

**VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, May 26, 2015 – 7:00PM**

**MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, May 26, 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

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Meeting was called to order by the Hon. Mayor Craig M. Flanagan, Jr. Building/Fire Inspector Adam Gordon led in the Salute to the Flag.

**Minutes of 5/12/15 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

**RE: 5/9/15 Demolition of 42 5<sup>th</sup> Street DPW Garage –**

- Mayor Flanagan requested DPW Supt. Conklin to provide the Village Clerk with a list of all items taken from the garage and the current storage location for same.
- Attorney Cassidy advised that the Salomone Redi-Mix will be filing for a Building Permit regarding 60 Torne Valley Road. The items presently stored at that location will need to be moved.
- Clerk-Treasurer Boone reported claims have been filed by the two contractors, Salomone Bros. and Sterling Carting. Claims for demolition are not covered by Village insurance. (Attorney Cassidy to send a follow-up letter to the Insurance Co.)

**Police Commissioner’s Report – Mayor Flanagan**

Mayor Flanagan commented on the coverage and participation by the Ramapo Police Department at the Village’s Annual Memorial Day Parade & Service on 5/25/15.

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

- Veterans Memorial Park Pond – Princeton Hydro applied the first treatment on 5/21/15.
- 5/15/15 Damage to Guardrail – Park Avenue & Blakeslee Place – A Police Report has been received and photos obtained. Insurance company is being notified. Anchor Fence will be submitting a quote for repair. Village Attorney will also send a letter to the operator of the truck.
- Asphalt Piles on Property Located 4<sup>th</sup> Street – DPW Supt. contacted a representative of NJ Transit regarding the removal/clean-up of the property. Pictures to be supplied.
- Leak Detection Service – Work is being scheduled with NYLD Infrastructure. (4/14/15 Agreement)
- Repainting of Fire Zone in front of HFD Building – Project will be completed this week.
- Hudson Valley Water Works Conference – Spring Seminar – 6/18/15 – Montgomery, NY – Registration Fee: \$30.00

Attendance of DPW Supt. Conklin was **Approved by Village Board.**

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

-Atlantic Salt Co. Contract – Due to the Village’s purchase of salt exceeded the estimated amount for 2014-2015, an additional amount of \$440.17 is due. The estimated amount will be increased for next year.

-Hydrant in East Hillburn – DPW Supt. Conklin reported parts for the repair of the hydrant had been ordered from Schmidt’s Wholesale.

Trustee DeGraw thanked the DPW for the assistance provided at the Hillburn Ladies Auxiliary Street Fair held on 5/16/15.

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

-Repair of CFR – 3/08/15 Accident – The CFR has been satisfactorily repaired and is back in service.

**LOSAP**

-Penflex Award Program 2014 Data Request Package – Report to be reviewed with Village Attorney.

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

2015 MS4 Annual Report – Information is being compiled and supplied to Engineer Eve Mancuso of Brooker Engineering. Deadline Date for filing report: 6/1/15.

**Community Development**

-2015 CD Program – No additional information has been received regarding the alternate application submitted on 5/8/15 for “After School Program 2015-2016”.

-Correspondence regarding Fair Housing Meetings. Correspondence was received on 5/19/15 and the first meeting was held on 5/18/15.

**Village Attorney's Report**

**RE: TBS Realty – Request to Purchase Old 4<sup>th</sup> Street** – Attorney Cassidy read a draft letter to TBS Realty.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien that an escrow account, in the amount of \$2,500.00, be established by TBS Realty to cover professional reviews by the Village Attorney and Village Engineer regarding the request to purchase Old 4<sup>th</sup> Street.

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

Mayor Flanagan stated that an appraisal of the respective Village owned property was provided by TBS Realty.

**RE: Stoneworks Estates – Request for Zone Change – (5/7/15 Letter)** - Attorney Cassidy stated the Application fee is \$500.00 and the required escrow is \$2,500.00.

IT WAS RESOLVED by the Village Board that a workshop meeting be scheduled for Tuesday, 6/9/15 at 6:00PM at which time the Village Board, Village Attorney, Village Engineer and representatives from Stoneworks Estates will discuss matter.

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

**RE: Letter/Claim from a Non-resident Motorist – Damage to Vehicle from Potholes on Route 17/NYS Thruway** – The Village Attorney will send a response letter to the motorist advising the Village of Hillburn does not own nor maintain the respective roadway.

**RE: Personnel Manual** – A workshop was held on 5/21/15. A second workshop was scheduled for Wednesday, 6/3/15 at 6:00PM to continue discussions.

