

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, May 12, 2015 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, May 12, 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. H.F.D. Chief Edward Kelly, Jr. led in the Salute to the Flag.

Minutes of 4/28/15 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 acknowledged the presence of Detective George Wamsley of the RC District Attorney’s Office and the Assistant District Attorney serving the Village of Hillburn, Nikitas Nicolakis. (Business cards were provided)
Detective Wamsley stated he started as a Police Officer and patrolled in the Village of Hillburn. The purpose of visiting Village Boards and organizations in various communities is to open lines of communication to discuss ways of resolving non-criminal issues (i.e. ongoing nuisance issues) in order to preserve the quality of life. Detective Wamsley stated the Village Board is welcome to contact him or ADA Nicolakis with any concerns.
-The Village Board thanked Detective Wamsley and ADA Nicolakis for coming to the meeting.
(7:10PM - Detective Wamsley and ADA Nicolakis left meeting)

DPW Report – DPW Supt. Thomas Conklin reported:

-5th Street DPW Garage – DPW Supt. Conklin reported the building demolition was completed on 5/9/15. Sterling Carting still has to remove two dumpsters. Salomone Bros. did an excellent job.

-Quote for Lettering – Sign at Youth Center – Supt. Conklin obtained a quote from Sign Shop in the amount of \$1,775.12.

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to accept the proposal from Sign Ship in the amount of \$1,775.12 for metal lettering to read “Michelle A. Noel” to be placed in an arc over existing Youth Center sign.

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

-Supt. Conklin recommended postponing installation until closer to the Fall Festival, at which time the building is to be dedicated.

-Attorney Cassidy is to prepare a Resolution dedicating the Youth Center in the name of Michelle A. Noel.

-Street Repairs – A discussion was held on the quality of the patch work done by Chuck Bugbee & Son Blacktopping. (no formal proposal received)

-Repair of Damage 6th Street Gate – Supt. Conklin stated that he will be contacting another vendor for a quote to repair the gate. (cost to be billed to operator of vehicle who damaged the gate).

-Hydrant in East Hillburn – DPW Supt. Conklin reported that the 1979 hydrant located in the center of the field in East Hillburn has been repaired and ready for re-installation. Residents in the area will be notified prior to water shut-off.

H.F.D. - Chief Edward Kelly Jr. reported:

-A current list of active H.F.D. members was supplied by Chief Kelly on 5/6/15.

-5/3/15 Defensive Driving Class – The class was well attended by HFD drivers, DPW and public.

-Request for Repainting of Fire Zone in front of HFD Building – Purchase of paint was approved. (DPW Supt. to follow up on same)

-Training – The H.F.D. will be getting annual training classes up to date. Chief Kelly requested permission to use the area near the old 6th St. dump to hold a Jaws of Life class. (car to be dropped off and removed). **Approved by Village Board.**

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

LOSAP

-9/15/14 Correspondence – RE: Free RBC Investment Assistance Account & LOSAP Investment Policy Statement (IPS)- Mayor Flanagan has followed up on same.

-Penflex Award Program 2014 Data Request Package – Report has not been filed at this date – membership inquiry.

-2/15/15 Correspondence – RE: LOSAP Investment Policy Statement (approval pending).

Village Engineer’s Report – Engineer McCreedy not present

2015 MS4 Annual Report – Correspondence outlining information to be compiled was received from Engineer Eve Mancuso of Brooker Engineering. Deadline Date for filing report: 6/1/15. (DPW Supt. to contact Eve)

Community Development

-2015 CD Program (Filed Application) – Village Clerk-Treasurer Mary Boone reported on the correspondence received from the RC Community Development Office advising that the requested project (Fire Hydrants Replacement) is not a valid project as it is not deemed a “community service”. An additional 24 hours was granted to prepare and file an alternate application. Pursuant to the filing of an alternate application on 5/8/15 for “After School Program 2015-2016”, a CD representative called and questioned the high utility costs for the Youth Center. The Village Clerk advised that an application for CD funding to replace/upgrade the heating and air conditioning system at the Youth Center had been previously applied for, granted and subsequently retracted by Community Development.

