

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, March 8, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, March 8, 2016, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Eleanor J. DeGraw, Deputy Mayor
Bonnie R. O’Blenis, Trustee
Thomas M. Conklin, DPW Supt.
Elizabeth K. Cassidy, Village Attorney

ABSENT: Craig M. Flanagan Jr., Mayor
(Work Schedule)

RECORDER OF MINUTES: Mary Boone, Clerk-Treasurer

Meeting was called to order by the Hon. Deputy Mayor Eleanor DeGraw. Village Historian Beverly Flanagan led in the Salute to the Flag.

Minutes of 2/23/16 Meeting - Approved by Village Board.

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

Street & Water Commissioners Reports – Approved by Village Board.

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

Police Commissioner’s Report –

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

DPW Report – DPW Supt. Thomas Conklin reported:

2016 Hillburn Clean-Up Day – 4/02/16 (Rain Date: 4/9/16) - Quote from Spring Street Deli - Breakfast/lunch for approximately 40 participants (to be picked up by DPW Supt.) - \$400.00. **Approved by Village Board.**

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

-Hillburn Water Storage Tank Inspection – Quote from LiquiVision Technology Services - \$2,700.00. **Tabled**

-Hudson Valley Water Works Conference – Winter Seminar – 4/6/16 – Montgomery, NY – Registration Fee: \$30.00.
Approved by Village Board.

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

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

2016 Urban Forestry Council Arbor Day Program - Application was filed on 2/11/16 for funding for the planting of 5 Trees. Supt. Conklin reported the Arbor Day Event will be held Saturday, 3/19/16 at 12:00noon. (Event was previously scheduled for 3/12/16)

H.O. Penn, Inc. – Repair of Backhoe – At the 2/23/16 meeting, the Village Board approved payment of H.O. Penn’s 2/9/16 Inv. PRWE7866412 in the amount of \$518.15. Subsequently, the Village received Invoice #BB18267 in the amount of \$1,903.00. Supt. Conklin reported invoice was reviewed and reduced to \$1,323.00.

A MOTION was made by Trustee O’Blenis and seconded by Deputy Mayor DeGraw authorizing payment to H.O. Penn, Inc. of Invoice #BB18267, in the amended amount of \$1,323.00, less the 2/23/16 payment in the amount of \$518.15.

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

Sewer Hook-Up of Village Buildings – At the 2/23/16 Village Board Meeting, Supervisor St. Lawrence had stated he would propose to the RC Sewer Commission to fund the hook-up of all Village Buildings. Supt. Conklin reported that the RC Sewer District had only agreed to fund the sewer hook-up of the Firehouse Building. (reported to DPW Supt. by Mayor Flanagan)

-Deputy Mayor DeGraw stated the matter will be further reviewed.

-Supt. Conklin reported the DPW is in the process of repairing storms drains (8 as of this date).

-Street cleaning will commence soon.

HFD Report – Chief Edward Kelly, Jr. reported

-Letter advising that two members have resigned as of 2/22/16 and are to be taken off the Village’s insurance list: Raina Fader and Christine Winter. **Approved by Village Board.**

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

-Air Compressor – Air Quality and PM Service – 1/26/16 Quote #2307 – Haight Fire Equipment Supply - \$755.00 -
Approved by Village Board.

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

App Based System for Personal Phones of HFD Members – The app will slowly phase out pagers – 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. **Tabled by Village Board.**

-Request for authorization for Building/Fire Inspector Adam Gordon (a member and Ex-Chief of the Monsey Fire Dept. – Brewer Fire Engine Co. No. 1) to ride the H.F.D.'s apparatus and respond to H.F.D. fire calls when he is on duty in the Village of Hillburn. The Chief of the Brewer Fire Engine Co. 1 submitted a 2/24/16 letter to the H.F.D. Chief granting this permission.

A MOTION was made by Trustee O'Brien and seconded by Deputy Mayor DeGraw authorizing Hillburn Building/Fire Inspector Adam L. Gordon to respond to H.F.D. calls and ride on the fire apparatus while on duty in the Village of Hillburn in his capacity as Hillburn Building/Fire Inspector; and

FURTHER, Adam L. Gordon will not be included in the LOSAP Program and insurance coverage is to be provided under the Volunteer Service Insurance.

