

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, April 14, 2015 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, April 14, 2015, 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 Conklin, DPW Supt.

RECORDER OF MINUTES: Mary Boone, Clerk-Treasurer

Meeting was called to order by the Hon. Mayor Craig M. Flanagan, Jr. Hillburn resident Patricia Van Dunk led in the Salute to the Flag.

Minutes of 3/24/15 Meeting and 4/06/15 Annual Organizational 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 – Mayor Flanagan

Mayor Flanagan reported the Village is quiet.

DPW Report – DPW Supt. Thomas Conklin reported:

Annual Hillburn Clean-Up Day – Thanks were extended to the Village Board and volunteers for coming out on 4/11/15 for Hillburn Clean-Up Day.

-Street Repairs – Supt. Conklin met with Chuck Bugbee to inspect streets in need of repair – a quote is forthcoming.

-Fire Alarm Monitoring – A meeting will be held with Electrolock on regarding the fire alarm monitoring.

-Leak Detection – Engineer McCreedy has provided a quote from NYLD Infrastructure for Leak Detection Service. Daily Rate: \$1,750.00 per Technician.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the proposal of NYLD Infrastructure to provide leak detection service at the rate of \$1,750.00 per day/per technician; and FURTHER, Agreement is limited to (1) technician, for a maximum of (3) days, absent further Village Board approval.

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

-Partners in Safety – 3/31/15 “DOT Reasonable Suspicion Supervisor Training” – Supt. Conklin stated he had attended the training and the various strategies discussed will be helpful.

-RE: Upgrade and Monitoring of Fire Alarm System – H.F.D. Building/Community Room

Proposal from Electrolock – Upgrades

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify the Mayor’s approval of Electrolock’s 3/27/15 proposal to upgrade the fire alarm system at the H.F.D. Building/Community Room, and to authorize payment of Invoice #P12785 and Invoice #P12792 in the total amount of \$3,847.00.

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

-RE: Monthly Fire Alarm Monitoring Service – DPW Supt. Conklin to follow up on confirming the monthly cost)

Recycling – Distribution of Bins & Leaf Bags – DPW Supt. Conklin stated he keeps a record of bins and leaf bags that are given out by the DPW. The Village Clerk-Treasurer reported Yvonne Van Dunk maintains a log of leaf bags distributed at the Village Office. Quarterly Reports are now filed on distribution.

-Revenue from recycling: \$635.00. No revenue is received for leaf bag collection/recycling.

Town of Ramapo Police Officer arrived at meeting and stated all is quiet.

H.F.D. - Chief Edward Kelly Jr. not present. Written report read by Mayor Flanagan:

-6 Hour Defensive Driving Class – Sunday, May 3, 2015, in the Hillburn Community Room, commencing at 9:00AM. Maximum Space Available: 40. \$25.00 Fee per person. Fee for H.F.D. Drivers and DPW Drivers to be paid by Village of Hillburn. Balance of spaces will be open to the public, at their own cost. **Approved by Village Board.**

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

-2015-2016 H.F.D. Officers – A list of 2015-2016 Officers was supplied and read aloud by Mayor Flanagan:

Chief: Edward Kelly, Jr.; Asst. Chief: Shane Starr; 2nd Asst. Chief: Irving Stryko; Captain: Nelson Scott; Lieut.: Thomas Whalen; Lieut.: Thomas Scott.

MES – 4/10/15 Correspondence – Required Annual Flow testing of Air-Paks/SCBA. **Approved subject to H.F.D. Chief’s approval)**

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

- Ramapo Police Dept. - Active Shooting Drill – A letter of thanks was sent to Ramapo Police Chief Brower regarding the drill that was held at the Ramapo Central School District Administrative Building. Drill was very informative.
- 5-CFR – 3/08/15 Accident – Truck is scheduled for repairs at Valtek on 5/5/15 – Truck will be out of service for 10-15 working days. The Village Board authorizing Asst. DPW Supt. (Asst. H.F.D. Chief) to take the truck for repair.
- Firematic – Parts for Deck Gun – Parts have been ordered for the gate valve on the deck gun (links and gauges)
- Outside H.F.D. Entrance Door – Repair is needed – very difficult to close (DPW Supt. will follow up on same)

LOSAP

- 9/15/14 Correspondence – RE: Free RBC Investment Assistance Account – Scheduling of meeting with RBC Wealth Mgmt is pending..
- RE: LOSAP Investment Policy Statement (IPS) – Conference with the current broker is pending.
- Penflex Award Program 2014 Data Request Package – Remains tabled.