**RE: United Water New York – 2014 Tax Certiorari Proceedings**

Attorney Cassidy stated that a Court Conference on this matter has been scheduled for tomorrow, 5/27/15, and requested that in lieu of a representative of BOND Schoeneck & King appearing, she be authorized to appear on the Village's behalf at her regular hourly rate. **Approved by Village Board.**

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

**2015 Tax Certioraris Received:** -United Water New York

- TBS Realty Management, LLC
- Hillburn Park Corp.
- The Fujita Trust
- American Friends of Kollel Oitzer Shas Canada
- Kollel Shas Keren Hatorah

**RE: NYSER – Calendars** – Attorney Cassidy provided the Village Board with calendar forms to be completed, if there is a change in hours worked. If there is no change, last year's calendar can be certified.

**RE: Amendment to Fee Schedule** –

-Fence Permits:

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to amend the Village's Fee Schedule to impose a Permit Fee of \$50.00 for the installation of a fence.

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

-Escrow Fees – As reflected in the Fee Schedule, escrow fees for applications that do not involve construction will be determined by the respective Boards.

-Schedule of Fees – RE: Escrow Deposits – To be reviewed/amended.

**Auditing Proposals** – Two proposals were received:

O'Connor Davies - 3 Year Contract (y/e 2015, 2016 & 2017) Fee: \$20,000/year  
FTFS & B - 1 Year Contract (y/e 5/31/15) Fee: \$25,000

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to accept the proposal from O'Connor Davies for the 3 Year Contract for y/e 5/31/15, 5/31/16 and 5/31/17, at the annual cost of \$20,000.00.

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

**2015 Tax Warrant** - The 2015 Tax Warrant was signed by the Village Board.

**2015-2016 Insurance**

Policies and correspondence received and reviewed by Village Attorney.

**Zoning Board of Appeals**

The Village Board is in receipt of copies of the ZBA's Action Forms and Resolutions regarding the approved applications of Fireplaces by Design, Inc. and Salomone Redi-Mix of New York, LLC.

-5/21/15 ZBA Correspondence – Recommendation of Escrow Balance Refund – Salomone Redi-Mix of NY, LLC –

**Approved by Village Board.**

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

**Planning Board**

Attorney Cassidy reported on recent actions of the Hillburn Planning Board:

- Salomone Redi-Mix of NY, LLC – Conditional Site Plan Approval – Subject to receipt of RC Highway Dept. Approval.
  - M.S. Realty – Approved – No construction involved – Site Plan compliance.
- The Village Board was in receipt of the RC Planning Board's GML Review pertaining to M.S. Realty.

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

**RE: Old 4<sup>th</sup> Street** – Request to be kept abreast of any actions. If Village retains roadway, fire lane signage and painting need to be done.

-Mayor Flanagan stated the roadway has been damaged by the unauthorized installation and subsequent removal of a loading dock and same should be repaired by TBS Realty Mgmt.

**RE: Annual Training** – He has completed the required training hours.

**RE: Laptop Computer** – Appreciation was extended for the computer.

Microsoft Office software is needed. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

**RE: 2014-2015 Fire Safety Permits** – 95% complete.

**RE: Property Maintenance** – A Village-wide inspection will be made.

-Building/Fire Inspector Gordon reported he is preparing a schedule for documenting the issuance and status of violations.

**RE: Escrow - Bldg./Fire Inspector Requested Establishment of Escrow Accounts as follows:**

**Kowalski, Arkadiusz & Agnieszka - Application for Building Permit to Construct Dwelling – 28 7<sup>th</sup> Street** – Bldg./Fire Inspector Gordon recommended the establishment of an escrow account in the amount of \$500.00 to cover the Village Engineer's review of the application, inasmuch as a tributary stream runs through the respective property. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

**TBS Realty Mgmt. (201 Route 59) & Realty Mgmt./Hillburn Park Corp. (143 Route 59) (Various/Ongoing Inspections** – Bldg./Fire Inspector Gordon recommended the establishment of escrow accounts in the amount of \$2,500 for each of the respective parcels. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

**Escrow Accounts**

The Clerk-Treasurer reported claims have been processed for reimbursement of escrow balances, as approved by the Village Board on 5/12/15.

