

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, November 17, 2015 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, November 17, 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  
Thomas M. Conklin, DPW Supt.  
Elizabeth K. Cassidy, Village Attorney

**RECORDER OF MINUTES:** Mary Boone, Clerk-Treasurer

Meeting was called to order by the Hon. Mayor Craig M. Flanagan, Jr. Former Village Trustee Thomas Scott led in the Salute to the Flag.

Becky Adler, a representative from All Souls Church in Suffern, NY, presented the Board Members with a gift of Thanksgiving.

-Mayor Flanagan thanked Ms. Adler and invited the members of All Souls Church to the Village’s 11/24/15 Interfaith Thanksgiving Service.

**Minutes of 10/27/15 Meeting - Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw and 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 received an unsubstantiated report of a disturbance on the 5<sup>th</sup> St. Recreation Field over the past weekend. No further verification received regarding the alleged incident.

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

Loose Leaf Pick-Up is underway. Deadline for placement at curbside: 12/14/15.

Garage Doors – 43 Terrace Ave. – The small door has been repaired and the large door has been replaced.

Urban Forestry Council Arbor Day Grant – (5) trees were purchased from Shemins Landscaping and planted on 11/4/15.

Purchase of Water Meters/Parts – Quote from HD Supply Waterworks – (6) Meters - \$912.77. Supt. Conklin stated registers, touch pads and washers are also needed.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to authorize the purchase of (6) water meters, (3) registers, touch pads and washers from HD Supply Waterworks at a cost not to exceed \$1,500.00, and

FURTHER, this expenditure will be out of the Water Fund.

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

-Trucks and equipment are being prepped for the oncoming winter.

**-NYS DOT – Correspondence -**

-Statewide GIS Public Roads Network Project – Project Description (copy supplied to Village Board & Village Engineer)  
-2015 Annual Certification of Local Highway Mileage – Report has been completed and filed (no change).

-Cornell Cooperative Extension/Stormwater Consortium – 12/1/15 Illicit Discharge Detection and Elimination for Municipalities Workshop – The DPW Superintendent, DPW Staff and Mayor Flanagan were authorized to attend the 3 hour workshop in Stony Point, NY.

**Amendment to Water Rates & Miscellaneous Charges –**

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

**WHEREAS**, water rates and miscellaneous water charges are established in §235-12 and §235-26 of the Village of Hillburn Village Code;

**WHEREAS**, the cost of supplying water to Village residents and businesses has increased and it is necessary to increase the water rates and miscellaneous charges;

**WHEREAS**, the Village Board of Trustees has solicited the recommendations of the Water Superintendent and the Village Clerk/Treasurer in establishing the new rates;

**WHEREAS**, the Village Board of Trustees examined the water rates and charges of other nearby municipalities;

**NOW THEREFORE BE IT RESOLVED**, that an introductory Local Law entitled, “A Local Law to amend Water Rates and Miscellaneous Water charges” 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 that no significant adverse environmental impact will occur;

**BE IT FURTHER RESOLVED** that a public hearing shall be held on December 15, 2015 at 7:30 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: Craig M. Flanagan, Jr., Mayor  
Eleanor J. DeGraw, Trustee  
Bonnie R. O’Blenis**

**Noes: None**

**Abstentions: None**

**HFD Report – Chief Kelly not present – Mayor Flanagan read the submitted report:**

Firematic and Wildland Warehouse Invoices - Reviewed with Village Clerk-Treasurer. (Chief signed for work completed)

**RE: Firematic – 5 Invoices totaling \$7,800.36**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to ratify the additional service by Firematic and to authorize the payment of five invoices in the total amount of \$7,800.36, as approved by Fire Chief.

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

**Request for Permission to Use Trucks – Approved by Village Board**

12/05/15 – Suffern Holiday Parade (5-CFR) & 12/12/15 – Ladies Auxiliary Christmas Caroling (5-MP)

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

**Requests for Repairs:** (DPW Supt. Conklin to follow up on)

-Ball Valves on Water Fill for Trucks Leaking – Need Replacement  
-Floor Drain in old bay is clogged.  
-Heater in new bay fan is making noise.