Ayes: Deputy Mayor DeGraw and Trustee O'Brien

Noes: None

Village Engineer's Report – Engineer McCreedy not present

Annual Report for MS4 – 3/8/16 Proposal from Brooker Engineering, PLLC

A MOTION was made by Trustee O'Brien and seconded by Deputy Mayor DeGraw to approve the proposal for engineering services for the preparation of the 2016 MS4, Municipal Separate Stormwater Sewer Systems; and 2016 MCC-Municipal Compliance Certificate in the amount of \$1,200.00.

Ayes: Deputy Mayor DeGraw and Trustee O'Brien

Noes: None

Invoice dated 2/23/16 – Robert Tergersen, LA – RE: Hillburn Wetland – Site Inspector and Meeting – Attorney Cassidy reported Mayor Flanagan had requested the review of the area as a possible area for staging fill. Inspection determined the area was not appropriate.

A MOTION was made by Trustee O'Brien and seconded by Deputy Mayor DeGraw authorizing payment of the 2/23/16 Invoice from Robert Tergersen, LA, in the amount of \$300.00.

Ayes: Deputy Mayor DeGraw and Trustee O'Brien

Noes: None

Community Development –

2015 CD Program – Project: “After School Program 2015-2016” – (2) additional financial statements have been provided by participants. The 12/8/15 claim to RC CD remains tabled by RC CD.

Village Attorney's Report –

Insurance

As recommended by the Village's Insurance Agent, Seely & Durland, Inc., Resolutions were prepared by the Village Attorney as follows:

RE: NYS Motor Vehicles General Consent Form

The following RESOLUTION was offered by Trustee O'Brien and seconded by Deputy Mayor DeGraw who moved its adoption:

WHEREAS, the Village Board of Trustees in consultation with its insurance agent and Village Attorney desire to implement a drivers policy for the Village of Hillburn;

WHEREAS, the Village Board wishes to have the ability to obtain driving records for every individual who operates a Village owned vehicle for purposes of ensuring that the vehicles are being operated by responsible and validly licensed drivers and to control the Village's insurance costs;

WHEREAS, in order to obtain the driving records of individuals who drive Village owned vehicles, each driver must submit a general consent form to the Village of Hillburn;

NOW THEREFORE BE IT RESOLVED, that any individual who drives a vehicle owned and insured by the Village of Hillburn including any Village Employees and volunteer fire fighters must submit a New York State Department of Motor Vehicles General Consent form to Village Hall as a prerequisite to driving any Village owned vehicle;

BE IT FURTHER RESOLVED, that this policy shall take effect immediately;

BE IT FURTHER RESOLVED, that this resolution shall be incorporated into the Village of Hillburn Village Personnel Manual.

Ayes: Eleanor DeGraw, Deputy Mayor

Bonnie O'Brien, Trustee

Noes: None

Abstentions: None

Absent: Craig M. Flanagan, Jr., Mayor

RESOLUTION was unanimously adopted.

RE: Uniform Insurance Policy

The following RESOLUTION was offered by Trustee O'Blenis and seconded by Deputy Mayor DeGraw who moved its adoption:

WHEREAS, the Village of Hillburn Board of Trustees desires to minimize risk of potential claims arising from public works contracts entered into by the Village to minimize the potential impacts of such claims on Village taxpayers.

WHEREAS, the Village Board of Trustees has consulted with the Village Attorney and its insurance provider.

WHEREAS, the Village's insurance provider recommends that the Village adopt a uniform insurance policy for contractors.

NOW THEREFORE BE IT RESOLVED:

In connection with all contracts, the Village of Hillburn shall adhere to the following policy:

1. The requirements of the "Insurance Addendum" and "Exhibit A" annexed hereto shall be incorporated into or attached to all contracts unless a contract already contains substantially similar terms and/or insurance coverage.
2. Any request for proposals shall include the "Insurance Addendum" and "Exhibit A."
3. Each contract shall be reviewed by the Village Attorney or Village Counsel to determine if such contract has adequate insurance protections for the Village and complies with the mandate of this policy.
4. Upon the advice of the Village Attorney, Village Counsel or the Village's insurance provider, the Village Board may waive any insurance requirements or require lesser coverage on a case by case basis as the situation may warrant.
5. Any contractors, subcontractors or vendors doing business with the Village of Hillburn shall provide a certificate of insurance providing all the elements indicated in the insurance addendum.
6. Any party utilizing a Village owned facility or property shall provide a certificate of insurance, and whenever possible, naming the Village as an additional insured.

