

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, June 23, 2015 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, June 23, 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. Resident, Tim Williams, led in the Salute to the Flag.

**Minutes of 6/09/15 Meeting – Tabled 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 reported:**

-He had spoken to a Ramapo Police Officer who advised that the Village is quiet.

**DPW Report – DPW Supt. Thomas Conklin reported:**

- Water Service Interruption scheduled for tomorrow, between 9:00AM-11:00AM (replacement of curb box – 27 Mountain Avenue). Notices hand-delivered to residences.
- Damage to Sixth Street Gate – Repairs have been made – painting still to be done. DPW Supt. to provide information to Village Office and a bill will be generated and sent to the responsible party.
- Repair of Guardrail–Park Ave/Blakeslee Pl.– Repair made by Anchor Fence unacceptable. Will be back to rectify same.

**H.F.D. - Chief Edward Kelly Jr. not present**

**LOSAP**

- Correspondence regarding investment performance and account statement provided to Village Board.
- LOSAP Investment Policy Statement – To be reviewed.

**Village Engineer’s Report – Engineer McCreedy not present**

**Community Development** -2015 CD Program– 6/15/15 Award: \$25,000 – Project: “After School Program 2015-2016”. (written notification, contract pending)

**Village Attorney’s Report**

**RE: Introductory Local Law #2, 2015 to Repeal Local Law 1 of 2015, Override the Tax Levy Limit Established in General Municipal Law § 3-C**

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

WHEREAS, the Village Board of Trustees adopted Local Law 1 of 2015 for the purposes of authorizing an override of the tax levy limit established in General Municipal Law §3-C;

WHEREAS, the 2015-2016 budget duly adopted by the Village Board of Trustees does not exceed the tax levy limit;

WHEREAS, the Village Board of Trustees has determined that it is in the best interest of the Village to repeal Local Law 1 of 2015 in order to avail the Village of New York State’s property tax cap freeze program;

NOW THEREFORE BE IT RESOLVED, that an introductory Local Law entitled Repeal of Local Law 1 of 2015, Override the tax levy limit established in General Municipal Law §3-C is hereby introduced before the Board of Trustees of the Village of Hillburn;

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 July 14, 2015 at 7:15 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 public notice in the official newspaper as is required by law.

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

**RE: Property Maintenance – Overgrowth of Vegetation** – In addition to notices sent to respective property owners by the Building/Fire Inspector, the Village Attorney will send letters advising that, if the violation is not rectified on or before 6/30/15, the Hillburn DPW will be authorized to cut the overgrowth. Owner will be billed; and if bill is not paid, cost will be levied on the respective property owner's tax bill.

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

WHEREAS, the Code Enforcement Officer has advised the Village Board indicating that the following properties have overgrown grass.

Address	Tax ID
53 Sixth Street	47.18-3-61
27 Chestnut Avenue	47.18-2-51
132 Sixth Street	47.18-1-4
53 Rockland Avenue	47.14-2-21
32 Second Street	47.14-2-4

WHEREAS, grass in excess of 10 inches violates § 302.4 of the Property Maintenance Chapter of the New York State Building Code and violates Chapter 184 of the Village of Hillburn Village Code;

WHEREAS, excess growth of weeds and plant growth creates a health hazard to neighboring property owners in that it allows mosquitoes and other vermin to flourish, and

WHEREAS, the owner of the above properties have refused to cut the weeds and plant growth and secure the building, despite written requests, and

WHEREAS, the Village Board desires to have the above properties mowed by the Village and have the cost be charged to the owner of the property.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Hillburn that based upon the above, the condition of the above properties create a public health nuisance which must be corrected immediately;

BE IT FURTHER RESOLVED that the Village of Hillburn Department of Public Works is hereby authorized to mow the above properties if they have not been mowed by June 30, 2015; and

BE IT FURTHER RESOLVED that the Village Attorney or Code Enforcement Officer shall transmit a copy of this resolution to each property owner of the properties listed above;

BE IT FURTHER RESOLVED that the Village Assessor is hereby authorized to assess the cost of the above mowing as a lien against the above property in accordance with Chapter 184 of the Village of Hillburn Village Code.