-Donation of Fire Equipment by Novartis Pharmaceuticals – List of equipment and serial numbers will be provided. Mayor Flanagan reported he will be going with the DPW to pick-up the donated items on Thursday, 11/18/15.

**RBC Wealth Management – RE: LOSAP Account** – Mayor Flanagan reported he is still seeking alternate providers and requested the matter remain tabled.

**Village Engineer’s Report – Engineer McCreedy not present – no report.**

12/1/15 Illicit Discharge Detection and Elimination for Municipalities Workshop – (reported under DPW Supt.’s Report)

**Community Development –**

**2015 CD Program** –A fully executed 2015 Agreement has been received from the RC Office of Community Development – Project: “After School Program 2015-2016” – A discussion was held on the Race/Ethnicity and Units of Service Report that is still pending.

-The Village Clerk-Treasurer advised CDBF Training Classes will be held on several dates. She and Deputy Village Clerk Yvonne Van Dunk will be attending the class on Thursday, 11/19/15 and recommended the Village Board attend a training class and question the requirement of the Race/Ethnicity Report.

-Attorney Cassidy advised she will compile a form letter to be provided to parents regarding the income eligibility.

**2016 CD Program** – Mayor Flanagan appointed the following residents to serve on the 2016 Citizens Advisory Committee: Joseph Alexander, Beverly Flanagan, Wilma Powell, Sheree Edwards, Dennis Anderson, Bonnie O’Blenis, Shane Starr and Reverend Paul DeLalla. The two required meetings were scheduled for Thursday, December 3<sup>rd</sup> and Thursday, December 17<sup>th</sup> at 7:30PM.

**Village Attorney’s Report – Attorney Cassidy reported:**

**7:30PM – Public Hearing – Introductory Local Law No. 3, 2015 - A local law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36**

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

-Attorney Cassidy explained that the purpose of the local law is to update the flood maps; and is required, in order for Village residents to qualify for flood insurance.

Hearing was opened for Public Comment.

**Thomas Scott (64 Fifth Street)** questioned if there were any changes in the flood zones.

-Attorney Cassidy stated she would have to review the maps; however, she does not think many properties are affected.

**Tim Williams (31 Sixth Street)** questioned if the flood maps could be viewed by the public.

-Attorney Cassidy stated the maps are available at the Village Office and can be viewed.

**Thomas Scott** questioned if the changes reflect the recent flood wall constructed on the NYS Thruway.

-A discussion was held on the Thruway project and the affect it will have on drainage.

With no further comments, Public Comment period was closed.

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

**BE IT ENACTED** by the Village Board of the Village of Hillburn as follows:

**SECTION 1.** Chapter 130 of the Village Code of the Village of Hillburn, entitled Flood Damage Prevention, subsection 6, entitled Basis for Establishing the Areas of Special Flood Hazard is hereby amended to read as follows:

**§130-6 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard for the Village of Hillburn, Community Number 360683, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

(1) Flood Insurance Rate Map Panel Numbers:

36087C0064G, 36087C0068G, 36087C0069G,  
36087C0127G, 36087C0131G, 36087C0132G

whose effective date is, March 3, 2014, and any subsequent revisions to these map panels that do not affect areas under our community's jurisdiction.

(2) A scientific and engineering report entitled "Flood Insurance Study, Rockland County, New York, All Jurisdictions" dated March 3, 2014.

(3) Letter of Map Revision, Case Number 13-02-1859P, effective October 16, 2014, amending Panels 36087C0068G and 36087C0131G of the Flood Insurance Rate Map, Floodway Date Table 10 and Flood Insurance Study Profiles 105P and 106P.

The above documents are hereby adopted and declared to be a part of this local law. The Flood Insurance Study and/or maps are on file in the office of the Village Clerk/Treasurer, 31 Mountain Avenue, Hillburn, NY 10931.