BE IT FURTHER RESOLVED that this policy shall take effect immediately.

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

RESOLUTION was unanimously adopted.

Introductory Local Law 1 of 2016 – A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C

The following RESOLUTION was offered by Trustee O'Blenis and seconded by Deputy Mayor 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.

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 March 22, 2016 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 the public notice in the official newspaper as is required by law.

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

RESOLUTION was unanimously adopted.

RE: Garbage Contract (Current Contract Expires: 5/31/16) – Attorney Cassidy submitted a proposed RFP package for a (1) year and (3) year Garbage Contract. Bids are returnable by 4:00PM on 4/12/16, and will be opened at 7:15PM that evening. Bid Notice will be posted and published.

2016 Grievances – A total of 5 Grievances were filed. Responses to Attorney Cassidy's letters requesting additional information/clarification have been received. A Board of Assessment Review (BAR) was scheduled to be held prior to the Board of Trustees Meeting on Tuesday, 3/22/16 at 6:00PM. **Approved by Village Board.**

Ayes: Deputy Mayor DeGraw and Trustee O'Brien
Noes: None

2015 Tax Certioraris

A.F.K.O.S. – Proposed Stipulation provided by Attorney Cassidy at the 2/23/16 Board Meeting. (deferred until later in meeting)

Proposals-Comprehensive Planning/Zoning RFP – On 2/23/16, two Proposals were received and tabled for review: **NP & V**, Nelson, Pope & Voorhis, LLC, Melville, NY 11747 and **AKRF, Inc.**, White Plains, NY 10601

-Attorney Cassidy stated the bids ranged from \$60,000 to \$266,640 respectfully. The Village Board does not have to grant the project to the lowest qualified bidder and can solicit further proposals. The financial mechanism must be determined.

Proposals remained tabled.

Attorney Cassidy announced that she has hired an associate, Jessica Mahoney - Ms. Mahoney will be working with her effective 4/4/16, and will provide legal services to the Village during Attorney Cassidy's leave of absence in April (Maternity leave).

-Local Government Records Management Improvement Fund Grant (LGRMIF) - 2/16/16 Proposal – New York State Industries for the Disabled (NYSID)/IMA – (Approved at 2/23/16 Board Meeting)

RE: 2014-2015 Project - Records have been provided to NYSID/IMA and project is underway.

RE: 2016-2017 LGRMIF Application

A MOTION was made by Trustee O'Brien and seconded by Deputy Mayor DeGraw authorizing the filing of the 2016-2017 LGRMIF Application on or before the 3/14/16 deadline date)

Ayes: Deputy Mayor DeGraw and Trustee O'Brien
Noes: None

2016-2017 Insurance – The Village will not be seeking proposals from insurance companies. The Village's Insurance Agent, Seely & Durland, Inc. is in the process of obtaining a renewal from Selective.

2016-2016 Tentative Budget – Mayor Flanagan is in the process of preparing same.

Zoning Board of Appeals –

-Next meeting of the ZBA – 3/10/16 in the Community Room. Agenda Item: Appeal filed by Kristian Matthews/Stoneworks Estates – (Public Hearing was held on 1/28/16)

Planning Board – No report.

-Planning Board & ZBA Membership

-Notice was supplied to the Village Board regarding the April 2016 expiration of the five year terms of ZBA Member Delores Hunter and Planning Board Member Thomas Lyons (resigned 2/9/16). Appointments will be made at the Annual Reorganizational Meeting on 4/4/16.

-Rockland Municipal Planning Federation – Clerk Session – 4/8/16 – RC Fire Training Center – The ZBA Clerk and Planning Board Clerk will be attending.

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

The Village Board was in receipt of copies of various correspondence.

Escrow Accounts – Village Clerk-Treasurer reported:

RE: Stoneworks Estates, Inc. – 9/17/15 Escrow – ZBA Application – Two claims are pending ZBA action.

