

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, March 24, 2015 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, March 24, 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. Attorney Cassidy led in the Salute to the Flag.

Minutes of 3/10/15 Meeting –

The Village Clerk-Treasurer noted a correction to the minutes inasmuch as the date for the 2015 Hillburn Day is August 1st.
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 (Police Officer arrived later)

DPW Report – DPW Supt. Thomas Conklin reported:

Annual Hillburn Clean-Up Day – 4/11/15 (Rain Date: 4/18/15) - Supt. Conklin supplied a quote from Spring Street Deli in the amount of \$400.00 for the refreshments. **Approved by Village Board.**

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

-“Keep Rockland Beautiful” (KRB) has been notified of an error in their newsletter (RE: Rain date for Hillburn Clean-Up Day listed as 4/12/15. Correct Date: 4/18/15). Supt. Conklin will pick up supplies from KRB tomorrow.

Storm Drains – A quote (s) will be obtained for blocks/brick to repair storm drains.

-Supt. Conklin has been in contact with the foreman from Echo (NYS Thruway Floodwall Project) who advised the damage to the header on the 4th Street storm drain will be repaired.

-Bermes – Repairs will be made as soon as materials can be obtained.

-Street Repairs – Quotes will be obtained.

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

-Leak Detection – Engineer McCreedy was contacted regarding obtaining quotes.

-Partners in Safety – “DOT Reasonable Suspicion Supervisor Training” –

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing Supt. Conklin to attend the DOT Reasonable Suspicion Supervisor Training on 3/31/15 from 8:00AM to 10:00AM in Valley Cottage, NY at the Registration Fee of \$89.00.

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

-State Comptroller’s Office – Webinar - “Cracks in the Foundation: Local Governments are Still Losing Ground on Addressing Vital Infrastructure Needs” - Information supplied to DPW Supt.

-Superintendents Association of Rockland County – Luncheon – 3/26/15. (Supt. Conklin will attend, subject to workload)

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

-H.F.D. Driver’s List – Updates have been approved by Village Board.

-Self-Contained Breathing Apparatus – Emergency service was done by MES and paks have been repaired and returned.

-Compressor – Servicing done by Haight Fire Equipment revealed some additional repairs needed. A bill is forthcoming.

-Chief Kelly has prepared a Standard Operating Guideline for HFD Drivers for review by the Village Attorney.

-A Defensive Driving Class for HFD drivers is being organized through the County. Dates/times to be determined.

-The Ramapo Police Dept. conducted a very informative presentation to the H.F.D. on Active Shooters. The drill will be held in a few weeks at the Ramapo Central School District Administrative Building.

LOSAP

-9/15/14 Correspondence – RE: Free RBC Investment Assistance Account – Attorney Cassidy recommended a meeting be scheduled with RBC Wealth Mgmt.

-RE: LOSAP Investment Policy Statement (IPS) – Village Attorney recommended a conference with the current broker prior to contacting alternate brokers.

-Penflex Award Program 2014 Data Request Package – Remains tabled.

Village Engineer’s Report – Engineer McCreedy not present.

RE: 5th Street DPW Garage – Attorney Cassidy reported that pursuant to an inspection of the garage, Engineer McCreedy supplied a written recommendation that the structure be demolished. Although the Village’s insurance carrier agrees that the structure should be taken down; they have filed coverage disclaimer. A 3/24/15 response letter to Selective Insurance has been prepared by Attorney Cassidy.

SEQR Determination

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to determine that due to the demolition of the structure located at 40 5th Street is an emergency, it is a Type II action and not subject to SEQR review.

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

A MOTION by Trustee O'Brien and seconded by Trustee DeGraw authorizing the Mayor to enter into a contract with a reputable construction company to demolish the structure at 40 5th Street and to salvage any useful materials and

FURTHER, the demolition of the structure has been deemed an emergency and is not subject to GML Review.

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

-DPW Supt Conklin is to record a list of all items removed from the 5th Street garage.

Community Development

-Re-programming of 2013 CD Fund Balance – A letter dated 3/23/15 has been received from the RC CD Director advising that the unused CDBF funds in the amount of \$10,982.93 cannot be reprogrammed and have been recaptured.

-2015 CD Program – No response from CD Office.

