

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, March 22, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, March 22, 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, Deputy Mayor
Bonnie R. O’Blenis, Trustee
Thomas M. Conklin, DPW Supt.
Elizabeth K. Cassidy, Village Attorney

RECORDER OF MINUTES: Mary Boone, Clerk-Treasurer

Meeting was called to order by the Hon. Mayor Craig M. Flanagan, Jr.. H.F.D. Chief Ed Kelly, Jr. led in the Salute to the Flag.

Mayor Flanagan acknowledged the presence of three Suffern High School students: Alyssa Flanagan & Orianna Lee (both of whom are also Hillburn Recreation Aides) and CJ Martucci.

Minutes of 3/08/16 Meeting - Approved by Village Board.

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

Street & Water Commissioners Reports – Approved by Village Board.

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

Police Commissioner’s Report –

Mayor Flanagan deferred the report, as no Police Officer was present.

DPW Report – DPW Supt. Thomas Conklin reported:

-NYS Municipal Workers’ Compensation Alliance – Supt. Conklin attended the 3/10/16 Safety Seminar at the Town of Fishkill.

2016 Urban Forestry Council Arbor Day Program – 3/7/16 Notification that the Village of Hillburn was not selected for 2016 funding – Reason: High number of applications; Hillburn received a 2015 Grant. Subsequently, the Arbor Day Event scheduled for Saturday, 3/19/16 was cancelled.

-Mayor Flanagan reported that Village funds will be allocated in the 2016-2017 Budget to purchase trees.

2016 Hillburn Clean-Up Day – 4/02/16 (Rain Date: 4/9/16) – Supt. Conklin reported he stopped by IWS to discuss the dumping of trash collected. A flier was also delivered to Add-Ventures.

Bulk Trash Pick-Up Program – A discussion was held on the possibility of decreasing the number of bulk trash collections to 2 or 4 times per year, due to disregard of the regulations (i.e. placement of bulk trash at curbside days/weeks prior to the scheduled collection day; placement of trash in the roadway).

-Attorney Cassidy suggested the Building/Fire Inspector be requested to issue Violations and impose fines.

-Mayor Flanagan stated one property owner, in particular, abuses the bulk trash pick-up regulations as well as the regulations regarding recycling bins.

AGL Welding Supply Co., Inc. – Cylinder Lease – Quote for 3 Year Renewal - \$166.50 Per Cylinder. **Approved by Village Board.**

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

HFD Report – Chief Edward Kelly, Jr. reported

App Based Paging System for Personal Phones of HFD Members – (Matter tabled at 3/8/16 meeting) – Chief Kelly explained the benefits of the app - it will slowly phase out costly pagers; longer signal range; status location of responders can be tracked (can assure that drivers are on their way) – Quote from FluentIMS.com – Total annual fee (including optional hardware) is \$1,100.00. The H.F.D. will purchase app based televisions for the bays. **Approved by Village Board.**

(information for Purchase Order to be supplied)

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

-Haight Fire Equipment will perform the Air Quality and PM Service on 3/28/16 (Approved at the 3/8/16 meeting).

Village Engineer’s Report – Engineer McCreedy not present –No report.

Community Development –

2015 CD Program – Project: “After School Program 2015-2016” – No further information.

Village Attorney’s Report –

Proposals-Comprehensive Planning/Zoning RFP – Attorney Cassidy reported on the two Proposals received on 2/23/16 and tabled for review: **NP & V**, Nelson, Pope & Voorhis, LLC, Melville, NY 11747 and **AKRF, Inc.**, White Plains, NY 10601. The Village Board can accept either proposal, or reject both proposals and go back out to bid. Proposals remained tabled.

2014-2015 LGRMIF – Notification has been received from the vendor, NYSID/IMA that the project is complete and the records will be returned tomorrow, 3/23/16.

RE: 2016-2017 LGRMIF Application – The application was submitted on 3/14/16.

