

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, March 27, 2018 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, March 27, 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
Elizabeth K. Cassidy, Village Attorney
Eve Mancuso, Village Engineer
Thomas M. Conklin, DPW Supt.
Mary M. Boone, Clerk-Treasurer

ABSENT: Eleanor J. DeGraw, Deputy Mayor
(Illness in family)

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

Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Resident and HFD Member, Frank Lazcares, led the Salute to the Flag.

-Mayor Flanagan reported that Trustee DeGraw was unable to attend the meeting due to the illness of her mother.

A Moment of Silence was held in memory of Jerry Donnellan, Rockland County’s retired Commissioner of Veterans Affairs, who passed away on March 23, 2018.

Minutes of the 3/13/18 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 – Mayor Flanagan acknowledged the presence of Ramapo Police Officer Minnerva who reported the Village is quiet.

-Mayor Flanagan requested surveillance at intersections, specifically Fourth St. & Mountain Ave. and Fourth St. & Terrace Ave., as motorists are not obeying the Stop signs.

DPW Report – DPW Supt. Thomas Conklin reported:

Youth Center Repairs –

Door Repairs – Monsey Glass has completed the replacement of left side door hinge and cracked glass in right side door.

Front Entrance Roof Repair – Work has been completed by On-Time Roofing.

Tree Removal – In response to a concern from a property owner at 44 2nd St. regarding a tree on Village property, Perfect Cut made an inspection and submitted a quote in the amount of \$500.00 – Scheduled Work Date: 4/3/18. **Approved by Village Board.**

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

3/22/18 Damage to Guardrail–Terrace Ave & Suffern Rd – A Police Report was made and will be supplied.

4th Street Railroad Bridge - DPW Supt. reported Ramapo Engineer Ed Dzurinko has been unavailable and matter will be followed up when he gets back.

Engineer Mancuso advised that Mike Sadowski is also a Town Engineer. (Mayor Flanagan will contact him).

NYS Thruway – 4th St. Bridge Inspection Report – Supt. Conklin to review the Report and CD with the Village Engineer.

2018 Hillburn Clean-Up Day (4/14/18 – Rain Date: 4/21/18) – Quote received from Spring Street Deli for refreshments: \$320.00.

Approved by Village Board.

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

Surplus Equipment

DPW Supt. Conklin reported he will be meeting with Taylor Robinson of Absolute Auctions & Realty, Inc. tomorrow to take pictures for placement on their online auction site.

-Mayor Flanagan stated that plans have been made to replace the Community Room chairs; therefore, they should also be placed on the auction site. (80 chairs)

Shared Services –

-Rockland County Shared Services – Meeting at RC Training Center: RE: Highway Equipment Sharing - 1:00PM on 4/4/18

-Town of Ramapo – Meeting at Town Hall - Consolidation Consultant: RE: Grant/Shared Services – 10:00AM on 4/13/18

Nor’Easter Storm – 3/7/18

O&R Utilities has announced they will reimburse customers for food and prescription medicine spoilage if the lost power for three consecutive days or more during the recent nor’easter. Application Forms and detailed information/requirements are available at the Village Office.

RC Health Department – Water Testing (1st half of 2018)

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to approve the testing of the Hillburn water supply by the RC Department of Health, at the cost of \$780.00.

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

Agreement was signed by Mayor Flanagan.

4th Street Railroad Bridge (also discussed under DPW Supt.'s Report)

Mayor Flanagan reported he had met with the Town of Ramapo Supervisor approx. 2 weeks ago and was advised that the Town will fund the bridge resurfacing through a Bond and/or possible Grant monies.

HFD Report – Chief Starr reported:

-Emergency Responses: 3/25/18 - Mulch Fire on Torne Valley Road. Chief Starr stated matter is being followed up by Gordon Wren, RC Director of Fire & Emergency Services, as mulch is to be screened every 2 days to prevent fire.

-Year to Date: 37 Calls.