Village Attorney's Report

-NYS Homeland Security and Emergency Service – Intrastate Mutual Aid Program ("IMAP") – Attorney Cassidy reported on the Program that allows local governments to share resources during a declared local state of emergency without entering into individual intergovernmental agreements, provides for reimbursement, and specifies liability when personnel are shared. The Village is a participant in IMAP unless the Board chooses to opt out. (The Village Board concurred to stay in IMAP)

Resolution to Accept Sewer Rebate Funds

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

WHEREAS, the Village of Hillburn entered into an Inter-municipal Cooperation Agreement ("Agreement") with Rockland County Sewer District #1 ("District") and Rockland County ("County") on July 9, 2008 for among other items the provision of a user fee rebate for Village residents;

WHEREAS, the Agreement, Article IV, "Payments", Section 4.3 "User Fee Rebate" provides that the District shall pay annually to the Hillburn Development Corporation, or such other comparable entity if the Hillburn Development Corporation ceases to exist \$30,000 to enable the Hillburn Development Corporation to provide assistance to Village residents with necessary sewer related serves, as well as a \$3,000 annual payment to pay the cost of administrative services;

WHEREAS, the District has been paying funds to the Hillburn Housing Development Fund Corporation which has administered the user fee rebate;

WHEREAS, after consultation with the Village Attorney, the New York State Attorney General's Office, the County Attorney and the District, it has been determined that the Hillburn Housing Development Fund Corporation is not the appropriate entity to be receiving funds from the District;

WHEREAS, the "Hillburn Development Corporation" does not exist;

WHEREAS, the Village of Hillburn desires to take over the administration of the user rebate fee;

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby requests that the County and District amend the Agreement and pay all future funding for the user rebate fee to the Village of Hillburn;

BE IT FURTHER RESOLVED that the Village Board of Trustees hereby accepts any and all funds of the Hillburn Housing Development Fund Corporation received in connection to the user rebate fee to be paid to the Village of Hillburn;

BE IT FURTHER RESOLVED that the Village Board of Trustees authorizes the Village Clerk Treasurer to open a segregated account and to hire administrative staff as is necessary and authorized by the Agreement;

BE IT FURTHER RESOLVED that the Village Board of Trustees authorizes the Village Attorney to take such further action as is necessary to effectuate the intent and purpose of this resolution.

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

7:30PM – Public Hearing Introductory Local Law #1, 2015 – A local law to authorize a property tax levy in excess of the limit established in General Municipal Law §3-c

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

The Village Attorney summarized the purpose of the local law inasmuch as authorizing the override of the 2015 property tax cap of 1.68%, if necessary. Attorney Cassidy stated that the adoption of the local law renders the Village ineligible for the Property Tax Freeze Rebate Program.

Public Hearing was opened for comments.

Beverly Flanagan (17 Blakeslee Place) questioned why the tax cap is not 2%.

-Mayor Flanagan stated that the current percentage is 1.68% for fiscal year beginning 6/1/15, as calculated by the NYS Comptroller's Office.

With no further comments

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

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Regular Meeting resumed.

SEQR – Designation of Lead Agency

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to declare the Village Board of Trustees as the Lead Agency for the purpose of SEQR determination in regards to Introductory Local Law #1, 2015.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to adopt a Negative Declaration with respect to this Introductory Local Law #1, 2015.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

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

WHEREAS, the Village Board of Trustees desires to override the tax cap, if necessary, in the best interest in the Village of Hillburn;

WHEREAS, the Village Board of Trustees is authorized to override the state tax cap pursuant to General Municipal Law by the adoption of a local law approved by a vote of at least 60 percent of the Village Board of Trustees;

WHEREAS, Introductory Local Law 1 of 2015, 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 11, 2014;

WHEREAS, a duly noticed public hearing was held on March 24, 2015 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 24, 2015;

WHEREAS, the Village Board determined that the adoption of Local Law 1 of 2015 will not result in any significant adverse environmental impacts;

NOW THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby adopts Introductory Local Law #1 of 2015 as Local Law #1 of 2015. Said Local Law will take effect immediately.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Town of Ramapo Police Officer Conklin arrived at meeting and reported the Village is quiet.

