

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, May 23, 2017 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, May 23, 2017, 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, Trustee
Bonnie R. O’Blenis, 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. Hillburn ZBA Member David McNally led in the Salute to the Flag.

Presentation to ZBA Member Dennis Anderson

Mayor Flanagan presented Dennis Anderson with a Certificate of Completion of Planning/Zoning Certification Courses issued by the Rockland Municipal Planning Federation.
-Mayor Flanagan thanked Dennis Anderson for his volunteered service to the Village.

Minutes of the 4/25/17 Meeting - Approved by Village Board.

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

Street & Water Commissioners Reports – Approved by Village Board.

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

Police Commissioner’s Report – Deferred until the arrival of a Police Officer.

DPW Report – DPW Supt. Thomas Conklin reported:

-Supt. Conklin reported on the purchases that had to be made in a timely manner, since the 4/25/17 meeting, for preparation or Memorial Day.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify the following purchases:

Purchase Order #1693 – Perfect Cut – 40 Years of Mulch -	\$720.00
Purchase Order #1694 - Gates Flag & Banner Co., Inc. – Flags -	\$581.00

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

-The first treatment of the pond at Veterans Memorial Park by Princeton Hydro was done on 5/15/17.

7th St. Drain Pipe (Area of 32 7th St.) – Three (3) proposals were received:

4/22/17 -	<u>Calmart</u>	\$22,600	(24” pipe)	\$23,400	(40” pipe)
4/21/17	<u>Zugibe</u>	\$32,000	(30” pipe)		
5/05/17	<u>DeSimone & Sons</u>	\$21,000	(24” pipe)		

As recommended by the Village Engineer,

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to approve the 5/05/17 proposal from DeSimone & Sons for the 7thSt. Drain Pipe Project, in the amount of \$21,000.00, and FURTHER, this project is to be funded through the NYS Consolidated Highway Improvements Program (CHIPs)

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

-A signed Agreement and Certificate of Insurance is required from the contractor.

-Supt. Conklin submitted an estimate from Pomona Power Equipment and stated the need for (4) New Commercial Trimmers @ \$339.99 each and (2) New Back Pack Blowers @ \$439.99 each.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the purchase in the total amount of \$2,239.94, from Pomona Power Equipment.

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

-A Purchase Order will be prepared and equipment will be picked up by Supt. Conklin.

Dutchess Overhead Door – Supt. Conklin has been in touch with the company pertaining to the proposed Storage Building (old Salt Shed). Matter on hold.

RC Superintendents’ Assoc. – Next meeting: 5/25/17. Supt. Conklin will be attending.

RC Health Department – Water Testing (1st half of 2017)

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the testing of the Hillburn water supply by the RC Department of Health, at the cost of \$130.00, in accordance with the Agreement and claim dated 4/29/17.

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

Agreement was signed by Mayor Flanagan.

2017 Stormwater Consortium Contract (between the Village and Cooperative Extension)

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the 2017 Stormwater II Education Program Agreement between the Cornell University Cooperative Extension of Rockland County and the Village of Hillburn for the period 4/1/17-5/31/18, and
FURTHER, the Village amount to be funded for this project is \$1,000.00, and
FURTHER, Mayor Flanagan was authorized to sign said Agreement.

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

HFD Report – Chief Starr reported

-NYS Department of Labor – Chief Starr reported that he is still working on two more violations cited by PESH (near completion).

-CPR and AED Training – Instructor: Jennifer Salomon – Request to register approximately 20 Interior Firefighters to attend the training at the cost of \$69.00 per person. **Approved by Village Board.**

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

Lettering of the New 2017 Chief’s Truck – A proposal for Silver Leaf Lettering dated 5/11/17 from Legacy Signs was presented to the Board. HFD Chief Starr recommended approval.

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to rescind Purchase Order #1680 in the amount of \$1,100.00 and to approve the 5/11/17 proposal in the amount of \$2,050, and funding will be from the BAN Appropriation for HFD Chief Vehicle.

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

NYS Department of Labor – RE: Hillburn Village Hall – Citation 1- Required Workplace Violence Policy

Village Attorney Cassidy presented the Workplace Violence Prevention Policy that is required by the NYS Department of Labor.

