

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, October 27, 2015 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, October 27, 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. Deputy Mayor Eleanor DeGraw. Village resident Walter Johnson led in the Salute to the Flag.

**Minutes of 10/13/15 Meeting - Approved by Village Board.**

Ayes: Deputy Mayor DeGraw & Trustee O’Blenis  
Noes: None  
Abstention: Mayor Flanagan (not present at time)

**Street & Water Commissioners Reports – Approved by Village Board.**

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

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

Loose Leaf Pick-Up – commenced 10/15/15. Deadline for placement at curbside: 12/14/15.  
Garage Doors – 43 Terrace Ave. – Two quotes received as follows:

Dutchess Overhead Door \$2,586.00 (Replace Large Door)  
\$ 296.00 (Replace Springs (Small Door))  
Delco Overhead Door \$5,495.00 (Replace Large Door & Door Opener)

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to approve the 10/3/15 quote from Dutchess Overhead Door to replace door on the Terrace Avenue DPW Garage, plus installation of torsion springs on small door, at a cost not to exceed \$3,000.

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

Purchase of Trees - Urban Forestry Council Arbor Day Grant – Quote Received from Shemin Landscape Supply, Mahwah, NJ: (5) Pyrus C Cleveland Select Trees (25 gallon) @ \$180.00

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the purchase of (5) Pyrus C Cleveland Select trees from Shemin Landscape Supply, at a cost not to exceed \$1,000.00, to be funded through the Urban Forestry Council Arbor Day Grant.

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

-Supt. Conklin stated the trees will be planted early next week.

7:11PM

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to suspend the regular meeting in order to go into Executive Session to discuss a personnel matter and pending litigation.

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

7:25PM

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

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

**Appointment of DPW Laborer**

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to appoint Anthony W. Henry as a full-time DPW Laborer, at the hourly rate of \$14.00/hour, effective 11/2/15, subject to approval by the RC Department of Personnel.

Ayes Mayor Flanagan & Trustee DeGraw  
Noes: None  
Abstention: Trustee O’Blenis

**Police Commissioner’s Report**

Mayor Flanagan acknowledged the presence of Ramapo Police Officer Polchinski who reported the Village is quiet.

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

Bi-Annual Service of 5-Quad and 5-CFR - Work is complete. Cost exceeded amount on Purchase Orders. Matter being followed up with Chief Kelly.

**Request for Permission to Use Trucks - Approved by Village Board.**

-5-Quad - Hillburn Halloween Parade – 10/31/15 – 7:00PM  
-5-CFR and Chief’s Truck – Wallington Holiday Parade – 11/28/15

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

- The H.F.D. expressed thanks for the Village Board's support on the loss of Life Member and Ex-Chief Robert A. Van Dunk, Jr. A written request was submitted by Chief Kelly for removal of deceased member from the Driver's List.
- The H.F.D. elected a new President, Thomas Whalen and a new Vice President, Anne Marie Basile.
- RE: 2015 Volunteer Fire Assistance (VFA) Grant Program – Chief Kelly confirmed all of the equipment was received. An appointment with the NYS DEC to inspect same is needed.

**RBC Wealth Management – RE: LOSAP Account** – Mayor Flanagan stated he had met with Gary Goldberg & Assoc., Montebello, NY and requested the matter remain tabled for further review.

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

Two Claims dated 10/14/15 were received from Brooker Engineering PLLC – **Approved by Village Board.**

Invoice #116905	General Engineering: 9/1/15 – 9/30/15	1.0 hr. @ \$144.00	\$ 144.00
Invoice #116906	General Engineering: 9/1/15 – 9/30/15	9.5 hr. @ \$144.00	\$1,368.00

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

**Community Development** – At this date, a fully executed 2015 Agreement has not been received from the RC Office of Community Development.

**2015 CD Program** --After School Program 2015-2016" – Race/Ethnicity and Units of Service Report – Required additional information pending. (Trustee O'Brien following up on same)

**2016 CD Program** – Mayor Flanagan will be appointing a Citizens Advisory Committee soon.

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

**Introductory Local Law No. 3, 2015** – Attorney Cassidy summarized the need for the local law – Amendment to Flood Management Law.

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

**WHEREAS**, the Village Board of Trustees adopted Local Law 1 of 2014, as amended, amending the Village's Flood Management Law, Chapter 130 in order to remain eligible for the National Flood Insurance Program;

**WHEREAS**, the New York State Department of Environmental Conservation advises that a Letter of Map Revision (LOMR) was released;

**WHEREAS**, the New York State Department of Environmental Conservation recommends that said LOMR be incorporated into the Village's Flood Management Law;

**WHEREAS**, the New York Department of Environmental Conservation advises that the Village must formally adopt this new LOMR before it can issue flood plain permits.