Insurance Proposals (4/15/15-4/15/16)

Village Board action was tabled on 3/10/15 due to the internet service in the Village Office was inoperable throughout the day. Subsequently, on 3/11/15 –AM, a proposal was received from Selective Insurance via email in addition to the proposal received from CLG Insurance, presented by D. Scott Liebert, CIC.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to accept the proposal submitted by Selective Insurance, the Village's current insurance carrier. Total Premium: Package Policy: \$31,621.33.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Village Election – 3/18/15

The Statement of Canvass, as completed by the Election Inspectors, was read. Votes cast at 3/18/15 Election:

Office of Mayor:	Craig M. Flanagan, Jr.	-	132 Votes
Office of Trustee:	Eleanor J. DeGraw	-	110 Votes
	Shelly Flanagan-Ramos	-	54 Votes

2015-2016 Tentative Budget

Mayor Flanagan reported the tentative budget has been filed and presented to the Board of Trustees. A copy of same is available for review. The tentative budget reflects a tax rate of \$3.75/100.

-A Public Hearing on the 2015-2016 Tentative Budgets (General and Water) will be held on Tuesday, April 14, 2015 at 7:30PM in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, NY.

2015 Tentative Assessment Roll

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to ratify the following action taken by the Board of Assessors at the workshop held on this date at 6:30PM:

<u>Date Filed</u>	<u>Property ID</u>	<u>Property Owner</u>	<u>Board Action</u>
1. 2/04/15	47.15-1-4	Hillburn Park Corp.	<u>No Change – Reason:</u> Insufficient Documentation to Support Sought Valuation
2. 2/04/15	847.19-2-2	T.B.S. Realty	<u>No Change – Reason:</u> Insufficient Documentation to Support Sought Valuation
3. 2/11/15	47.15-1-1	United Water New York	<u>No Change – Reason:</u> Insufficient Documentation to Support Sought Valuation
4. 2/12/15	47.14-2-1	The Fujita Trust	<u>No Change – Reason:</u> Insufficient Documentation to Support Sought Valuation
5. 2/13/15	47.15-2-12	Town of Ramapo	<u>Reduced to 210,404 – Reason:</u> Ratification of Stipulated Assessment
6. 2/17/15	47.41-1-11 *47.14-1-11 *Correct Prop. ID)	Dynamic Developers (Application filed by Daniel A. Johnson)	<u>No Change – Reason:</u> Insufficient Documentation to Support Sought Valuation
7. 2/17/15	47.18-1-10	American Friends of Kollet Oitzer Shas Canada	<u>No Change – (Confirmed 3/26/15) Reason:</u> Insufficient Documentation to Support Sought Valuation
8. 2/17/15	*847.18-1-10 (Included with 47.18-1-10 on Village Records)	American Friends of Kollet Oitzer Shad Canada	<u>No Change – (Confirmed 3/26/15) Reason:</u> Insufficient Documentation to Support Sought Valuation
9. 2/17/15	47.14-1-8 (*Village Record Owner:	Kollet Shas Keren Hatorah* American Friends of Kollet Oitzer Shas Canada)	<u>No Change – (Confirmed 3/26/15) Reason:</u> Insufficient Documentation to Support Sought Valuation

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

Arbor Day Event – Mayor Flanagan reported that the event held on Saturday, 3/14/15 was very nice. Planting of trees is being scheduled.

Zoning Board of Appeals

Membership – The 5 year term of David McNally on the ZBA expires on 4/6/15.

Planning Board

Membership – The 5 year term of Joseph Tursi on the Planning Board expires on 4/6/15.

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

-The Village Board is in receipt of copies of various correspondence.

-RE: Request of New York Electrical Inspectors, Inc. d/b/a Inspections on Time for Approval to Conduct Electrical Inspector Services – The Village Board was in receipt of a 3/24/15 memo from the Building/Fire Inspector.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to decline the request of New York Electrical Inspectors, Inc. d/b/a Inspections on Time; and that Swanson Consulting, Inc. continue to be the only approved electrical inspector for the Village of Hillburn, as recommended by the Building/Fire Inspector.

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

Escrow Accounts

-The Village Board was in receipt of the Status of Escrow Accounts Report at 3/24/15 as prepared by the Village Clerk-Treasurer.

-A workshop meeting was held at 6:00PM on this date, 3/24/15, to discuss the close out of escrow accounts.

IT WAS RESOLVED by the Village Board to ratify the actions taken during the workshop meeting whereby the following escrow accounts be respectfully closed out:

Magic Gardens Landscaping	- Escrow Established 07/19/07 – Balance:	\$850.00
TBS Realty Management, LLC	- Escrow Established 10/20/06 – Balance:	\$405.00
Dator Commercial Real Estate	- Escrow Established 06/24/09 – Balance:	\$500.00
TJG Realty	- Escrow Established 02/11/11 – Balance:	\$501.89

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

Senior Citizens – President, Judi Starr, not present. No report.