**SECTION 2.** This Local Law shall become effective immediately upon filing with the Secretary of State.

**Ayes: Craig M. Flanagan, Jr., Mayor  
Eleanor J. DeGraw, Trustee  
Bonnie O'Blenis, Trustee**

**Noes: None**

**Abstentions: None**

Village Attorney stated that due to Local Law #1, 2014 had never been filed with the State, it will be sent along with Local Law #3, 2015.

**General Code** – An estimate for codification of Local Law #1, 2014 and Local Law #3, 2015 will be obtained.

**STATE AND MUNICIPAL FACILITIES PROGRAM -**

**Purchase and Installation of HVAC for Hillburn Youth Center**

-Mayor Flanagan made acknowledgement of and thanked Senator Carlucci for his assistance in obtaining funding for the purchase of the HVAC for the Youth Center.

**Re: SEQRA (State Environmental Quality Review Act) Determination**

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

**WHEREAS**, the Village of Hillburn filed an application to receive a State and Municipal Facilities Program ("SAM") Grant for the replacement of the Hillburn Youth Center HVAC system;

**WHEREAS**, the Village's application has been approved in the amount of \$50,000.00;

**NOW THEREFORE BE IT RESOLVED** that the Village of Hillburn Board of Trustees hereby declares itself Lead Agency pursuant to the State Environmental Quality Review Act;

**BE IT FURTHER RESOLVED**, that the Board of Trustees determines that the proposed improvements are a Type II action pursuant 6 NYCRR 617.5 (c) (1) and 6 NYCRR 617.5 (c)(2) and that no further environmental review is required;

**BE IT FURTHER RESOLVED**, that the Mayor and Village Clerk/Treasurer are hereby authorized to take such further action as may be necessary and proper to secure the grant funds.

**Ayes: Craig M. Flanagan, Jr., Mayor  
Eleanor J. DeGraw, Trustee  
Bonnie O'Blenis, Trustee**

**Noes: None**

**Abstentions: None**

RE: Resolution for the Village of Hillburn to Commit Funds to the Project

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

**WHEREAS**, the Village of Hillburn has been approved for a State and Municipal Facilities Program ("Sam") Grant for the purchase and installation of HVAC for the Hillburn Youth Center; and

**WHEREAS**, the Project Budget is in a total amount of \$52,000.00; and

**WHEREAS**, the grant is in the amount of \$50,000;

**THEREFORE, BE IT RESOLVED** that the Village Board of Trustees hereby commits the Village of Hillburn to provide the \$2,000 balance of the Project Budget.

**Ayes: Craig M. Flanagan, Jr., Mayor  
Eleanor J. DeGraw, Trustee  
Bonnie O'Blenis, Trustee**

**Noes: None**

**Abstentions: None**

Pursuant to the adoption of the required Resolutions, the Project Information Sheet will be completed and sent to the NYS Grant Administration.

Pending is a contract with New York State. Bid packages/specifications for this project were previously prepared by the Village Engineer and bids were opened on 9/23/14; however, the project was never awarded due to the Village's 2014 Grant Award was rescinded by the RC CD Office.

**Personnel Manual** – Attorney Cassidy provided an updated draft of the Personnel Manual reflecting the changes agreed upon at the 10/22/15 workshop of the Village Board and employees.

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

**WHEREAS**, the Village of Hillburn cannot operate without the service of its employees;

**WHEREAS**, the Village Board of the Village of Hillburn desires to update the Village's existing personnel manual to establish clear employment policies and reflect recent changes to New York State and Federal labor laws;

**WHEREAS**, the Village Board of the Village of Hillburn desires to alter certain employee leave policies to better enable the Village to budget for employee leave while ensuring that the Village employees receive appropriate leave;

**WHEREAS**, the Village Board held a workshop session on October 22, 2015 with Village employees to solicit their input concerning the personnel manual and that input was duly considered;