7:20PM – Opening of Bids – Garbage Collection Contract

The duly posted and published Notice to Bidders was read aloud by the Village Clerk-Treasurer.

One (1) bid package was issued and one (1) bid was received, opened and read aloud as follows:

	<u>Bid for 3 Year Contract</u>	<u>Bid for 1 Year Contract</u>
Menichetti Carting P.O. Box 913 Tallman, NY 10982 (10% Bid Deposit Rec'd)	6/1/15-5/31/16:	6/1/15 – 5/31/16
	Monthly Installments: \$ 2,050.00	Monthly Installments: \$ 2,222.00
	For the Annual Sum of: \$24,600.00	For the Annual Sum of: \$26,664.00
	6/1/16 – 5/31/17:	
	Monthly Installments: \$ 2,250.00	
	For the Annual Sum of: \$27,000.00	
	6/1/17 – 5/31/18	
	Monthly Installments: \$ 2,333.00	
	For the Annual Sum of: \$27,996.00	

-A discussion was held regarding the Village Board’s consideration of the purchase of a refurbished garbage truck that would be used by the DPW to collect trash, recyclables and bulk trash. DPW Supt. was in agreement.

-Attorney Cassidy to look into the permitting requirements of various agencies for hauling trash, including the NYS DEC and NYS DOT.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to accept the bid received from Menichetti Carting for a one (1) year Garbage Collection Contract at the rate of \$2,222.00 per month, for the annual sum of \$26,664.00.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

-A date and time will be scheduled for the signing of the contract.

Village Attorney’s Report

RE: Superior Waste & Carting, Inc. v. Village of Hillburn – Attorney Cassidy responded on behalf of the Village of Hillburn. (copy supplied) Village Board approved 5/8/15 claim filed by the Village Attorney.

RE: Stoneworks Estates –Correspondence received from Attorney Barr (addressed/hand-delivered to Mayor Flanagan and Village Attorney – letter not on file in the Village Clerk’s Office). Attorney Cassidy reported the correspondence relates to a request to the Village of Hillburn for a zone change regarding property owned by Stoneworks Estates from R60 to HC. Attorney Cassidy recommends a preliminary application and drawing be filed; and the request be forwarded to the Village Engineer to determine an estimated escrow amount.

-The Village Clerk-Treasurer requested a copy of the correspondence.

RE: TBS Realty – Verbal Offer to Purchase Old 4th Street – Attorney Cassidy advised that Village Code violations presently exist against TBS Realty regarding a loading dock(s) that encroaches on Old 4th Street, which runs directly in front of its buildings located at 201 Route 59. A plan would be required to show how acquiring 4th Street would mitigate the violation. According to the Hillburn Zoning Code, it does not appear that it would resolve the issue. Attorney Cassidy recommended the matter be reviewed by the Village Engineer. Further, the property owner has to identify who is authorized to negotiate on his behalf as matter will only be discussed with designated representatives.

2015 Water Relevy

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw authorizing the relevy of outstanding water bills, in the total amount of \$18,455.77, on the respective property owners’2015 Village Tax Bills.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

2015-2016 Insurance

RE: 5th Street DPW Garage – The Village Clerk-Treasurer reported she had notified the Village’s insurance company of the 5/9/15 demolition of the garage.

-Attorney Cassidy stated she had previously sent correspondence to the insurance company stating they were acting in bad faith by denying coverage. She will follow up on same.

Zoning Board of Appeals

-At the 4/29/15 meeting, the ZBA approved the applications of Fireplaces by Design, Inc. and Salomone Redi-Mix of New York, LLC.

-The Village Board acknowledged receipt of a copy of the RC Planning Board’s GML Reviews of the two applications.