Recreation – The written report provided by the Recreation Department was read aloud by Trustee O'Blenis:

Everything is going well at the Youth Center.

-3/21/15 **Breakfast with the Easter Bunny** – The event was well attended with approximately 75 guests, including Mayor Wright and his family and Ramapo Police Chief Brower. Thanks were extended to all volunteers, with a special thank you to Shelly Flanagan-Ramos for helping to organize the event.

-**Easter Egg Hunt** – Sat., 3/28/15 (Rain Date: 3/29/15) at Veterans Memorial Park – Preparations are being made.

-Request for Approval of Craft Order – Vendor: S&S

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve an expenditure not to exceed \$150 for the purchase of craft supplies for the Youth Center.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-2015 Summer Camp Program – Plans are being made.

-A request was made to obtain bus quotes for the 2015 Swim Program and 2015 Summer Camp trips (tentative list supplied).

Approved by Village Board.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Historical Society – Chair Beverly Flanagan reported.

-The historical presentation at the Senior Citizens meeting was very enjoyable. Several members have expressed an interest in sharing historical items and/or information.

2015 Hillburn Day – Saturday, 8/1/15 – Trustee DeGraw read the 3/20/15 letter from Chairperson Shelly Flanagan-Ramos requesting approval of an expenditure not to exceed \$800.00 for the purchase of a television to be raffled off on Hillburn Day, along with the purchase of raffle tickets. **Approved Village Board**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Next meeting of the Hillburn Day Committee: 3/30/15.

Public Comments –

Wilma Powell (68 5th Street) questioned the procedure for the sewer rebate program. She had received correspondence when the program was first instated advising that qualifying senior citizens would receive \$1,500.00.

A discussion was held on same. Trustee DeGraw stated the property owner must first hook-up to the sewer system and then apply for reimbursement. Matter will be further reviewed.

Beverly Flanagan (17 Blakeslee Place) questioned the recapture of unused Community Development funds.

-The Village Clerk-Treasurer explained that the 5th Street Sidewalk Project (41 5th Street portion), originally to be funded as the 2013 CD Project, was funded through the CHIPs Program. The Village’s request to reprogram the balance in the 2013 CD Program was denied and the funds have been recaptured.

-**Mrs. Flanagan** questioned the hiring of an individual to administer the Sewer Rebate Program.

-Attorney Cassidy stated there is an allocation available, should the Village wish to hire someone to manage the bank account, review applications, etc.

Applications for Use of Village Property – Approved/Ratified by Village Board

Hillburn Community Room & Youth Center – Applicant: Officer Andre Sanchez, Town of Ramapo Police Dept. -

Dates/Time: Wed., 4/15/15 & Thurs., 4/16/15 / Time: 7:00AM-3:00PM

Purpose: K9 Certification Training / Meeting

Hillburn Community Room – Applicant: David Farrison, Chair – Hillburn Scholarship Committee

Date/Time: Tuesday, 3/17/15 / Time: 7:00PM

Purpose: Committee Meeting

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

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

-Taly & Dotan Ron – Brandt Road Property owners – 3/18/15 response to Mayor Flanagan’s letter regarding the maintenance of Brandt Road.

-NYCOM - Village Officials Workshop – 4/17/15 (Geneseo) and 4/23/15 (Huntington).

- Webinar on Government Efficiency Plans – 3/24/15

- 3/18/15 Email – Update on 2015-16 State Budget

-Cablevision – Implementation of cancellation fees, effective 4/21/15.

-United Water New York – 3/16/15 letter – RE: Name change to Suez Environnement.

-Nelson Hadley Electrical Contracting – Notification that effective 4/1/15, he will no longer provide alarm monitoring service for the Hillburn Fire House/Community Room building.

-Verizon – 3/6/15 Letter – RE: Franchise Renewal Notice (current franchise expires 10/18/17).

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

April Meeting Schedule

-Annual Organization Meeting – Monday, April 6, 2015 – 7:00PM – Community Room.

-Regular Meetings: Tuesday, April 14, 2015 – 7:00PM (7:30PM – Public Hearing – 2015-16 Tentative Budget)

Tuesday, April 28, 2015

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