Village Engineer's Report – Engineer McCreedy not present.

Brooker Engineering, PLLC - 2015-2016 Engineering Services – Consulting Fee Schedule –

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to approve the 2015-2016 Consulting Fee Schedule submitted by Brooker Engineering, PLLC, and to authorize Mayor Flanagan to sign the Agreement.

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

Community Development

- 2015 CD Program – No response from CD Office.

Village Attorney's Report

RE: Garbage Contract (Current Contract Expires: 5/31/15) – Attorney Cassidy submitted a proposed RFP package for a (1) year and (3) year Garbage Contract. The specifications exclude trash collection from commercial properties and bulk waste collection. Bids are returnable by 4:00PM on 5/12/15, to be opened at 7:15PM that evening. Bid Notice will be posted and published.

RE: Superior Waste & Carting, Inc. v. Village of Hillburn – US Supreme Court – 4/13/15 Decision and Order – Denial of Appeal filed by Superior Waste & Carting, Inc.

RE: Update to Schedule of Fire Inspection Fees

Pursuant to discussion with the Building/Fire Inspector, it was determined that the Fee Schedule should be amended to include Late Fees and Re-Inspection Fees.

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

WHEREAS, Chapter 80, Article II, section 10, of the Village of Hillburn Village Code, entitled Building Construction and Fire Prevention”, authorizes the Village Board of Trustees to set a schedule of permit fees as promulgated by the Fire Inspector from time to time.

WHEREAS, the Village Fire Inspector has requested that the schedule of fees be amended to include a late fee for all applications received after October 1st of each year and a fee for each inspection beyond an initial inspection;

NOW THEREFORE, BE IT RESOLVED, that the Village of Hillburn Village Board of Trustees hereby adopted the annexed Fee Schedule to become effective immediately.

Chapter 80 – Building Construction and Fire Prevention - §80-10 – Permit Fees

Every Fire Safety Certificate Application shall be accompanied by the payment of the fee as specified below:

Residential

<u>Occupancy</u>	<u>Fee</u>
Permanent Occupancy	\$ 75.00 per three (3) family dwelling \$ 25.00 per each additional living unit
Senior Citizens Housing	\$ 60.00 for each three (3) living unit cluster \$ 15.00 for each additional living unit
Transient Occupancy	\$150.00 up to 10 rooms \$ 7.50 for each additional room
Adult Residential Care	\$150.00 for 10 beds \$ 7.50 for each additional

Businesses

<u>Square Feet</u>	<u>Fee</u>
0 - 5,000	\$ 75.00
5,001- 7,500	\$ 125.00
7,501- 10,000	\$ 175.00
10,001 - 25,000	\$ 500.00
25,001 - 50,000	\$ 750.00
50,001 - 75,000	\$1,000.00
75,001 – 100,000	\$1,250.00
100,001 – 125,000	\$1,500.00
125,001 – 150,000	\$1,750.00
150,001 – 175,000	\$2,000.00
175,001 – 200,000	\$2,250.00
200,001 – 250,000	\$2,500.00
250,001 – 300,000	\$2,750.00
300,001 – 350,000	\$3,000.00
350,001 – 400,000	\$3,250.00
400,001 – 450,000	\$3,500.00
450,001 – 500,000	\$3,750.00
Each additional 50,000 s.f. = additional \$250.00	

Miscellaneous

Late Fee to be charged for an application received after October 1 st .	\$ 75.00
Inspection fee for each inspection beyond initial inspection	\$ 75.00

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

RESOLUTION was unanimously adopted.