RE: Garbage Contract (Current Contract Expires: 5/31/16) – Bid documents are being issued Bids are returnable by 4:00PM on 4/12/16, and will be opened at 7:15PM that evening.

2016-2017 Insurance –The Village’s Insurance Agent, Seely & Durland, Inc. will be supplying a renewal from Selective.

Insurance - As recommended by the Village’s Insurance Agent, New York State Department of Motor Vehicles General Consent forms have been issued to all Drivers of Village-owned vehicles (DPW and HFD).

2015 Tax Certioraris

Attorney Cassidy reported the Stipulation with A.F.K.O.S. was approved at the 3/8/16 meeting. Three matters remain outstanding: Hillburn Park/Realty Mgmt., TBS Realty Mgmt. and Fujita, T. & K.

2016 Assessment Roll

Grievances – A Board of Assessment Review (BAR) was held at 6:00PM on this date. A total of 5 Grievances were filed. Responses to Attorney Cassidy’s letters requesting additional information/clarification have been received.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis that the following actions be taken on the filed 2016 Grievances:

<u>Date Filed</u>	<u>Property ID</u>	<u>Property Owner</u>	<u>Grievance Filed By</u>	<u>Board Action</u>
2/03/2016	47.15-1-4	Hillburn Park Corp.	Goodfriend, Saltzman & Goodfriend	No Change Insufficient Documentation to Support Assessment Sought
2/03/2016	847.19-2-2	T.B.S. Realty	Goodfriend, Saltzman & Goodfriend	No Change Insufficient Documentation to Support Assessment Sought
2/10/2016	47.14-2-1	The Fujita Trust	Shroder & Strom, LLP & Goodfriend	No Change Insufficient Documentation to Support Assessment Sought
2/16/2016	47.14-1-8	Kollel Shas Keren Hatorah* *Village Record Owner: American Friends of Kollel Oitzer Shas Canada)	Richard Sarajian, Esq. Montalbano, Condon & Frank, P.C.	Stipulation Approved 3/08/16
2/17/15	47.18-1-10 and *847.18-1-10 (*Included with 47.18-1-10 on Village Records)	American Friends of Kollel Oitzer Shas Canada	Richard Sarajian, Esq. Montalbano, Condon & Frank, P.C.	Stipulation Approved 3/08/16

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

2016-2017 Tentative Budget – Mayor Flanagan has prepared the Tentative Budget, and filed.

Zoning Board of Appeals –

-**RE: Appeal filed by Kristian Matthews/Stoneworks Estates** – The ZBA Clerk reported that at the ZBA meeting held on 3/10/16, the ZBA took action to uphold the decision of the Building/Fire Inspector.

-**ZBA Membership** – Mayor Flanagan read the letter of resignation submitted by Delores Hunter, dated/effective 3/22/16. **Accepted by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Mayor Flanagan expressed thanks for Mrs. Hunter’s volunteered service to the Village.

-**Member Certification** – The Rockland Municipal Planning Federation supplied Certificates for ZBA Members Carolyn Hairston and Delores Hunter for Completion of the Planning Zoning Recertification Course.

Planning Board – No report.

Building/Fire Inspector’s Report – Inspector Adam Gordon not present.

RE: Unsafe Structure – 53 Sixth Street - The Village Clerk-Treasurer reported the Certified Mail was returned by the Post Office as unclaimed on 3/15/16. Regular mail sent to the property owner has also been returned.

-Attorney Cassidy stated the required procedure; inasmuch as, having the premises inspected by the Village Engineer and another professional to evaluate whether or not the entire structure, or a portion of the structure, needs to be removed due to an unsafe condition.

-RE: Northeast Electrical Inspections, LLC – Request for Authorization to Provide Electrical Inspection Service – The Building/Fire Inspector supplied a memo to the Village Board, with a copy to Northeast Electrical Inspections, LLC, stating Swanson Consulting has provided very good service and he does not feel an additional inspection service is needed.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the recommendation of the Building/Fire Inspector that Swanson Consulting be the only electrical inspection service for the Village of Hillburn.

