

**VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, November 14, 2017 – 7:00PM**

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, November 14, 2017, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Eleanor J. DeGraw, Deputy Mayor
Bonnie R. O’Blenis, Trustee
Elizabeth K. Cassidy, Village Attorney
Thomas M. Conklin, DPW Supt.
Mary M. Boone, Clerk-Treasurer

ABSENT: Craig M. Flanagan, Jr., Mayor
(Vacation)

RECORDER OF MINUTES: Robin Miele, Asst. Clerk-Treasurer

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Meeting called to order by the Hon. Eleanor J. DeGraw, Deputy Mayor. Mr. Alan Kassay of PKF O’Connor Davies (Village Auditors), led in the Salute to the Flag.

Village Auditor - PKF O’Connor & Davies – Presentation – Financial Statements for Year Ended 5/31/17

Mr. Alan Kassay addressed the Board, read and emphasized the Auditors’ opinion as stated on page 1 of Audit for y/e 5/31/17.

-Review was made of the comparative Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual, for all funds. Mr. Kassay advised of the Governmental Accounting Standards Board (GASB) approved Statement 73 – RE: Accounting and financial reporting rules for state and local government employers that sponsor defined benefit or defined contribution pension plans. GASB73 would include the Village of Hillburn Fire Service Award Program.

The Village Board had no questions and thanked Mr. Kassay for his presentation of the Audit Report for y/e 5/31/17. (Mr. Kassay left the meeting)

Minutes of the 10/24/17 Meeting and 11/9/17 Special Meeting – Tabled – not prepared as of this date.

Street & Water Commissioners Reports – Approved by Village Board.

Ayes: Deputy Mayor DeGraw & Trustee O’Blenis
Noes: None

Police Commissioner’s Report - Deferred until the arrival of a Ramapo Police Officer.

DPW Report – DPW Supt. Thomas Conklin reported:

Repair of Hydrants – Supt. Conklin reported that the hydrant located at Sixth St. & Boulder Ave. has been repaired and is back in service.

Installation of Traffic Signs –

-A discussion was held on the proposed Installation of “Stop” Sign at Sixth St. & Fox Hollow Road (proposed by Trustee O’Blenis).

-Trustee O’Blenis stated the need to make Sixth Street, from Brook Street to Chestnut Avenue, a one-way street going southbound to prevent motor vehicle accidents. Northbound traffic does not have sight distance when making a right-hand turn onto Chestnut Avenue.

-Attorney Cassidy will prepare proposed resolutions for action at the next Board Meeting.

10/23/17 Request Submitted by Tom Scott, Jr. for Removal of Guardrail at Intersection of 6th St. & Mountain Ave. (area of his property located at 45 6th St.) – Denied by Village Board on 10/24/17

Trustee O’Blenis reported she and the Mayor had made a re-inspection and determined that the deteriorated condition of the guardrail warrants its removal.

A MOTION was made by Trustee O’Blenis and seconded by Deputy Mayor DeGraw to rescind the Village Board’s 10/24/17 denial of the request and to approve the request for removal of the respective guardrail.

Ayes: Deputy Mayor DeGraw & Trustee O’Blenis
Noes: None

-The Village Board requested Attorney Cassidy to send a letter to Mr. Scott advising that by granting his request, the Village is not responsible for any property damage incurred due to the removal of the guardrail,

7th St. Drain Pipe Project – Phase II

-Supt. Conklin reported he has received the request for mark-outs. The contractor, Scaffidi’s Paving & Drainage, should be contacting him within the next couple of days to commence the project.

Designation of Surplus Equipment

An 11/13/17 memo was supplied to the Village Board and Village Attorney – RE: List of equipment to be declared surplus, as supplied by DPW Supt. Conklin.

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

WHEREAS, the Village of Hillburn presently owns the following equipment utilized by the Department of Public Works:

1. 1990 John Deere 870 Tractor, VIN # M00870B002991, 72 Inch Cut, 3-cylinder diesel
2. Redmax Weedwacker – Straight Shaft Model # G225N52, Serial Number 90609124
3. Redmax Weedwacker – Straight Shaft Model # G225N52, Serial Number 90609119
4. 2001 GMC 8500 VIN #1GDP7HIE01J503800, 8.1 V8, GAS, 18000 Miles, with Plow & Spreader

WHEREAS, Thomas Conklin, Superintendent of the Department of Public Works recommends that the above pieces of equipment are of no further use or utility to the Village of Hillburn, and,

WHEREAS, the Village of Hillburn presently owns the following equipment utilized by the Village of Hillburn Fire Department:

1. 2003 Ford Expedition, VIN # 1FMPV16L63LC29761, S.4 gas motor, 143130 miles

WHEREAS, the above vehicle is of no further use to the Village of Hillburn,

WHEREAS, the Village of Hillburn wishes to sell such equipment,

WHEREAS, that the Supervisor of the Department of Public Works recommends that Village may obtain the best price for the two vehicles by a private sale.