-Request to take 5-MP to provide standby at Rockland Drive-In for Monsey FD - 3/30/18 – 5:30AM to 2:00PM. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

-5CFR – Repair of Jaws of Life – Quote from State Line Fire & Safety, Inc.: \$476.00. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

-700 Radios – (3) Batteries Needed – Quote from Goosetown Communications: \$285.75. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

-(1) Set of Turn-Out Gear Needed – Quote from Hi-Tech Fire & Safety, Inc.: \$2,659.17. **Approved by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

-Burn Ban – Chief Starr reminded residents that the annual ban on outdoor burning will be in effect from March to May 14, 2018. Violations of the Burn Ban should be reported to 911.

2/22/18 Response to Fire Call – County-Wide Carting – Truck Leaking Oil

Attorney Cassidy reported she had sent a letter to County-Wide Carting on 3/19/18 requesting reimbursement of the expenses incurred by the Village HFD in the total amount of \$3,175.67; and advising that if a response is not received within 14 days from the date of the letter, matter will be forwarded to the company’s insurance carrier.

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 – DPW Supt. will contact O&R tomorrow.

Village Engineer’s Report - Engineer Eve Mancuso reported:

Engineer Mancuso stated she had no report - everything is going well.

Village Attorney’s Report – Attorney Cassidy reported

NYS Retirement System – Notification Received 3/16/18 – RE: Standard Workday and Reporting – Attorney Cassidy provided the Village Board with the following:

- Copy of her 3/25/18 response letter to the Pension Integrity Bureau of NYSER
- Calendars for April, May & June to be completed by each Board member to reflect their daily activities in their respective Village capacities; or certify that the previous Record of Activities results can be used.

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 –

The Village Board stated that this matter is complete and may be removed from the Agenda.

Village of Hillburn v. Losner – Attorney Cassidy reported Mr. Losner has obtained a Building Permit for repair of existing deck/landing. The Judge has scheduled the matter for May.

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 Cassidy reported the Village’s Special Counsel, Chris Cardinale of Jacobowitz & Gubetz, has advised that he and Building/Fire Inspector Gordon will be attending a Hearing scheduled for 3/30/18 regarding the Temporary Restraining Order.

Village of Hillburn vs. Creelman Road Property Owners – Transfer of the case out of Hillburn Court remains pending.

Insurance – -The 4/15/18 – 4/15/19 Policy has been received from Selective Insurance. Mayor Flanagan is meeting with Garrett Durland on 4/4/18 to review same.

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

The Village Clerk-Treasurer supplied to the Financial Report as of 3/27/18.

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

-Attorney Cassidy stated there is no update.

Tax Certioraris – (2014, 2015, 2016, 2017) –

Attorney Cassidy reported the Stipulation regarding TBS Realty Mgmt. and Hillburn Park Corp. is just pending the Judge’s signature.

2018 Village Election – Tuesday, March 20, 2018

The Village Clerk read the Statement of Canvass of votes cast at the 3/20/18 meeting, as supplied by the Inspectors of Election:

Office of Trustee (2 Year Term) - Bonnie O’Blenis – Total Votes: 51
Office of Village Justice (4 Year Term) - Jerome Jefferson – Total Votes: 48

Congratulations were extended to Trustee O’Blenis and Village Justice Jefferson.

2018 Tentative Assessment Roll at 3/27/18 (Approved by Village Board)

The final Assessment Roll will be prepared by 4/1/18. At present, Special Franchises and Telecommunication Ceiling remain Tentative.

-RE: 275 Route 17 (Property I.D. 847.18-1-10/47.18-1-10 & 47.14-1-8) – Exemption Status

Mayor Flanagan stated that due to the property owner's failure to abide by the terms of the 3/14/18 Stipulation for exemption, the property should be returned to taxable status (Roll 1).

7:35PM

A MOTION was made by Trustee O'Brien and seconded by Mayor Flanagan to suspend the regular meeting in order to go into Executive Session for Attorney/Client privilege.