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

Escrow Accounts – Village Clerk-Treasurer reported:

Status of Escrow Accounts Report @ 3/22/16 - Supplied to the Village Board.

-Escrow Account Established by Aukadiusz, Kowalski – Building Permit #072115 (Inspections by Village Engineer) – There are no outstanding claims. Authorization needed to close-out of Escrow Balance at 3/22/16: \$564.00 **Approved by Village Board.**

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

2016 Village Election – March 15, 2016 –

The Statement of Canvass, as completed by the Election Inspectors, was read. Votes cast at 3/15/16 Election:

Office of Trustee:	Bonnie O’Blenis	-	67 Votes
	Thomas Scott	-	45 Votes

Accepted by Village Board.

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis
Noes: None

Senior Citizens –

-Trustee DeGraw reported a meeting was held on 3/21/16. Membership is increasing. Trips are being planned.

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

2015-2016 After School Program – The Youth Center will be closed on Good Friday, 3/25/16 and Easter Monday, 3/28/16.

Easter Egg Hunt – March 26, 2016 – 10:00AM - Preparations are underway.

2016 Summer Camp & Swim Program –

-Registration - Program is full. (The March 3/12/16 Registration Day for Non-Residents was cancelled)

-Project Trips - Bus quotes were requested for nine (9) projected trips:

Medieval Times, Lyndhurst, NJ	Oakland Bowl, Oakland, NJ	Colonial Lanes, Chester, NY
Sportstime USA, Elmsford, NJ	Rye Playland, Rye, NY	Splashdown Beach, Fishkill, NY
Palisades Mall, W. Nyack, NY	Recycle Center, Hillburn, NY	Provident Bank Park, Pomona, NY.

Summer Employment – Notice will be posted advising that Applications will be accepted for Summer Camp & Swim Aides and DPW Laborers – Deadline Date for Filing: 5/10/16.

-Awaiting a budget for additional swings.

A MOTION was made Trustee DeGraw and seconded by Trustee O’Blenis to suspend the regular meeting of the Village Board in order to hold the scheduled Public Hearing.

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis
Noes: None

7:30PM – Public Hearing – Introductory Local Law 1 of 2016

(A Local Law to authorize a Property Tax Levy in excess of the limit Established in General Municipal Law §3-C)

The duly posted and published Notice of Public Hearing was read aloud by the Village Clerk-Treasurer.

Attorney Cassidy reported the purpose of the Local Law is to give the Village Board the capability to exceed the Tax Cap, if necessary.

Hearing was opened for Public Comments.

Timothy Williams (31 6th Street) questioned if there is a limit as to how much the Village Board could exceed the tax cap.

-The Village Clerk-Treasurer replied yes, there is a limit, in accordance with a Constitutional Tax Limit established for the Village.

Frank Lazceres (39A 7th Street) questioned what happens if the Village does not exceed the tax cap.

-Mayor Flanagan replied that adopting this local law does not mean the Village will exceed the tax cap; however it must be in place in the event there is a need in order to cover liabilities, services and projected projects (i.e. Comprehensive Planning/Zoning Project).

Kristian Matthews (Property Owner - 166 6th Street) questioned when the Village Board would know if the tax cap will be exceeded.

-Attorney Cassidy replied mid-April.

-**Mr. Matthews** suggested looking into grants.

With no further comments.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to close the Public Hearing.