WHEREAS, that the Supervisor of the Department of Public Works recommends that the Village conduct a surplus auction for all of the remaining surplus equipment.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Hillburn does hereby declare said items of equipment to be surplus and directs that the same be sold by public auction, public bid, or any other means capable of achieving the best sales price.

BE IT FURTHER RESOLVED, that the Village of Hillburn authorizes the Supervisor of the Department of Public Works to market the two vehicles to obtain the best price possible. The sales price shall be approved by the Village Board prior to the transfer of title.

BE IT FURTHER RESOLVED that the Village of Hillburn shall conduct a public auction of the surplus equipment and the Village Clerk Treasurer and Village Attorney are hereby authorized to take whatever action is reasonably necessary to conduct said auction.

Ayes: Eleanor DeGraw, Deputy Mayor
Bonnie O'Blenis, Trustee

Noes: None

Absent: Craig M. Flanagan, Jr., Mayor

RESOLUTION was unanimously adopted.

Public Notice regarding the surplus equipment was tabled.

O & R – RE: NY Public Service Commission Case 16-E-0226; O & R's Add' l LED Street Lighting Options Available to Municipalities – A meeting was held with O & R representatives to discuss the scheduling for the upgrade of 9 streetlights to LED at no additional fee along the 4th St. Corridor.

SUEZ Water New York – Discrepancy Regarding Bill of 7/20/17: \$58,485.97

-A meeting with SUEZ Water New York was held on Thursday, 11/9/17, at 3:00PM. Mayor Flanagan, Clerk-Treasurer Boone, Engineer Mancuso and DPW Supt. Conklin were in attendance.

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw that, pursuant to the assertion by SUEZ Water New York at the 11/9/17 meeting that the water bill is correct, the Village will continue to investigate the high water usage and,

FURTHER, the Village Clerk is authorized to negotiate a payment schedule with SUEZ Water New York regarding the payment of the bill of 7/20/17 in the amount of \$58,485.97.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

Purchase of 2016 Ford F550

At the 11/9/17 Board Meeting, the Village Board approved emergency purchase of a 2016 Ford F550 Dump Body from Mahwah Ford to replace the 2001 GMC Truck.

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw to authorize the financing of the 2016 Ford F550 Dump Body as follows:

\$56,809.00 List Price for 2016 Ford F550

\$10,000.00 Deposit (Equipment Reserve Fund)

\$46,809.00 Balance to be Financed (Ford Credit Municipal Finance)

9 Semi-Annual Payments at the interest rate of 5.95% for 5 years.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

4th Street Railroad Bridge – Deputy Mayor DeGraw reported that Mayor Flanagan has scheduled a meeting with Supervisor-elect Michael Specht regarding this matter.

HFD Report – Chief Starr not present – No report.

RE: LOSAP – The Monthly Financial Report has been received.

RE: Participation of HFD in Two Upcoming Parades: 12/2/17 (Village of Suffern) & 12/9/17 (Orangeburg)

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw to approve the use of the HFD Chief's car and one HFD Truck to participate in the 12/2/17 and 12/9/17 parades, subject to receipt of a formal request from HFD Chief Shane Starr.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

- Trustee O'Blenis reported there is a dumpster on the side of the road, in the area of 23 Boulder Avenue she is concerned regarding access of emergency vehicles.
- Supt. Conklin stated the Building/Fire Inspector had advised the dumpster was going to be removed by 3:00PM this afternoon; however, fire apparatus would be able to pass through.
- Trustee O'Blenis stated the dumpster has not been removed. Supt. Conklin will make an inspection tomorrow.

Village Engineer's Report - Engineer Eve Mancuso reported:

-Hillburn Youth Center HVAC Replacement Project - The Village Engineer reported she and the Building/Fire Inspector made an inspection of the internal equipment (were not able to get onto the roof). Work appears to be satisfactory and a letter will be supplied approving payment to the contractor.

Change Order #1 is the next step.

-7th St. Drain Pipe Project – Phase II – Engineer Mancuso will arrange the required Pre-construction Conference.

Claims filed by Village Engineer

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw authorizing payment of the following claims:

11/6/17 Claim - Invoice #123327 – Youth Center HVAC Replacement:	\$77.50 (Funding: SAM Grant)
11/6/17 Claim - Invoice #123328 – 7 th Street Drainage Repair:	\$38.75 (Funding: CHIPs Program)

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

Village Attorney's Report – Attorney Cassidy reported:

Energy Contract with Constellation NewEnergy, Inc. - Attorney Cassidy submitted a proposal received from Satori Energy, broker for Constellation NewEnergy, Inc. (Supplier) that reflects pricing for 12, 18, 24 and 36 month periods.