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None

7:48PM

A MOTION was made by Trustee O'Brien and seconded by Mayor Flanagan to reopen the regular meeting

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None

A MOTION was made by Trustee O'Brien and seconded by Mayor Flanagan that no change be made in the Exemption Status for the 275 Route 17 property.

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None

2018-2019 Tentative Budget – The Tentative Budget has been filed by Mayor Flanagan.

A MOTION was made by Trustee O'Brien and seconded by Mayor Flanagan that the Public Hearing on the 2018-2019 Tentative Budget be held on Tuesday, 4/10/18 at 7:15PM.

Ayes: Mayor Flanagan & Trustee O'Brien

Noes: None

Annual Organizational Meeting – The meeting will be held on Monday, April 2, 2018, in the Community Room, commencing at 7:00PM.

2016 Master Plan Committee –

Committee Secretary, Parquiris DeLeon, reported the next meeting is scheduled for 4/7/18 at 10:00AM.

2020 Census – Local Update of Census Address Operation (LUCA) – No further report. Village is duly registered.

2018 Hillburn Day – Chairperson: Trustee Eleanor DeGraw

-Mayor Flanagan reported the second meeting of the Committee was held and plans are being made. There is still room on the Committee for a couple of more members.

-Next Meeting: 4/17/18 – 6:30PM – Youth Center.

Zoning Board of Appeals - No new applications have been filed.

-ZBA Membership – 5 Year Term Expiring April 2018: Dennis Anderson. Appointment to be made at 4/2/18 Organizational Meeting.

Planning Board – Next meeting is scheduled for 3/28/18.

-Planning Board Membership – 5 Year Term Expiring April 2018: Rhonda Jennings. Appointment to be made at 4/2/18 Organizational Meeting. (Rhonda Jennings was present at meeting and expressed her desire to be re-appointed).

Building/Fire Inspector's Report – Adam Gordon not present**Escrow** - Status of Escrow Accounts Report @ 3/27/18 was supplied.

-As required, two new escrow accounts were established:

O&R Utilities – Bldg. permit #030318 (Transformer Replacement): \$1,000 (3/19/18)

TBS Realty Mgmt. – Site Plan Application (For Review & Comment): \$1,500 (3/24/18)

Sandy Stead – RealTeam Energy – Mayor Flanagan reported he will be meeting with Sandy Stead to review the proposal.

Senior Citizens – The Senior Citizens are on a trip to NYC today – “Downton Abbey”.

Recreation – A written Report was read by Trustee O'Brien.**2018 Summer Camp & Swim Program**

-Health Director Services - Rosita Benjamin has been contacted and is interested in serving again this year.

-CPR/First Aid Training – Mindy Bridges from the Town of Ramapo has been contacted and will provide notification in May regarding training dates for certification.

-There are presently 38 children registered for Camp and 40 children registered for the Swim Program. Determination is needed regarding the maximum number of participants. (Mayor Flanagan stated a meeting will be held with the Recreation Director tomorrow)

-Proposed Camp Trips – Transportation quotes are needed for the following trips (A decision on which trips to take will be made at a later date)

Rye Playland, Rye NY Sportstime USA, Elmsford NY

Splash Down Beach, Fishkill NY Urban Air, S. Hackensack, NJ

Legoland, Yonkers, NY Wild West City, Stanhope, NJ

Castle, Chester, NY Palisades Mall, W. Nyack, NY

-Swim Program – A quote is needed for transportation to and from Spook Rock Pool on Mondays, Tuesdays and Thursdays.

After School Program Schedule - As of this date, the Youth Center will be open on Friday, April 6th, for a snow make-up day.

Easter Egg Hunt – Postponed to Rain Date: Saturday, 3/31/18, 11:00AM at Veterans Memorial Park – The DPW was requested to bring a table and supplies to the Gazebo at Veterans Memorial Park on Thursday, 3/31/18.

Hillburn Sewer Rebate Committee – Mayor Flanagan reported funds are still available.