RE: 5th Street DPW Garage – Attorney Cassidy reported that pursuant to the Village Engineer’s recommendation that the structure be demolished and the adoption of a Resolution to proceed with same on an emergency basis, proposals from contractors have been received.

4/02/15 – Salomone Bros. \$500.00 (Village of Hillburn responsible to supply containers and properly disposal of all debris)
 4/02/15 – Sterling Carting \$650.00 (30 yard delivery - 5 tons of material) plus overweight \$80.00 per additional ton
 3/30/15 - ALR Constr. Ser \$13,500.00 demolition of storage building

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn from the regular meeting at 7:23PM to hold an Executive Session.

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

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to resume the regular meeting at 7:30PM.

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

The proposals for demolition of the 5th Street garage were tabled.

7:32PM – Public Hearing – 2015-2016 Tentative Budgets

The duly posted and published Notice of Public Hearing was read aloud by the Village Clerk. Copies of the 2015-2016 Tentative Budgets were supplied to all in attendance.

Mayor Flanagan reviewed the 2015-2016 Tentative General Fund and Water Fund Budgets and Revenues and Appropriations pages and highlighted the decreases and increase in comparison to the prior year.

- The tentative tax rate is \$3.75 per \$100 valuation, an increase of .53% over the 2014-2015 tax rate (\$3.73/100).
- Increase in tax rate can be attributed to several Tax Certiorari Stipulations and a \$44,500.00 decrease in Ramapo Fire Protection District #1 revenue.
- Salary increases are appropriated for Village Board members and employees.
- The Tentative 2015-2016 is within the Tax Cap as calculated by the NYS Comptroller’s Office..

A discussion was held regarding the decrease in revenue from the Ramapo Fire Protection District #1.

-Mayor Flanagan stated he had been informed that several property owners in the Ramapo Hamlet had complained regarding the cost. The initial proposal received from the Town of Ramapo was \$30,000.00 which was not accepted by the Village. Subsequently, the proposal for \$105,500 was offered and accepted.

-Ramapo Town Councilman Daniel Friedman was present at the meeting and explained that taxes are imposed on residents in a Fire Protection District to pay for the fire coverage.

Hearing was opened for Public Comments regarding the tentative 2015-2016 General Fund Budget.

Patricia Van Dunk (23 Mountain Avenue) stated her approval of the Budgets.

Beverly Flanagan (17 Blakeslee Place) stated her approval of the Budgets.

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

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Action on the Tentative 2015-2016 Budgets will be taken at the 4/28/15 Board Meeting.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to resume the regular meeting.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

2015 Assessment Roll – Tentative Roll was amended to reflect the action taken by the Village Board of Assessors/Board of Trustees on 3/24/15. Roll was duly finalized on 4/1/15.

-The Village is in receipt of two Tax Certiorari proceedings: TBS Realty Mgmt, LLC, Ramapo Mgmt/Hillburn Park Corp. and a Note of Issue from United Water New York.

-Correspondence was received from the NYS Dept. of Taxation & Finance – RE: Schedule of ORPTS Training Courses for Assessors/Directors through October 2015.

Zoning Board of Appeals

-Public Hearings are scheduled for Monday, 4/20/15 on the applications of Fireplaces by Design, Inc. and Salomone Redi-Mix of New York, LLC.

ZBA Membership: David McNally has taken the Oath of Office for the 5 Year Term ending 4/2020.

Planning Board

Next meeting is scheduled for 4/16/15.

Planning Board Membership – Richard Mellon has taken the Oath of Office for the 5 Year Term ending 4/2020.

-A verbal resignation from the Planning Board was received from Willie Williams (written resignation is pending). Mayor Flanagan appointed Patricia Van Dunk, who was present at the meeting, to the unexpired term ending 4/2019. Mrs. Van Dunk accepted the appointment and will take the Oath of Office tomorrow.