-The Village Clerk-Treasurer advised that as of this date, the Village of Hillburn has not received any Utility Tax from Hudson Energy, the Village's current energy contractor (contract expires 11/30/17)

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw that the Village of Hillburn enter into one year Agreement with Constellation NewEnergy, Inc., subject to the review of the Village Attorney, and to authorize Deputy Mayor DeGraw to sign the Agreement.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

Town of Ramapo – 2018 Fire Districts Agreements

Deputy Mayor DeGraw reported Mayor Flanagan will discuss this matter with Supervisor-elect Michael Specht.

The H.F.D. Chief will be requested to supply his input regarding the Agreements. Matter will be placed on the 12/12/17 Board Meeting agenda.

Introductory Local Law 2 of 2017 – A Land Use Moratorium (Public Hearing scheduled for 12/12/17 at 7:15PM)

RC Department of Planning – 11/9/17 GML Review: Recommend the following modifications:

1. Any Zoning code amendments proposed as a result of this moratorium are subject to a review by this Department, as mandated by the New York State General Municipal Law.
2. The adoption of a Comprehensive Plan is subject to a review by this Department, as mandated by the New York State General Municipal Law.

-Village Attorney Cassidy will supply the required Notice pertaining to the 12/12/17 Public Hearing.

Village of Hillburn v. Losner – Attorney Cassidy reported the next Court Date is scheduled 12/1/17.

Stonework Estates, Inc., Kristian Matthews and Legacy Stoneworks, Inc. v. Village of Hillburn, Village of Hillburn Zoning Board of Appeals and Adam Gordon as Code Enforcement Officer for the Village of Hillburn –

-Receipt of the fully executed Stipulation with attachments is still pending by the Village Attorney from Stoneworks Est., Inc.

Village of Hillburn vs. Nicholas Ciancioruso, et.al. (Creelman Road) - RE: Litigation Regarding Illegal Operation of a Contractor's Yard on Property located on Creelman Road in Violation of Stop Work Order

Matter to be discussed in Attorney/Client session.

Verizon 5 Year Special Franchise Agreement – Expiration Date: Oct. 2017 –

-The Draft Franchise Agreement was approved by the Village Board on 10/24/17 and has been returned to Verizon. Upon approval by Verizon, a Public Hearing will be scheduled.

Tax Certioraris – (2014, 2015, 2016, 2017) – To be discussed in Attorney/Client Session.

-Invoice #476–Law Office of Rebecca Speno – Fujita Trust v. Village of Hillburn - \$450.00. **Approved by Village Board.**

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

Insurance –

RE: Workers' Compensation Coverage – An 11/7/17 memo was received from Ducey Insurance Co. providing the renewal quote received from Workers' Comp. Alliance – Premium: \$30,126 (\$75 increase over expiring policy). The renewal packet is forthcoming (1/1/2018-12/31/2018).

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw to approve the proposal received from Workers' Comp. Alliance for Workers' Compensation coverage at a premium \$30,126.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

Various Capital Improvements (In accordance with 9/1/16 Bond)

A Financial Report as of 10/31/17 was supplied by the Village Clerk-Treasurer.

2018 Village Election – Tuesday, March 20, 2018

2018 Assessment Roll - Taxable Status Date: January 1, 2018.

-Equalization Rate: Decreased to 16.60 from 18.28

Tentative Railroad Ceiling: 24,298 (15% Decrease)

-A meeting of the Hillburn Board of Assessors is scheduled for Thursday, 1/4/18 at 4:00PM.

2016 Master Plan Committee –

Committee Secretary, Parquiris DeLeon, reported the next meeting is scheduled for 12/9/17 at 10:00AM. (Village Attorney advised she will not be present)

-RE: Survey – Postcards were sent to property owners as an insert with the November 2017 Village Memo. The postcards provided the link to take the survey online and also advised that hard copies could be obtained at the Village Office. The deadline date for responding to the survey is 11/30/17.

2020 Census – Local Update of Census Address Operation (LUCA) – The Village of Hillburn will be participating.

Community Development –

2018 CD Program –The first meeting of the Citizens Advisory Committee was held on 11/2/17. Next Meeting: 12/5/17.

Warrant of Unpaid 2017 Village Taxes to Rockland County

The Village Clerk-Treasurer reported the Warrant was filed on 11/6/17 and included 23 unpaid 2017 Village tax bills totaling \$14,519.51.