Public Comments –

Frank Lazcares (39 Seventh St.) commented on garbage spilling from trucks. He had stopped by IWS and spoke with a person regarding use of their sweeper on Hillburn Clean-Up Day to assist with cleaning on Route 17 under the Thruway bridge. Mayor Flanagan stated he will speak to a representative from IWS.

-DPW Supt. Conklin stated that IWS does assist Clean-Up Day by letting the Village dump the trash collected for free.

Tim Williams (31 Sixth St.) alerted residents that he has seen a raccoon out during the day.

-RE: Monument at Veterans Memorial Park – Mr. Williams stated that he had been advised of a former resident of the Village, John “Jack” Caldwell, who served in the Navy during World War II, and inquired as to how his name can be added to the Monument. Matter will be looked into.

Application for Use of Hillburn Property

Application for Use of Youth Center

-Stacy McIntosh – Sun., 4/29/18 - 7:00AM–1:00PM – Purpose: Breakfast Fundraiser for Suffern Midget Mounties (Certificate of Insurance supplied)

-HFD Chief Starr advised that the tables and chairs for the event will be supplied by the Hillburn Fire Department.

Rental Fee Waived – Use Approved by Village Board.

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

-Mrs. McIntosh requested the event be placed on the Village’s marquee. (Approved)

Request to Use Old Fourth Street (Area of 201 Route 59)

Evan Eley, Possible Productions – Between 5/14-15/18 – Purpose: Filming “Escape at Dannemora”.

(Certificate of Insurance supplied) **Approved by Village Board as follows:**

- Village of Hillburn only authorizes the use of Village property, which only includes the roadway known as “Old Fourth Street” that runs in front of 201 Route 59.
- No fire lanes can be blocked
- Applicant is responsible to obtain all required authorizations that include, but are not limited to:
 - Property Owner(s) - (private property – 201 Route 59)
 - NYS Dept. of Transportation - (Route 59 – State Road)
 - Village of Suffern - (abutting municipality)

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

Request to Use CFR Fire Truck for a Weeding (tabled at 3/13/18 Board Meeting)

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to approve the 4/13/18 use of the CFR by 2nd Asst. Chief Ann Marie Basile, for 2 ½ hours, with the following conditions:

- Truck is to be driven by HFD President Thomas Whelan
- Truck is only to be taken to and back from Sacred Heart Church
- No one is allowed on the truck

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

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

NYCOM – RE: 31st Annual Local Government Achievement Awards (deadline: 4/23/18)

RE: Annual Meeting & Training School (5/6-8/18) – Tentative Agenda

RE: Updates – NYS Budget

NYS DEC – Summer Internship Program. (will be posted on Village’s website)

2017 Local Government Records Management Improvement Fund Grant (LGRMIF) – Grant Award: \$28,631.00 –

The Contractor, New York State Industries for the Disabled, Inc. – No further report. Awaiting completion of project.

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

Email Received 3/23/18 from PJ Danehy, DDA, Inc. – RE: Intended Use of Facility - RE: 260 Route 17, Hillburn – Property Owner: TJG Realty of Rockland

Attorney Cassidy stated she and Mayor Flanagan had met with the applicant. There is no further action to be taken at this time – no reply to the email is necessary.

Residency Requirement for Hillburn Fire Department Chief

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

WHEREAS, the Village of Hillburn Fire Department is governed by Village Law Article 10;

WHEREAS, § 10-1012 of the Village Law authorizes the Village Board of Trustees to adopt a resolution requiring the officers of a Village fire department to be residents of the Village of Hillburn;

WHEREAS, the Village Board of Trustees believes that it is in the best interest of the residents of Hillburn that the Fire Chief be a resident of the Village of Hillburn;

NOW, THEREFORE, BE IT RESOLVED that the Village of Hillburn Village Board of Trustees hereby declares pursuant to Village Law, Article 10, the Fire Chief must be a resident of Hillburn.

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

Resolution was unanimously adopted.

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

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