**NOW THEREFORE BE IT RESOLVED**, that an introductory Local Law entitled, "A local law to amend Flood Damage Prevention" 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 an "Unlisted" 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 Tuesday, November 17, 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'Brien, Trustee

Noes: None

Abstentions: None

**Williamson Law Book - Annual Support Contract for Water Billing Program 11/1/15-10/31/16): \$847.00. Approved by Village Board.**

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

**2015 Tax Certioraris**

-United Water New York v. Village of Hillburn – A tentative settlement for the 2014 and 2015 years:

Refunds – Prior Years: 2014 Year – Approximately \$5,200 2015 Year: Approximately \$6,700

Tiered Reduction in Assessments for Years 2015-2020 (Stipulation to be finalized and filed)

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to approve the tentative settlement, subject to finalization.

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

-The Village Clerk-Treasurer questioned the current improvements being done on the respective property.

-Attorney Cassidy stated the construction valuation will be factored in.

**General Code** – An estimate for codification is pending adoption of Introductory Local Law #3, 2015.

**Warrant of Unpaid 2015 Village Taxes**

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the Village Clerk-Treasurer to prepare and submit the Warrant of Unpaid 2015 Village Taxes at 11/01/15, including penalty, to the County of Rockland.

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

**Zoning Board of Appeals** –

-The ZBA Clerk reported a Workshop Meeting of the ZBA was held on Tuesday, 10/20/15 at 7:00PM – Agenda Item: Appeal filed by Kristian Matthews/Stoneworks Estates. Scheduling of a date for Public Hearing was tabled to allow time for the Applicant to provide additional documentation/information.

-Attorney Cassidy reported she had been advised by Kevin Brown, Attorney for the Applicant, that he will be supplying his submission on or before 11/6/15. A Public Hearing will be scheduled no earlier than 14 days from the receipt of same.

**NYCOM – “Tuesday Training Webinars”** – Dates: 11/10, 11/17, 11/24 & 12/1/15. Each Webinar will satisfy one hour of the annual 4 hours of required training for ZBA and Planning Board Members.

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis authorizing the participation of interested ZBA and Planning Board members at the webinars at the cost of \$15.00 per webinar, per registrant.

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

**RC Department of Planning** – Correspondence has been received regarding various class/training sessions for Planning & Zoning members, as well as Village Officials.

**Planning Board** – The Village Board acknowledged receipt of the minutes of the 7/16 & 9/17/15 meetings.

Next Meeting: 11/19/15.

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

-2015-16 Fire Safety Inspections are underway.

-Property maintenance issues are being addressed - working with the Village Attorney regarding abandoned properties.

**Escrow Accounts**

**M.S. Realty (230 Route 17) – 2/23/15 – Site Plan Application to Hillburn Planning Board**

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw that, as recommended by the Hillburn Planning Board, the following escrow account be closed out.

M.S. Realty - Escrow Established 2/23/15 – Balance @ 10/27/15: \$350.00

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

-As authorized at the 9/29/15 meeting, refund claims have been filed by TBS Realty and Hillburn Park Corp. (Escrow Closeouts) and processed.

-**Stoneworks Estates, Inc. – 9/17/15 Application to Hillburn Zoning Board of Appeals** – Required \$5,000.00 escrow was established on 10/19/15.

-9/30/15 Claim – (Law Office of Elizabeth Cassidy) \$ 515.00 - Recommended for payment by ZBA on 10/20/15

**Approved by Village Board.**

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

**Senior Citizens** – President, Judi Starr not present.

-Liaison Trustee DeGraw reported the election for Officers will be held on 11/2/15 (2 Year Term 1/2016 – 1/2018)

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

**2015-2016 After School Program** –

Approx. 37 children attend the program daily. Alysa Flanagan and Orianna Lee, are working out nicely.

Annual Halloween Party will be held on 10/30/15.

-Volunteer Service – A request was received from an individual to volunteer at the Youth Center. Matter was tabled in order to conduct the required background check.

-**Annual Christmas Party** – Scheduled for Saturday, 12/19/15, from 2:00pm – 4:00pm. **Approved by Village Board.**

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

-**2016 Summer Camp Program (5 Weeks)** – Proposed Fee/Payment Plan: \$425 (Resident); \$525.00 (Non-Resident). Payment plan for residents: \$85.00 per month (January-May, 2016). Matter was tabled to discuss the possibility of implementing a 2 payment plan.

**2015 Interfaith Thanksgiving Service** – Date Scheduled: Tuesday, 11/24/15 at 7:00PM.

-Mayor Flanagan requested Trustee DeGraw to follow up with the planning meeting with participating Clergy.

**2015 Christmas Tree Lighting Celebration** – Date Scheduled: Sunday, December 6, 2015 at 6:00PM

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

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

**WHEREAS**, the next general election for officers will be held on Tuesday, March 15, 2016, and