-Planning Board member Sheree Edwards will serve as Chairperson.

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

-A Building Permit has been issued to United Water New York – Project: Ramapo Valley Well Field No .84 Improvements. (as approved by Planning Board and Zoning Board of Appeals).

Cornell Cooperative Extension – 2015 Stormwater II Education Program Agreement

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to decline entering into the 2015 Stormwater II Education Program Agreement.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Annual Report for MS4 – 4/6/15 Proposal from Brooker Engineering, PLLC

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to approve the proposal for engineering services for the preparation of the 2015 MS4 and MCC Annual Report and Self-Assessment Audit in the amount of \$1,200.00.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Escrow Accounts

-The Village Board was in receipt of the Status of Escrow Accounts Report at 4/14/15 as prepared by the Village Clerk-Treasurer.

-As authorized by the Village Board at the 3/24/15 meeting, the following escrow accounts were closed out as follows:

Magic Gardens Landscaping - Voucher Claim filed – Reimbursement dated 4/14/15.

Escrow Established 7/19/07

TBS Realty Mgmt, LLC

Escrow Established 10/20/06

-Review of records revealed subsequent inspections had been made by the Building/Fire Inspector – Escrow Balance due to the Village of Hillburn.

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to claim the balance in the escrow account established by TBS Realty Mgmt, LLC on 10/20/06, in the amount of \$405.00.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Dator Commercial Real Estate - Review of records revealed Local Law #2, 2009 had been duly adopted -
Escrow Established 6/24/09 Escrow Balance due to the Village of Hillburn.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to claim the balance in the escrow account established by Dator Commercial Real Estate on 6/24/09, in the amount of \$500.00.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

TJG Realty - Filing of Voucher Claim for refund is pending.
Escrow Established 2/11/11

Claims Against Escrow

-Spence Engineering – 4/6/15 Claim Against United Water Escrow Account in the amount of \$3,565.41. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Senior Citizens – President, Judi Starr, not present.

-The Village Clerk-Treasurer reported the Senior Citizens will be holding Military Bridge on Friday, 4/24/15 in the Community Room. (DPW assistance needed for set up on 4/23/15)

Recreation – The written report provided by the Recreation Department was read aloud by Trustee O'Blenis: Everything is going well at the Youth Center.

-The Youth Center was closed during Spring Break due to lack of response for the offered Mini-Camp.

-2015 Summer Camp Program – Plans are being made. A flyer was supplied for approval (confirmed that program will be open for youth entering K-9). **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

-Camp Registration to be held on Saturday, 5/16/15 from 10:00AM-12:00noon - **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

-Earth Day – Wednesday, 4/22/15 – Plans are being made to have the children collect trash around the field and rake in the play area. DPW was requested to supply rakes. (Supt. Conklin will follow up on same)

Historical Society – Chair Beverly Flanagan stated she has no report.

2015 Hillburn Day – Saturday, 8/1/15 – Mayor Flanagan reported several meetings have been held

-As approved at the 3/24/15 meeting, a 60” Smart TV has been purchased for raffle – tickets are currently on sale.

Public Comments –

Kathy Breen (23 Rockland Avenue) requested removal of items stored behind the H.F.D. building, as it is pushing against her fence; and a remedy (change angle/caps) for the 3 lights on the H.F.D. building that shine directly into her backyard. (DPW Supt. will follow up on same)

Beverly Flanagan (17 Blakeslee Place) questioned if treatments have commenced on the pond at Veterans Memorial Park.

(Mayor Flanagan replied no – determination of water loss is needed. Matter is under review).

-**Mrs. Flanagan** also questioned the Building Permit issued United Water New York. (Attorney Cassidy stated the Permit was issued for improvements to Ramapo Valley Well Field No .84, a project mandated by the State – property/building is located on Route 59)

Ramapo Town Councilman Daniel Friedman addressed the Village Board and the public and stated he was very impressed with the Village of Hillburn's procedure for publicly reviewing the tentative budgets. In regards to Ramapo Fire Protection District #1, he stated he supported the Village's stand regarding funding and will continue to promote the best interests of all 12 of the villages in the Town of Ramapo, including the Village of Hillburn and Sloatsburg. He welcomed questions/comments from the public.