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

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

**2015 Camp Program** – Registration was held 5/16/15. There are currently 29 registrants.

-Bus Quotes: Trips:

Holiday Bowl, Oakland, NJ	\$316.64 (Additional \$60.00 after 4:00PM drop-off)
Museum Village, Monroe, NY	\$384.31 (Additional \$60.00 after 3:00PM drop-off)
Palisades Theatre, W. Nyack, NY	\$356.39 (Additional \$60.00 after 4:00PM drop-off)
Liberty Science Center	\$549.76 (Additional \$60.00 after 4:15PM drop-off)
Splash Down Beach	\$614.64 (Additional \$60.00 after 5:15PM drop-off)
Rye Playland	\$589.80 (Additional \$60.00 after 5:00PM drop-off)

**Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

**2015 Swim Program (Mondays, Tuesdays & Thursdays)**

-Bus Quote: \$236.99 per day.

-Registration Fee – Village's Share: \$25.00 Per \*Registrant (\*Must have registered through Village of Hillburn - Hillburn residents only) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Blenis

Noes: None

-**Applications for Summer Camp & Swim Aides** – Deadline date to file: 5/29/15.

**2015 Memorial Day** – Many Bike Decoration Packets were distributed.

**Cooking Class** – The Instructor, Trustee Eleanor DeGraw, has advised the three last cooking classes will be held on 5/29, 6/5 and 6/12/15. Awards Day will be held on Friday, 6/19/15 at 5:00PM. Parents are invited to attend.

**6/5/15 Open Gym** – Cancelled due to school activity and student field trip.

**Historical Society** – Chair Beverly Flanagan not present – No report.

**Applications for Summer DPW Workers** – Notice will be posted – Deadline for filing applications: 6/22/15.

**2015 Hillburn Day – August 1, 2015**

Committee Chair Shelly Ramos was present and stated the Committee will be meeting on 5/27/15.

-Clerk-Treasurer Boone reported Rockin' Party, LLC has advised that a rain date is not provided. (Mrs. Ramos advised that they will provide the service rain or shine)

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw to accept the condition of the contract that excludes a rain date.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

**Public Comments –**

**Wilma Powell (68 5<sup>th</sup> Street)** stated the striping on Route 17 in the area from Capitol Flooring to Mt. Fuji is confusing and should be corrected. (DPW Supt. to contact the NYS DOT)

-**Mrs. Powell** questioned the extent of rock being removed by Stoneworks, as it was her understanding that only loose rock was to be removed.

-Mayor Flanagan stated the material being removed is considered "loose rock". The public is welcome to attend the 6/9/15 workshop that will provide more detailed information.

**Shelly Ramos – (16 Ramapo Avenue)** commented as follows:

-RE: Stoneworks Estates – Requested clarification on matter.

Attorney Cassidy stated the request is for a zone change for a portion of property from residential to commercial. There is no formal request at this date. A Public Hearing would be required.

-RE: Posting of Village Public Notices - stated the need to remove the notices on poles in a timely manner. (DPW Supt. to follow up on same)

-RE: Swim Program Registration - Questioned the Village's portion. It was confirmed that Village's portion only applies to Hillburn residents who register through the Village.

-RE: TBS Realty's Request to Purchase Old 4<sup>th</sup> Street – she does not feel any negotiations should be made until all violations on TBS Realty's property are rectified. The Village should obtain its own appraisal of the property.

**Correspondence**

-Cardiac Life – AED Supplier – (The Village Board stated their interest in obtaining an AED – matter will be followed up with Cardiac Life, as well as other providers)

-United Water – Annual Water Quality Report – Same will be enclosed with the August 2015 Village Memo.

-NYS Parks & Recreation – Consideration of designating the Hillburn School building – 45 Mountain Avenue (presently the RCSD Administration Building) for Historic Preservation.

-J & K Backflow Services – Test Results – RC Sewer District Wastewater Treatment Plant – 137 Route 17 (copies supplied to DPW Supt. & Village Engineer)

Trustee DeGraw reported she is in contact with a company to schedule a "paper shredding day" whereby residents can bring documents for shredding. Details to be determined.

**Personnel Manual** – Reported under Village Attorney's report. Workshop scheduled for 6/3/15.

**RE: Unused Vacation at 5/31/15**

A MOTION was made by Trustee O'Brien and seconded by Trustee DeGraw authorizing the carry-over of unused vacation @ 5/31/15 to the fiscal year 2015-2016.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

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

**Scheduling of June 2015 Board Meetings:**

June 9<sup>th</sup> – 6:00PM Workshop, 7:00PM Regular Meeting

June 23<sup>rd</sup> – 7:00PM – Regular Meeting

Trustee DeGraw requested the Sewer Rebate Commission be placed as an item on the Board Meeting Agenda.

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to adjourn meeting at 8:18PM.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None