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

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

WHEREAS, the Village Board of Trustees desires to Repeal Local Law 1 of 2016 which authorizes the Village to override the tax cap in the best interest in the Village of Hillburn;

WHEREAS, Introductory Local Law 1 of 2016, A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-C was introduced at the Village Board’s regular meeting held on March 8, 2016;

WHEREAS, a duly noticed public hearing was held on March 22, 2016 at 7:30 p.m;

WHEREAS, the Village Board declared itself to be lead agency in accordance with the State Environmental Quality Review Act on March 8, 2016;

WHEREAS, the Village Board determined that the adoption of Local Law 1 of 2016 is a Type II action and no further environmental review is required;

NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law #1 of 2016 as local law #1 of 2016. Said Local Law will take effect immediately upon filing with the Secretary of State.

Ayes: Craig M. Flanagan, Jr., Mayor

Eleanor J. DeGraw, Trustee

Bonnie R. O’Blenis, Trustee

Noes: None

Abstentions: None

Overnight Parking Restriction – Mayor Flanagan recommended the Village Code be amended to overnight parking be restricted from November 15th thru April 15th only in the event of snow. The present restrictions impose difficulties for people who have narrow driveways and several vehicles. The Village Attorney was authorized to draft an Introductory Local Law to amend the current regulations. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Public Comments

-**Orianna Lee (30A Boulder Avenue)** stated she and Alyssa Flanagan (current Recreation Aides) would like to Co-Chair a Beautification Committee to plant flowers in various locations in the Village.

-Mayor Flanagan stated it is a good idea and requested a list of required items be prepared and submitted.

Trustee O’Blenis recommended notice be placed in the next Village Memo regarding the requirement of residents to clean up after their dogs, as she has noticed dog waste on the Route 17 median.

Request for Use of Hillburn Community Room

Applicant: Regina Scott Date/Time: Sat., May 7, 2016 – 2:00PM-* Purpose: Reception

Approved subject to receipt of the Rental fee: (Up to 5 Hours: \$150.00, Each Additional Hour: \$100.00 per hour) and a Certificate of Insurance naming the Village of Hillburn as the Certificate Holder. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Correspondence – The Village Board was in receipt of correspondence received, including:

-National Alliance on Mental Illness (NAMI) – RE: May - Mental health Awareness Month – Request for Hillburn’s Participation. A representative from NAMI will be requested to make a presentation to the Village Board on *4/12/16 at 7:00PM (*subsequently rescheduled to 4/26/16)

-RC Legislature – Task Force on Water Resources Management – RE: U.S. EPA WaterSense Program – Request to make the Village of Hillburn a US-EPA “WaterSense Partner”. A representative from U.S. EPA WaterSense Program will be requested to make a presentation to the Village Board on *4/12/16 at 7:30PM (*subsequently rescheduled to 4/26/16).

-National Service/Senior Corps Programs in Rockland County – RE: Mayor and County Recognition day for National Service – 4/5/16, 1:00PM-2:00PM – Summit Park Elementary School. (Deputy Mayor DeGraw will attend)

-NYS DEC – RE: Potential Lead Agency Dispute in the Matter of Application of Pilgrim Transportation of New York, Inc. to construct, operate and maintain two petroleum pipelines from the Port of Albany, Albany, new York to Linden, New Jersey.

-Town of Newburgh – RE: SEQRA Review: Pilgrim Pipeline – Town of Newburgh Request for Segmented Review and to be established as Co-Lead Agency for lateral line in the Town of Newburgh.

-NYS DOT – Installation of Pedestrian Countdown Timer on the Route 17 existing pedestrian signal equipment.

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

RE: Water Bill for p/e 1/31/16 – Acct. #2-77B – RE: Dispute raised by the property owner regarding the amount of the respective water bill. It was confirmed with DPW Supt. Conklin that the meter was re-read following the complaint and revealed the consumption was still high. After a plumber was called in by the property owner, subsequent water readings were substantially lower, thus confirming the meter is functioning properly.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis that no adjustment be made to Acct. #2-77B the bill for p/e 1/31/16 and further, late penalty be assessed.

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

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

Scheduling of April Meetings – April 4 (Annual Organizational Meeting), April 12 and April 26.. **Approved**

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

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn the meeting at 8:07PM.

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