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

**RE: Dedication of Youth Center to Michelle A. Noel** – Draft Resolution has been prepared for review by the Village Board.

#### **Tax Certioraris**

Attorney Cassidy will be appearing in court on 6/24/15 regarding United Water New York.

A meeting will be scheduled with the Village Board/Board of Assessors to discuss status of pending Tax Certioraris.

**Zoning Board of Appeals** – No report.

#### **Planning Board**

**-United Water New York Escrow Account – 7/2/14 Site Plan Application**

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis authorizing the close out of the escrow account established by United Water New York on 7/2/14 and the reimbursement of the balance in the amount of \$405.00, as recommended by the Hillburn Planning Board.

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

**Building/Fire Inspector's Report** – Inspector Adam Gordon reported:

-Village Code Violations – Notices/Orders to Remedy are being issued

-Open Burning Restriction – Recommendation to amend code inasmuch as Rockland County no longer issues permits.

-Building Permit Application – 28 7<sup>th</sup> Street – Application has been referred to the Village Engineer for review, due to a tributary stream runs across respective property. \$500.00 Escrow account established 6/3/15)

-Knox Box Installation – Knox boxes should be installed on the Community Room and Youth Center.

-Building/Fire Inspector Coverage – Inspector Gordon reported he will be away on vacation from 7/5-17/15 and recommended Tom Buckley (retired Ramapo Fire Inspector) provide coverage. Village Board approved same. (Inspector Gordon to make arrangements with Mr. Buckley)

-Status of 27 Mountain Avenue – Mayor Flanagan stated his concern that the current property owner has been made aware that the three family pre-existing, non-conforming use is no longer in effect and the structure can only be used as a single family dwelling.

-Inspector Gordon stated he had notified the property owner verbally. (copies of respective correspondence supplied to owner)

-Attorney Cassidy stated the property owner is on notice. A new Certificate of Occupancy is also required. She will follow up on matter.

### Escrow Accounts

-A Status of Escrow Accounts Report @ 6/23/15 was supplied to the Village Board by the Clerk-Treasurer. Report includes escrow accounts pending establishment.

### Senior Citizens – President, Judi Starr, reported:

-Senior Citizens representatives will be attending a Counsel Luncheon - Colonial Manor in Norwood, NJ, on 6/24/15.

-RE: 6/9-11/15 Trip to Finger Lakes, NY – A refund of \$100.00 was received from the Senior Citizens.

-Special Guests have attended Senior meetings, including the Ramapo Police Canine Unit and the RC District Attorney.

-RE: Senior Citizens 40<sup>th</sup> Anniversary – Celebration will be held at Krucker's on 8/16/15.

-A First Aid Kit is needed at the Community Room. (DPW Supt. to follow up on same)

-AED System – Mayor Flanagan is looking into obtaining an AED system for the Community Room and Youth Center.

### Recreation – Trustee O'Blenis read the written Report.

2014-2015 After School Program – 6/26/15 is the last day of the program and will be celebrated with a Pizza Party.

### 2015 Summer Camp & Swim Program

A meeting was held at the RC Health Department on 6/16/15 to review compliance to RC requirements. An RC Health Department representative will make an inspection of the Youth Center building prior to camp and after the start of camp.

-CPR/AED & First Aide Training – 6/30/15 & 7/01/15 at the Clark Recreation Center – Request for 4 attendees: Angie Flanagan, Marty Perrano, Corrin Miele & Autumn Mann. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

RE: Computer Repair – Request to send \$50.00 to Rockland PC in appreciation for donating their services to repair laptop computers. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

### Hillburn Sewer Rebate Committee

Trustee DeGraw reported the Hillburn Sewer Rebate will be sending out additional refund checks totaling \$15,000.00.

### 2015 Hillburn Day – August 1, 2015

Mayor Flanagan reported plans are going well. Committee Meeting was held on 6/16/15.

-Trustee O'Blenis read the notice/poster regarding the Talent Show.

-Citizen of the Year – Mayor Flanagan announced that nominations are being accepted – Deadline: 7/15/15.

### Public Comments –

**Tim Williams (31 6<sup>th</sup> Street)** – questioned if any further information was obtained regarding restricted outdoor burning as the issue of smoke coming into his home continues.