Zoning Board of Appeals

No pending applications.

Planning Board –

A letter of appreciation has been sent to Irving Strsyko for his service on the Planning Board; and a letter was sent to Rhonda Jennings regarding her 10/24/17 appointment to the Planning Board.

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

-Asst. Building Inspector – Signing of the Oath of Office by Sean Tichenor is pending.

Escrow

Status of Escrow Accounts Report @ 10/31/17 was supplied. (There are claims pending before the Planning Board)

Senior Citizens –

Liaison, Trustee DeGraw, requested the assistance of the DPW to set up the Christmas Tree in the Community Room on Friday, 11/18/17.

Recreation – A written Report was read by Trustee O'Blenis.

Our 10/30/17 Halloween Party was the scariest one ever! We had a lot of fun with the games, especially the mummy wrap. Liam McIntosh won best costume and a number of the children won pumpkins in a raffle. The hotdogs were a hit, as well as the goody bags. There were a lot of laughs and everyone had a good time.

Cooking Class – A request was made for \$450.00 (total of Registration fees collected) for expenses. (Approved by Village Board)

-Required Food Handling Certificate – Classes will be held at the RC Fire Training Center on 11/27 & 28/17.

12/16/17 Christmas Party – Plans are being made. Requests were made for the following: (**Approved by Village Board**)

Expenditure of \$ 79.92 - Crafts – Oriental Trading Co. (order form attached to report)

Expenditure of \$400.00 - Petty Cash – Additional supplies, refreshments and decorations.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

Hillburn Sewer Rebate Committee – Trustee DeGraw reported Applications are still being received.

RC Sewer District Usage Charge for Village-owned Building: 37 5th St.: \$2,001.67 (11/7/17 Invoice for 2016 (4 Months) and 2017 (12 months).

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw that the RC Sewer District charges for 11/7/17 Invoice, in the amount of \$2,001.67, be paid out of the Village's Sewer account.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

Noes: None

38th Annual Interfaith Thanksgiving Service - 11/21/17 at 7:00PM – Host Church: Brook Presbyterian Church.

A MOTION was made by Trustee O'Blenis and seconded by Deputy Mayor DeGraw to approve an expenditure not to exceed \$300.00 for refreshments.

Ayes: Deputy Mayor DeGraw & Trustee O'Blenis

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continued

40th Annual Christmas Tree Lighting Celebration – 12/3/17 – 6:00PM – Veteran’s Memorial Park.

Public Comments

Chevron Torres (54 5th Street) questioned the locations of the discussed/proposed Stop sign and stated her concern that the designation of the portion of 6th Street as “One Way” will increase traffic on 5th Street.

-Trustee O’Blenis stated she acknowledges Ms. Torres’ concern; however, the intersection of Sixth Street & Chestnut Avenue is dangerous. Steps being considered to deter speeding on Fifth Street include the installation of temporary speed bumps.

-The Village Attorney stated the “Stop” sign and “One Way” designation will be further reviewed.

Applications for Use of Hillburn Community Room:

Applicant: Craig Flanagan Date: Sat, 12/2/17 (10:00AM–6:00PM) - Purpose: Birthday Party
*Approved by Village Board (*Fee waived, Certificate of Insurance required)

Applicant: Judy Starr Dates: Tues-Thurs, 12/12, 13 & 14/17 (6:30PM); Sat., 12/16/17 (9:00AM–5:00PM)
Purpose: Ladies Auxiliary - Christmas Workshop & Caroling
Approved by Village Board

Ayes: Deputy Mayor DeGraw & Trustee O’Blenis
Noes: None

Correspondence - The Village Board acknowledged receipt of copies of correspondence, regular and email, including:

-RC COM – 10/30/17 Meeting (Mayor attended)

-NYCOM – Notification of the Governor’s signing of a law mandating enhanced disability benefits to volunteer firefighters who development various types of cancer (NYCOM and Village of Hillburn had requested a veto).

-Village of Sloatsburg – Invitation to special ceremony honoring all veterans on Tuesday, 11/28/17 at 7:30PM.

NYS DEC – Online Applications for Municipal Recycling Grant.

2017 Local Government Records Management Improvement Fund Grant (LGRMIF) – Grant Award: \$28,631.00 – 50% of Award has been received. Preparation of documents (Building Dept.) will be made to be sent for scanning with the Contractor, NYSID/ New York State Industries for the Disabled, Inc.

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

Scheduled December 2017 Village Board Meeting: December 12, 2017.

A MOTION was made by Trustee O’Blenis and seconded by Deputy Mayor DeGraw to adjourn the meeting at 8:16PM.

Ayes: Deputy Mayor DeGraw & Trustee O’Blenis
Noes: None