A MOTON was made by Trustee DeGraw and seconded by Trustee O’Blenis to replace/update the Policy that was approved on 3/28/2017, and
FURTHER, to adopt the following RESOLUTION:

WHEREAS, the Village of Hillburn is required to comply with 12 N.Y.C.R.R. Part 800.6, “Public Employer Workplace Violence Prevention Program”

WHEREAS, 12 N.Y.C.R.R. Part 800.6 (i) (1-5) requires that the Village maintain records of workplace violence incidents;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Hillburn Board of Trustees adopts the following policy:

1. Village Employees and Officials shall use the attached form to report any incidents of workplace violence. In the alternative, Village Employees may report incidents of violence to the Town of Ramapo Police Department (845) 357-2400.
2. Such forms shall be kept on file in Village Hall and are to be reviewed annually to determine if any Patterson of workplace violence are evident and if mitigation measures are required.
3. The Village Clerk-Treasurer shall notify all employees of this new policy immediately.
4. To the extent that this policy and 12 N.Y.C.R.R. Part 800.6 conflict, 12 N.Y.C.R.R. Part 800.6 shall control
5. This policy shall be incorporated into the Village of Hillburn Personnel Manual and the Village’s written workplace violence prevention program.

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

b. Procurements Not Subject to Competitive Bidding:

The Department Head shall document any decision that a purchase is not subject to competitive bidding in writing using the form attached to this resolution. This documentation may include written or verbal quotes from vendors, a memo of the contract indicating the source which makes the item or service exempt, a memo from the Department Head detailing the circumstances of any emergency purchase, or any other written documentation that is appropriate.

The procurement of goods and services which is not subject to competitive bidding shall be made in accordance with the following procedure:

Estimated Amount of Purchase Contract	Method of Procurement
\$0-500	The Department Head may make a purchase of less than \$500 (\$250 for Youth Center) provided that there are available funds within the Department Head's budget.
\$501-\$19,999	Department Head must obtain three quotes and present them to the Board of Trustees for approval. In the event a Department Head is unable to obtain three quotes, he or she may document his or her efforts to obtain quotes. Failure to obtain the required number of quotes shall not be a bar to procurement.
\$20,000+	Competitive Bidding pursuant to GML unless exemption applies. All requests to procure goods in excess of \$20,000 without competitive bidding shall be reviewed and approved by the Village Attorney and Village Board of Trustees.
Estimated Amount of Public Works Contracts	Method of Procurement
\$0-500	The Department Head may make a purchase of less than \$500 (\$250 for Youth Center) provided that there are available funds within the Department Head's budget.
\$501-\$34,999	Department Head must obtain three quotes and present them to the Board of Trustees for approval. In the event, a Department Head is unable to obtain three quotes he or she may document his or her efforts to obtain quotes. Failure to obtain the required number of quotes shall not be a bar to procurement.
\$35,000+	Competitive Bidding pursuant to GML unless exemption applies. All requests to procure goods in excess of \$35,000 without competitive bidding shall be reviewed and approved by the Village Attorney and Village Board of Trustees.

- Where alternative proposals are required, Department Head shall obtain written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided. A good faith effort shall be made to obtain the required number of proposals or quotations.
- Each Department Head, other than the Youth Center, is hereby authorized to make a purchase, or enter into a contract, for an amount less than \$500.00. The Youth Center Department Head is hereby authorized to make a purchase for an amount less than \$250.00. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. Such expenditure is subject to availability of funds in the Department Head's budget. If there are insufficient funds to cover the expenditure, the Department Head shall submit the proposed expenditure to the Village Board for approval and appropriation.
- To the extent that New York State Laws and Regulations regarding procurement conflict with this policy, said laws and regulations shall govern.
- This policy shall go into effect immediately and will be reviewed annually.

Motion by: Bonnie O'Brien, Trustee

Second: Eleanor DeGraw, Trustee

Vote: Craig M. Flanagan, Jr., Mayor

Eleanor DeGraw, Trustee

Bonnie O'Brien, Trustee

Village of Hillburn v. Losner – Attorney Cassidy stated matter is before the Judge.

-5/05/17 Claim filed by Elizabeth Cassidy, PLLC –

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to approve the 5/5/17 claim, in the amount of \$2,556.07.

Ayes: Mayor Flanagan & Trustees DeGraw & O'Brien

Noes: None

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

A Financial Report dated 5/23/17 was supplied by the Village Treasurer.