**NOW, THEREFORE, BE IT RESOLVED**, the Village of Hillburn hereby declares itself Lead Agency for the purposes of SEQR and further declares that this action is a Type II action under SEQR and that no environmental review is required;

**BE IT FURTHER RESOLVED**, that the Village of Hillburn hereby adopts the Personnel Manual attached hereto and that it shall become effective immediately except for those provisions of the Personnel Manual with a specific effective date;

**BE IT FURTHER RESOLVED**, that each employee shall receive a copy of the personnel manual and sign a receipt therefore and that the Village Clerk-Treasurer shall keep a copy of the Personnel Manual on file in Village Hall.

**Ayes: Craig M. Flanagan, Jr., Mayor  
Eleanor J. DeGraw, Trustee  
Bonnie R. O'Blenis, Trustee**

**Noes: None**

**Abstentions: None**

**RE: Insurance** – Correspondence from Warwick Resource Group – Public Official Liability – Amendment – Enactment of Terrorism Risk Insurance Program Reauthorization Act of 2015. Attorney Cassidy will review same.

**2015 Tax Certioraris**

-United Water New York v. Village of Hillburn – A settlement is being finalized. Matter is on the 11/25/15 Court Calendar.

**Claims for Legal Fees - Approved by Village Board:**

Law Office of Elizabeth Cassidy - 11/06/15 Claim:	\$ 300.00	- RE: United Water v. Village of Hillburn
BOND Schoeneck & King - 11/06/15 Claim:	\$2,907.80	- RE: A.F.K.O.S. v. Village of Hillburn United Water v. Village of Hillburn TBS Realty v. Village of Hillburn Hillburn Park v. Village of Hillburn

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

**Warrant of Unpaid 2015 Village Taxes**

The Village Clerk-Treasurer reported the Warrant, consisting of 32 parcels, was duly filed with the County of Rockland on 11/5/15. (Total Warrant: \$83,533.59 due to Village)

**Zoning Board of Appeals** –

-RE: Appeal filed by Kristian Matthews/Stoneworks Estates - The ZBA Clerk reported additional information had been supplied by the Applicant's Attorney and distributed to the ZBA Members. A Public Hearing has not been scheduled as of this date.

**Planning Board** – The next meeting is scheduled for 11/19/15.

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

**Escrow Accounts****Refund:**

-M.S. Realty (230 Route 17) – 2/23/15 Site Plan Application to Hillburn Planning Board – A certified claim has been received and the refund of the escrow balance, in the amount of \$350.00, has been processed. (approved at the 10/27/15 meeting)

**Claims:**

-Martin Spence/Spence Engineering – 11/4/15 Claim against United Water Escrow - \$850.00.

**Approved by Village Board.**

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

-Law Office of Elizabeth Cassidy – 11/6/15 Claim against Stonework Estates Escrow (ZBA Appeal) - \$745.00

**Approved by Village Board subject to approval by the ZBA.**

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

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

-This will be her last meeting attending as President of the Hillburn Senior Citizens. Mayor Flanagan was requested to perform the Swearing In of New Officers on 1/4/16.

-The Christmas Party will be held on 12/14/15 at the Crowne Plaza. The Village Board will be attending. President Starr thanked the Village Board for their assistance during her tenure.

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

The Youth Center is doing well. Linda DeGroat is volunteering by helping with the Cooking Class.

-After School Program – Request for \$500.00 for replenishment of snacks. **Approved by Village Board.**

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

-12/19/15 Christmas Party – Request for \$400.00 for crafts, decorations and refreshments. **Approved by Village Board.**

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

-Free Introductory Zumba Class – Instructor: Beatriz Pelletier – Date: 12/1/15 at 12:00noon. **Approved by Village Board.**

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

**2015 Interfaith Thanksgiving Service** – Tuesday, 11/24/15 at 7:00PM (Brook Presbyterian Church)

-Trustee DeGraw requested \$50.00 petty cash to purchase refreshments. **Approved by Village Board.**

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

-Trustee DeGraw reported a second organizational meeting will be held at the Youth Center on 11/19/15 at 7:00PM.