Planning Board

-The Planning Board provided a list of Escrow Accounts that have been approved for close-out.

Close-outs approved by Village Board.

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

-Mayor Flanagan reported that two Stop Work Orders were issued by the Building/Fire Inspector for work being done without a Building Permit. The Ramapo Police Department was also notified. The Police Officer who was present at meeting advised that workers did return after the Stop Work Orders were posted – areas will be patrolled.

-The Village Board was in receipt of copies of miscellaneous correspondence sent by the Building/Fire Inspector.

Escrow Accounts**RE: Escrow Accounts Established for Planning Board Applications** –

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis that, as recommended by the Planning Board, the following escrow accounts be closed out

TBS Realty Management, LLC	- Escrow Established 06/10/14 – Balance:	\$1,065.00
TBS Realty Management, LLC	- Escrow Established 07/03/14 – Balance:	\$1,765.00
Hillburn Park Corp.	- Escrow Established 07/03/14 – Balance:	\$1,065.00
Hillburn Park Corp.	- Escrow Established 06/10/14 – Balance:	\$ 880.00

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Claims filed Against Escrow Accounts:**-Spence Engineering – United Water New York Escrow - 2/17/15 Bldg. Permit Inspections**

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to approve payment of the following claim of Spence Engineering out of the respective escrow account:

-5/07/15 Claim – United Water New York – Escrow 2/17/15 Building Permit – Claim Amount: \$1,300.00

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

-The Law Office of Elizabeth K. Cassidy – Two Claims

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to approve payment of the following two claims filed by The Law Office of Elizabeth Cassidy out of the respective escrow accounts.

-5/18/15 Claim - Salomone Redi-Mix of New York, LLC - ZBA Escrow - Claim Amount: \$435.00

-5/18/15 Claim – Fireplaces by Design, Inc. – ZBA Escrow – Claim Amount: \$345.00

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

4/29/15 FOIL Request – RE: 27 Mountain Avenue – Requested information: Existing Violations; Multiple Family Status

-Attorney Cassidy reported a response letter was sent by the Building/Fire Inspector on 5/5/15.

Senior Citizens – President, Judi Starr, not present.

-Trip Request Application – Finger Lakes, NY Area – June 9-11, 2015 - Village's Share: \$672.00 (32 Participants @ \$21.00 each) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

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

-Memorial Day – Bike Decoration Packets are available at the Youth Center (Monday-Friday, 3PM-6PM).

-2015 Camp Program – Registration will be held on Saturday, 5/16/15 from 10:00AM-12:00noon at the Youth Center. (The available of Bike Decoration Packets and the 2015 Camp Registration will be put on the Hillburn sign)

-Students have a half-day of school on Friday, 5/22/15 – Youth Center will be open from 11:30am-6:00pm.

-Bus Quotes for 2015 Camp Trips – Departure and return times needed.

-Open Gym – Friday, 6/5/15 from 6:00pm-8:00pm.

Historical Society – Chair Beverly Flanagan

-Preparing items for a display for Hillburn Day.

-Request for Approval to Purchase Camera – Cost not to exceed \$100.00. **Approved by Village Board:**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

Memorial Day Parade & Service – Monday, May 25, 2015 – 9:00AM

-Copy of posted and published Notice was supplied to the Village Board.

-Suffern High School Band - Donation for Participation: \$150.00. **Approved by Village Board:**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

2015 Hillburn Day – August 1, 2015

Hillburn Day Co-Chairperson, Beverly Flanagan, read the report to the Village Board:

-Request for approval of the following Contracts: **Approved by Village Board:**

<u>Contracted Vendor</u>	<u>Amount</u>	<u>Deposit</u>	<u>Due on Event Day</u>
• Paladin Amusements (Games Trailer)	\$1,500.00	\$ 0.00	\$1,500.00
• Rock'in Gam'in Parties	\$ 675.00	\$337.50	\$ 337.50

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

-Request for Approval of the following purchase: **Approved by Village Board:**

- Traffic & Highway - 25 Advertising Law Signs Amount: \$ 87.50
- Rhode island Novelty - Inflatable Game Prizes Amount: not to exceed \$250.00

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

-Request for confirmation that refundable deposit and Certificate of Insurance was sent to the Town of Ramapo for Stage. The Village Clerk-Treasurer confirmed that the deposit and Certificate of Insurance will be sent on 6/1/15.