-RE: Proposed Rental Registry Local Law – A draft Rental Registry Local Law was supplied to the Village Board (tabled).

-RE: Pilgrim Pipeline Resolution – Pending.

Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017 – No further action.

Insurance

The Clerk-Treasurer advised that Insurance Agent Garrett Durland delivered the 2017-18 Policy to the Village Office. (Selective Insurance)

Tax Certioraris – (2014, 2015, 2016) – No report.

2017 Final Assessment Roll

The Village Attorney reported that petitions were received from three property owners: Fujita Trust, Hillburn Industrial Park and TBS Realty.

2016 Master Plan Committee –

The next meeting of the Committee is scheduled for 6/3/17 at 10:00AM.

-The 5/5/17 Claim filed by the Village Attorney in the amount of \$385.00 was approved by the Village Board – Funding: BAN Appropriation.

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

Community Development

The 4/21/17 correspondence from RC Community Development was acknowledged by the Village Board, which states “the Agreement that was entered into in FY 2015, FY 2016 and FY 2017 automatically renewed for participation in successive three year qualification periods (FY 2018, 2019 & 2020); and therefore if the Village of Hillburn will remain in the Consortium, there is nothing further you must do”. (No objection by Board)

Zoning Board of Appeals – No report.

Planning Board – Next Meeting: 5/25/17.

Appointment of Planning Board Member

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to approve the Mayor’s appointment of Glenn A. Kivatisky to the Hillburn Planning Board for the unexpired 5 Year Term ending April 2021.

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

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

-A complimentary copy of the *Code & Commentary to the Energy Conservation Construction Code of New York State – 2016*, was received from the NYS Energy Research and Development Authority (NYSERDA) and supplied to the Building/Fire Inspector.

-Copies of correspondence were acknowledged.

Escrow

Sempre Qualcosa (ASA AddVenture Building Service) - 10/19/16 Application to Planning Board

As recommended by the Planning Board, the Village Board approved the refund of the \$64.50 balance to the applicant.

Senior Citizens

The Clerk-Treasurer reported that a refund, in the amount of \$45.00 was received pertaining to the 5/19/17 trip (\$5 each for non-members).

Recreation – A written Report was read by Trustee O’Blenis.

-The Dirty Bingo Fundraiser for the Michelle A. Noel Scholarship was a great success.

-Memorial Day Packets are now available at the Youth Center. (Notice will be placed on marquee)

2017 Summer Camp & Swim Program –

-There are currently 35 children registered.

-4/25/17 Quote from Chestnut Ridge Transit – Transportation for Summer Camp Trips – **Approved by Village Board.**

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

-The Recreation Director and Asst. Director have taken the required. CPR/First Aid Classes.

-Quotes for Camp Supplies: **Approved by Village Board**

School Health	\$ 71.84
S&S	790.49
Oriental Trading	344.68

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

-Agreement for Health Director Services – The Agreement between the Village of Hillburn and Rosita Benjamin, to provide Health Director Services for the 2017 Summer Camp & Swim Programs, for the amount of \$1,200.00, has been fully executed and is on file.

Hillburn Sewer Rebate Committee – No new applications have been filed.

2017 Tax Warrant

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to amend the 5/16/17 Tax Warrant in accordance with the changes in the 2017 PIP Assessments, that were received on May 12, 2017. (amended Tax Warrant attached).

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis

Noes: None

2017 Hillburn Day – Sat., 7/29/17 (Rain Date: 7/30/17)

-Committee Co-Chairperson Beverly Flanagan supplied an itemized list to the Village Board for approval. List includes contracted vendors. Each vendor, with respective cost, was individually approved by the Village Board (list attached).

-Approval was requested that the Schedule of Events be copied at the Village Hall, when completed. (Approved by Village Board)

-A request was made for the DPW to hang the banner on 4th Street the week of 6/19/17. (Approved by Village Board)

-A request was made for the DPW to assist on Hillburn Day (a list of things to be done will be supplied) The Village Board authorized the DPW to work on Hillburn Day.

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis

Noes: None

Memorial Day Parade & Service – May 29, 2017

Coordination of events for the day has been duly completed by Mayor Flanagan and Robin Miele.