**2015 Christmas Tree Lighting Celebration** – Date Scheduled: Sunday, December 6, 2015 at 6:00PM. The Suffern High School Select Choir will be present.

**2016 Village Election – March 15, 2016** –

The Village Clerk-Treasurer reported all parties have been duly notified and supplied with a Calendar of Dates.

**2016 Assessment Roll** –

The Village is in receipt of the Tentative Railroad Ceiling and the Equalization Rate (20.86%)

A workshop meeting of the Board of Assessors (Board of Trustees) was scheduled for Wednesday, 12/16/15 at 4:00PM.

**Hillburn Sewer Rebate Committee** - Trustee DeGraw reported Sewer rebate applications are still being accepted.

-Voucher Claim was signed by Mayor Flanagan for the 2015 annual payment in the amount of \$35,589.79, in accordance with the Agreement with RC Sewer District.

**Public Comments** –

-**Thomas Scott (64 5<sup>th</sup> Street)** questioned if the income eligibility percentage for the 2015 After School Program funding applies to the whole Village.

-Attorney Cassidy replied it only applies to registered participants.

-**Tim Williams (31 6<sup>th</sup> Street)** questioned the repaving of Route 59 by NYS DOT.

-Mayor Flanagan advised the project was cancelled until next spring.

Mr. Scott stated there is no street light in the area of 5<sup>th</sup> Street near his home and it is very dark. (Matter will be reviewed)

**Application for Use of Hillburn Equipment - Approved by Village Board.**

Applicant: Brook Presbyterian Church Date: Friday, November 13, 2015 Purpose: Pre-Thanksgiving Dinner

Ayes Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

**Application for Use of Hillburn Community Room - Approved by Village Board.**

Applicant: Hillburn Ladies Aux Dates/Times: November 19, 20 & 21, December 3, 9, 10, 11 & 12 / 6:30PM

Purpose: Meetings and Christmas Caroling

**Correspondence** included:

-RC Conference of Mayors – 11/30/15 Meeting Notice.

-Hillburn Ladies Aux. – Notice of 11/21/15 Holiday & Bake Sale

-Village of Sloatsburg – Invitation to 12/1/15 Special Ceremony to honor all Veterans.

-Village of Suffern – Invitation to 12/6/15 Pearl Harbor Commemoration.

-Cablevision – Notice of 9/16/15 merger Agreement with Altice.

-Verizon – Three notices dated 10/30/15, 11/3/15 and 11/16/15 – Changes to FIOS service.

-Meals on Wheels – Request for volunteers to deliver Thanksgiving dinners. (Trustee DeGraw and Trustee O'Brien will be volunteering)

**Written Complaints Received:**

11/10/15 email – RE: One Way Sign at the corner of 2<sup>nd</sup> Street & 3<sup>rd</sup> Street requires replacement. (DPW is following up on matter)

11/17/15 email – RE: Noise at 4:00AM from a business on Route 17 (ConServ or MS Realty property) trucks backing up and unloading. (matter referred to Building/Fire Inspector) Mayor Flanagan stated the Ramapo Police can be called for noise disturbances.

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

**RE: Clean-up of Private Vacant Properties by DPW**

Bills have been generated and sent to property owners for the equipment/labor, as authorized by the Village Board.

-A discussion was held on the procedures for condemnation of vacant/dilapidated homes.

**Auditor's Report of Financial Statement and Supplementary Information for year ended May 31, 2015.**

A representative of O'Connor Davies, the Village's Auditor, will be requested to attend the 12/15/15 Board Meeting to present the Report.

**Thanksgiving Holiday Schedule** – All full-time and part-time employees in all Village departments will be closed on Thursday, 11/26 and Friday, 11/27, in observance of Thanksgiving. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to adjourn meeting at 8:32PM.

Ayes: Deputy Mayor DeGraw & Trustee O'Brien

Noes: None