-Trustee DeGraw questioned the status of the much needed repair of the 4th Street Railroad bridge by the Town of Ramapo. The Town has authorized funds for walking paths to the Joseph P. St. Lawrence Center; however, has stated that funding is not available for this project, which is the main entrance to the Village of Hillburn.

-Trustee O'Blenis commented the condition of the bridge has the potential to cause accidents from cars, trying to avoid the potholes on the bridge, veering into the oncoming traffic.

-Councilman Friedman stated he would like to see a permanent solution to this issue and encouraged residents and Board members to attend a Ramapo Town Board meeting. He has been attempting to move the Public Comment Period to the beginning of the Town Board Meetings and increase allotted comment time.

-Mayor Flanagan thanked Councilman Friedman and stated that he was very helpful to the Village during the Ramapo Fire District #1 negotiations.

Patricia Van Dunk (23 Mountain Avenue) stated the Town of Ramapo should want the nearest fire department to provide coverage, as it owns several buildings in Fire Protection District #1, including the Joseph P. St. Lawrence Center. She stated the residents of the Ramapo Hamlet should be made aware of the negotiations regarding fire protection, as their property could be affected.

- Mrs. Van Dunk questioned the cost for fire protection per household.
- Councilman Friedman stated that the fees for Fire Protection District #1 are only imposed on property owners in the respective district, via a special tax levy.
- The Board thanked Council Friedman for attending the meeting and for his continued assistance to the Village of Hillburn.

2015-2016 Insurance

- Village Attorney Cassidy is in receipt and reviewed policies.
- Pending: Crime Policy.

Correspondence

- 3/30/15 - Marshall & Sterling – Availability for submitting insurance proposal(s).
- John Sanford – Warwick Resource – New NYS Volunteer Benefit Law.
- Bill Beckman (Appraiser) - Email request for meeting with Mayor Flanagan to discuss purchase of old 4th Street. Village Attorney to attend meeting, when scheduled.
- NYS Dept of State – A Revised Initiative Form-TM51617 was received on 4/14/15 - Grant for Purchase of Bail Out Gear and Village Office Equipment.

2014 Local Government Records Management Improvement Fund (LGRMIF) Grant – A meeting was held with the Village’s Grant Writer, Sylvia Welch, and a representative from Hudson Archival.

Applications for Use of Village Property –

Hillburn Community Room & Youth Center – Applicant -Officer Andre Sanchez, Town of Ramapo Police Dept.- Applicant has withdrawn the applications (buildings are not suitable for the K-9 Certification Training)

Amendment to Approval for Use Hillburn Community Room – Lisa Morgan – 3/29/15

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to rescind the fee requirement for use of the building, due to the applicant is a community volunteer.

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

Applications for Use of Hillburn Community Room – Approved by Village Board

-Yvonne Van Dunk - Date: Saturday, 4/25/15 / Time: 2:00PM – 9:00PM - Purpose: 80th Birthday Party
Insurance Certificate Provided.

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

Personnel Manual – A discussion was held on updates needed to the Personnel Manual, including employee insurance contributions.

Scheduling of Meetings

- A workshop meeting of the Village Board was scheduled for 4/30/15 at 7:00PM. Agenda will include the Village’s Personnel Manual.
- May 2015 Meeting Schedule: Tuesdays, May 12th and May 26th – 7:00PM

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

Village of Hillburn – Sewer Rebate Program

- A checking account is being established for the Village of Hillburn. Deputy Clerk, Yvonne Van Dunk, will serve as Treasurer.
- The Village Board will serve as the Sewer Rebate Committee and oversee the program
- Approval from Rockland County to issue funds to the Village of Hillburn – Attorney Cassidy stated that the County has approved same, subject to receipt of a Resolution, which she is preparing.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn meeting at 8:56PM.

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