science Center, Jersey City, NJ 9:30AM – 4:15PM

7/31/19 - Splash Down Beach, Fishkill, NY 9:15AM – 4:15PM

8/07/19 - Rye Playland, Rye, NY 10:00AM – 4:00PM

Spook Rock Pool (Mondays, Tuesdays & Thursdays) 12:30PM – 4:00PM

**Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees O'Blenis & DeGraw

Noes: None

5<sup>th</sup> Street Playground

- Request for replacement of fibar (DPW Supt. will follow up on same)
- Additional Swings (one regular swing and one baby swing) – Maximum Cost for Swings & Frame: \$2,500.00 (Supt. Conklin was requested to obtain three quotes) **Approved by Village Board.**
- Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw
- Noes: None

Seasonal Employees

Notice will be posted that the Village of Hillburn is accepting applications for seasonal employees. (Deadline to file applications: May 28, 2019)

Hillburn Sewer Committee

Trustee DeGraw reported that applications are still being accepted.

Public Comments –

**Carolyn Caccamo (27 Terrace Avenue)** wished Mayor Flanagan and Trustee DeGraw luck in the next chapter of their life.

-Mrs. Caccamo stated her interest in serving on the Zoning Board of Appeals or Planning Board, should a position become open.

**Timothy Williams (31 Sixth Street)** stated that not only are cars still parking along Route 17 in the area of TransDev Bus Co., there are now buses being parked along the road. (Mayor Flanagan requested DPW Supt. Conklin to contact the NYS DOT regarding this matter)

**Mayor Flanagan** reported on an incident whereby he was driving and did not see a pedestrian crossing Route 17 in the area of the NYS Thruway exit. This is very dangerous as lighting is needed.

**Wilma Powell (68 Fifth Street)** questioned the status of lighting under the Thruway bridge over Route 17.

-Mayor Flanagan stated there is an ongoing discrepancy, as the NYS Thruway Authority feels the Village should pay for the lighting.

**Trustee DeGraw** addressed the public and stated it was an honor and pleasure serving as Trustee for 6 years. Appreciation was extended to the various Village departments.

**Mayor Flanagan** addressed the public and expressed his appreciation to the various Village departments and stated that the Village is in experienced hands with the newly elected officials.

Annual Reorganizational Meeting – Monday, April 1, 2019 – 7:00PM in the Hillburn Community Room.

Application for Use of Community Room

-Kevin Clark, Jr. – Friday, 3/22/19 – 7:45PM – Pro Wrestling Fund Raiser/TV Show Taping (**Ratified**)\*

\*Mayor Flanagan reported the event was not held due to a transportation issue.

-Eleanor DeGraw – Thurs., 3/28/19 – 7:00PM – Ladies Aux Meeting – Hero Night Meeting (**Approved**)

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

Complaints Filed - The Village Board reviewed the following complaints:

-Action Form filed 3/15/19 – RE: leaves/rubbish on a neighboring property - Matter referred to the Bldg/Fire Inspector.

-3/21/19 Phone Call – RE: Trees that appear ready to fall in the area of 76 Sixth Street – DPW Supt. reported matter is being followed up on to determine if the trees are on Village owned property.

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

-John Lyon, Director of Strategic Communications – RE: Declaration of State of Emergency issued by RC Executive Ed Day – RE: Measles Outbreak. The poster provided will be displayed in Village owned buildings.

-NYCOM – RE: Aim Restoration.

-Village of Sloatsburg Mayor Carl Wright – Invitation to attend a program on 3/27/19 at 7:30PM to commemorate the 64<sup>th</sup> anniversary of the fire at the “Sloatsburg Mill”.

**7:55PM**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to suspend the meeting in order to hold an Executive Session – RE: Personnel.

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None

**8:02PM**

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to reopen the regular meeting.

Ayes: Mayor Flanagan, Trustees O’Blenis & 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 Deputy Mayor O’Blenis to adjourn the meeting at 8:03PM.

Ayes: Mayor Flanagan, Trustees O’Blenis & DeGraw

Noes: None