2016 Village Election – March 15, 2016 –

A Sample Ballot was supplied to the Village Board (copy attached). **Approved by Village Board.**

Ayes: Deputy Mayor DeGraw and Trustee O'Brien
Noes: None

Senior Citizens – Vice President Diana DeGroat reported:

-The Seniors celebrated St. Patrick's Day at their 3/7/16 meeting.

Recreation – A written Report was provided and read by Trustee O'Brien:

3/19/16 Breakfast with the Easter Bunny has been cancelled due to lack of volunteers.

2015-2016 After School Program - Request for Additional Hours– Monday, March 14th and Tuesday, March 22nd (Parent/Teacher Conferences) 12:00noon-6:00PM. **Approved by Village Board.**

Ayes: Deputy Mayor DeGraw and Trustee O'Brien
Noes: None

2016 Summer Camp & Swim Program – Registration held on March 4th and 5th – 34 children are registered for the Camp Program and 37 are registered for the Swim Program. Registration will now be open for non-residents.

-Michelle A. Noel Scholarships have been awarded to three applicants to attend the 2016 Camp Program.

Youth Center –

-Requested the holes in ground be filled in with dirt.

-Additional swings are needed – requested a budget amount.

Easter Egg Hunt –Preparations are underway.

Hillburn Sewer Rebate Committee - Trustee DeGraw reported Sewer Rebate Applications are still being accepted.

Public Comments – None

Requests for Use of Hillburn Community Room

Hillburn Ladies Auxiliary –

Wednesday, 3/23/16 - 7:00PM - Purpose: Meeting - Street Fair Committee **Approved**

Tuesday, 3/29/16 – 7:00PM – Purpose: Meeting – Spring Dance. **Approved**

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

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

-“New York State Register” – Available online (www.dos.ny.gov/info/register.htm)

-Office of the State Comptroller - 12/31/15Fiscal Stress Summary

-NYCOM – 107th Annual Meeting

-NYCOM – RE: 29th Annual Local Government Achievement Awards – Application Deadline: 4/13/16.

-RC Personnel – RE: Change to Rule XVI – Probationary Term of the RC Civil Service Rules effective 1/12/16.

-NYS DEC – RE: Pilgrim Pipeline – Lead Agency.

-O & R Utilities, Inc. – Dig Safely – Call 811 before breaking ground.

-RC Solid Waste Mgmt Authority – RE: Upcoming Green Team Meeting – 4/14/16. (To Village’s representative, DPW Supt. Conklin)

Pitney Bowes – Contract for Mailing Machine (Expires 3/16) – 36 Month Proposal dated 3/04/16 – DM400C Digital Meter System – Monthly Rate: \$146.50. (Replaces 11/25/15 Proposal) **Approved**

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

Agreement with Town of Ramapo for Fire District #1 and #5 – Amount: \$144,525 – Voucher required to be signed and returned to the Town of Ramapo for payment. **Approved**

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

RC Board of Election – Request for Use of Community Room — Fee: \$240.00 (\$60 per day): **Approved**

RE: 2016 Election - Presidential Primary – 4/19/16

- Federal Primary – 6/28/16

- Local Primary – 9/13/16

- General Election – 11/8/2016

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

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

BOND Schoeneck & King – (3) Claims dated 3/4/16 (A.F.K.O.S., United Water and Fujita Trust) in the amount of \$462.50. **Approved**

United Water New York/Suez – 2/18/16 Claim in the amount of \$16,245.73. (Tabled at 2/23/16 Meeting) **Approved**

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

Scheduling of Annual Organizational Meeting – Monday, 4/4/16 – 7:00PM – Hillburn Community Room. **Approved**

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

2015 Tax Certiorari - A.F.K.O.S. – Proposed Stipulation provided by Attorney Cassidy at the 2/23/16 Board Meeting.

A MOTION was made by Trustee O’Blenis and seconded by Deputy Mayor DeGraw to approve the Stipulation with A.F.K.O.S. and authorizing the Village Attorney to sign same on behalf of the Village of Hillburn. (copy attached).

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None

A MOTION was made by Trustee O’Blenis and seconded by Deputy Mayor DeGraw to adjourn the meeting at 8:13PM.

Ayes: Deputy Mayor DeGraw and Trustee O’Blenis

Noes: None