Bldg/Fire Inspector advised at present, open burning is only allowed for cooking purposes.

**Lisa Jennings (120 6<sup>th</sup> Street)** questioned the Bldg/Fire Inspector regarding the location of the tributary stream. (Bldg/Fire Inspector a Building Permit Application has been filed for 28 7<sup>th</sup> Street and structure is located in the area)

**Mae Bowens (125 6<sup>th</sup> Street)** thanked Trustee DeGraw for the excellent job done in instructing the cooking class.

**Wilma Powell (68 5<sup>th</sup> Street)** advised that the NYS DOT had painted lines on Route 17; however the lines near Mt. Fuji were not defined/corrected. (DPW Supt. stated he has not received a response from the NYS DOT as of this date. He will contact them again)

**Amy Peterson (53 5<sup>th</sup> Street)** commented on the poor condition of the 4<sup>th</sup> Street bridge surface. Mayor Flanagan stated the resurfacing of the bridge is the responsibility of the Town of Ramapo who advised there is no funding available. The bridge structure has been inspected by the State. Any damages to vehicles should be reported to the Town of Ramapo.

**Beverly Flanagan (17 Blakeslee Place)** suggested a group of residents, along with the Journal News, meet with the Town of Ramapo Officials.

### Applications for Peddling and Soliciting License filed 2/11/15

-Attorney Cassidy stated the two applicants are presently before the Justice Court for peddling without a permit and recommended tabling the 2 applications.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to table the applications for further review.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

### Correspondence

-NYS Office of Real Property – 2015 Assessor's Report.

-Memo to DPW Supt. – RE: 6/25/15 installation of Cablevision at Youth Center.

-Workers' Comp Alliance – RE: 5/12/15 Inspection of Village buildings – List of cited items. (List provided to DPW Supt. who reported some items have been rectified).

- Hillburn Water Service Interruption Notice – dated 6/23/15 – Notice was hand-delivered to residents, posted on sign and sent to WRRCR for announcement.
- Dwayne Perry – Property Survey (provided to Mayor Flanagan)
- NYS Office of Realty Property Tax Services – Tentative 2015 Equalization Rate: 20.86.
- RC Dept. of Transportation – Summer Service to BOCES and Spook Rock Swimming Pool.
- NYS Dept. of Public Service – Public Statement Hearings – Joint Rate Proposal filed by O & R Util., Dept. of Public Service Staff and other parties to the case. Dates: 6/30/15 (Goshen, NY) & 7/1/15 (Ramapo Town Hall, Suffern, NY)

Mayor Flanagan mentioned joining with the County to purchase electric. The Village Attorney advised the Village presently has a contract with Insource Power.

**Applications for Part-time Summer DPW Employees** – tabled for discussion in Executive Session.

**Personnel Manual** – Draft is being prepared by the Village Attorney and same will be provided to the Village Board for review.

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

**July 4<sup>th</sup> Holiday** – All Village departments will be closed on 7/3/15, in observance of Independence Day.

**Schedule for July and August Meetings**

IT WAS RESOLVED by the Village Board that one meeting be held in the months of July and August, 2015 as follows: Tuesday, 7/14/15 and Tuesday, August 18, 2015.

**7:55PM**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to suspend the regular meeting to hold an Executive Session to discuss personnel and Attorney/Client information.

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

**8:13PM**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to resume regular Board Meeting.

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

**TBS Realty – Request to Purchase Old 4<sup>th</sup> Street**

A MOTION was by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the Village Attorney to advise Mr. Dorfman, Attorney for TBS Realty, that the Village of Hillburn does not wish to consider selling Old 4<sup>th</sup> Street at this time.

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

**Repaving of 4<sup>th</sup> Street Railroad Bridge**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to send a notice to the Town of Ramapo regarding its responsibility to resurface the 4<sup>th</sup> Street Railroad Bridge.

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

**Applications for Part-time Summer DPW Employees** – (3) Applications are on file.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis that pursuant to interview and appointment by Mayor Flanagan, Summer DPW Employee(s) be hired at a rate of \$8.75 per hour.

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

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to adjourn meeting at 8:17PM.

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