Public Comments –

Beverly Flanagan (17 Blakeslee Place) questioned notification to residents of East Hillburn regarding hydrant replacement. (Supt. Conklin replied that in the past, 10 Park Place has incurred problems when the water service is turned off/on)

-**Mrs. Flanagan** recommended the Village have a collection day for e-waste to deter illegal dumping. (matter will be reviewed)

Shelly Flanagan-Ramos – (16 Ramapo Avenue) commented on the condition of the property located on the right hand side of the 4th Street bridge – piles of asphalt.

-Mayor Flanagan stated the property is owned by ConRail and requested DPW Supt. to follow up on matter.

Wilma Powell (68 5th Street) questioned when the Village is notified of a sale of property.

-The Village Clerk-Treasurer replied it is registered in the Village Office after the deed is duly filed and recorded in the Office of the Rockland County Clerk.

Shelly Flanagan-Ramos questioned if the Village has a Comprehensive Plan in place.

-Attorney Cassidy advised that, although it is not mandatory, a Comprehensive Plan is being worked on.

Wilma Powell questioned what happens after a Stop Work Order has been issued.

-Mrs. Powell was advised that a Building Permit is to be filed/obtained by the property owner.

Mrs. Powell questioned if the assessment of a property increases when a Building Permit is issued.

-Attorney Cassidy stated the Board of Assessors reviews each project.

Correspondence

-Workers' Comp Alliance – RE: Meeting/Inspections of Village buildings held today, 5/12/15. Items cited are being followed up by the DPW Supt. (Written report to be supplied by Workers' Comp. alliance)

-NYS DOT – Notice of Upcoming Repaving Project – Route 59 & Route 202. A meeting will be scheduled to discuss specifics.

-5/11/15 Action Form – RE: 45 6th Street – Collapsed Garage. Complainant was present and displayed a picture of the debris. Matter will be followed up on by the Building/Fire Inspector.

-NYS DOT – CHIPS Funding – Deadline for filing: 5/15/15 (reimbursement for expenditures made on or after 4/1/15 through 5/7/15).

-Hillburn Ladies Auxiliary – Certificate of Insurance – 5/16/15 Street Fair.

-RC Fire Advisory Board – Copy of Addendum to the RC Fire Mutual Aid Plan (Rev. 7/13/2012).

Applications for Use of Village Property – Approved by Village Board.

Request for Use of Community Room – Eleanor DeGraw, Hillburn Ladies Auxiliary

Date/Time: Thursday, May 14, 2015 / 6:30PM-8:00PM

Date/Time: Friday, May 15, 2015 / 5:00PM-9:00PM

Date/Time: Saturday, May 16, 2015 / 8:00AM-4:00PM

Purpose: Hillburn Ladies Auxiliary Street Fair

Request for Use of Municipal Meeting Room – David Farrison, Chair-Hillburn Community Scholarship Com.

Date/Time: Wednesday, May 20, 2015 / 7:00PM Purpose: Hillburn Community Scholarship Meeting

Request for Use of Community Room - RC Board of Elections

Dates: September 10, 2015 (Primary Day) and November 3, 2015 (Election Day)

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

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

-Split Rock Station - Claim in the amount of \$277.00 – Mayor Flanagan stated he had authorized the purchase of lunch on 5/9/15 for the contractors of Salomone Bros. and the DPW – RE: Demolition of the 5th Street DPW Garage. Claim approved/signed by Village Board.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Blenis to adjourn meeting at 8:20PM.

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