Public Comments-

Dave McNally (25 Lake Avenue) stated he noticed his neighbor moving construction materials at night and working after a Stop Work Order. He suggested increasing penalty fees. (Mayor Craig Flanagan responded: in the last two months there have been seven Stop Work Orders issued.) Mr. McNally recommended a couple of people should get together as a committee, meet and see the best way to address this type of situation, he thinks the building inspector should be here more often to enforce violations.

Chevron Torres (54 Fifth Street) asked the status of the Master Plan and suggested the process move faster. (Village Attorney informed her process is estimated to take approximately 18 months.)

-Requested the holes in the street be filled. (Thomas Conklin, DPW Superintendent replied they are waiting for the warm weather for the patching materials to work properly.)

-Garbage is left out over night a couple of nights before day of pickup and it being strewed all over the street.

-Heard 7-8 boys making noises at 3AM. (Trustee Bonnie O’Blenis, advised her to call the police for record keeping.)

-Expressed concerned with Hillburn Fire Department’s volunteers washing their vehicles at the HFD building area and the cost expense of the water usage. (Mayor replied this was not an issue as they are volunteer firemen.)

Chad Glinsky (property owner 38 Fifth Street) inquired if the Village of Hillburn’s 5th Street (DPW Barn) property was for sale. (Mayor Flanagan informed him that Habitat for Humanity is interested and a potential donation to them was being researched by the Village Attorney.)

-He requested that the left side of the partially left building, next to his property, be painted. (DPW Superintendent said he will look at it.)

Timothy Williams (31 Sixth Street) stated he wanted to bring awareness of grants that are available for wastewater projects.

Susan & Dennis Anderson (35 Rockland Avenue) questioned what procedure is taken for swimming pool owners to properly maintain their pools. (Mayor responded: Building Inspector is informed and The Rockland County Health Department.)

-Stated the need to have the weeds/poison Ivy removed from the back of 5th Street DPW property that abuts their property.

Complaint Form – Jonal Bellote – RE: Berme in area of 54 6th Street. (Matter being addressed by DPW Supt.)

Report of Dead Tree by Chris Westphal – Area of 26 5th Street) – (Matter being addressed by O & R Utilities)

Applications for Use of Community Room

Ratified by Village Board:

-RC Chapter of Alpha Phi Alpha – Sat., 5/13/17 – 10:00AM-2:30PM – Commemoration of Thurgood Marshall and the anniversary of the Brown vs. Board of Education Decision.

-Hillburn Scholarship Committee – Wed., 5/03/17 – 7:00PM - Committee Meeting

-Hillburn Ladies Auxiliary – Wed., 5/17/17 – 6:30PM – Tricky Tray Committee Meeting.

Ayes: Mayor Flanagan & Trustees DeGraw & O’Blenis

Noes: None

Susan & Shane Starr – Sun., 6/25/17 – 11:30AM-6:00PM – Graduation Party (Certificate of Insurance provided)

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis that the fee be waived, as applicant Shane Starr is H.F.D. Chief.

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

-Hillburn Ladies Auxiliary – 7/18, 19, 20, 21 & 22/17 - Store Baskets for Tricky Tray **Approved by Village Board.**

-Hillburn Day Committee – June 2, 16, 30, July 7, 27 & 28, 2017 – 7:00PM – 8:00PM – Committee Meetings; July 29 or 30 (Rain Date): 7:00AM – 5:00PM – Hillburn Day Event. **Approved by Village Board.**

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

Correspondence – The Village Board acknowledged receipt of copies of correspondence, regular and email, including: NYS Office of Real Property Tax Services – Notice of tentative Equalization Rate for 2017: 16.60. Complaint Form and Supporting Documentation deadline: 6/1/17.

SAM Grant - Village of Hillburn #7063 – HVAC System for Youth Center – Correspondence was received from DASNY Grant Administration on 5/22/17 – RE: Agreement

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis that the Agreement be approved and signed by Mayor Flanagan.

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

The respective required exhibits, upon completion by the Village Attorney, will be returned with the executed Agreement.

2017 Local Government Records Management Improvement Fund Grant (LGRMIF) Response pending.

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

RE: Scheduled 5/30/17 Village Board Meeting

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis that the meeting be cancelled.

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

Meeting Schedule – June 2017

Meetings were scheduled to be held as follows:

June 06, 2017 – 7:00PM – Regular Meeting
June 20, 2017 – 6:00PM – Workshop
7:00PM – Regular Meeting

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

Meeting was adjourned the meeting at 8:45PM.