

VILLAGE OF HILLBURN
Board of Trustees Meeting
Tuesday, October 16, 2018 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, October 16, 2018, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Craig M. Flanagan, Jr., Mayor
Bonnie O’Blenis, Deputy Mayor
Richard Ellsworth, Village Attorney
Eve Mancuso, Village Engineer
Thomas M. Conklin, DPW Supt.

ABSENT: Eleanor J. DeGraw, Trustee
(illness)

RECORDER OF MINUTES: Robin Miele, Clerk-Treasurer

Meeting called to order by the Hon. Craig M. Flanagan, Mayor. Village Attorney Ellsworth led the Salute to the Flag.

Garrett Durland, President – Seely & Durland Insurance

Mr. Durland addressed the Village Board regarding the Village’s workers’ compensation policy inasmuch as transferring the Broker of Record for the NYS Municipal Workers’ Compensation Alliance from the Ducey Agency to Seely & Durland Insurance. There would be no additional costs incurred by the Village. By doing so, the Village’s insurance policies would be consolidated with one agent, with the exception of the HFD Workers’ Compensation.

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to transfer the Broker of Record with the NYS Municipal Workers’ Compensation Alliance from the Ducey Agency to Seely & Durland Insurance for the one (1) year period 1/1/19 – 1/1/20.

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

RE: NYS Firefighter Cancer Benefit Program – Attorney Ellsworth questioned Mr. Durland regarding this requirement, effective 1/1/19. Mr. Durland stated he will review matter to determine insurance companies that offer the coverage.

Minutes of the 10/2/18 Meeting – Approved by Village Board.

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

Street & Water Commissioners Reports – Approved by Village Board.

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

Police Commissioner’s Report – Mayor Flanagan acknowledged the presence of Ramapo Police Officer Paolucci who stated that the Village is quiet. Tickets are being issued to motorists for failure to obey the recently installed Stop signs. -Trustee O’Blenis requested additional patrol in the area of the new Stop signs at Sixth St. & Fox Hollow Road.

DPW Report – DPW Supt. Thomas Conklin

2008 Ford F150 -Truck Body – Supt. Conklin is still working with Dejana Truck & Utility Equip. Co., LLC to obtain a quote. Matter remains Tabled by Village Board.

Cornell Local Roads - Snow & Ice Snow & Ice Control Workshop – Supt. Conklin reported he will be attending the workshop on Tuesday, 10/23/18 from 8:00AM – 3:00PM. Registration Fee: \$35.00.

Hydrant Flushing – The flushing of fire hydrants is scheduled for Tuesday, 10/23 through Thursday, 10/25/18. Residents will be properly notified.

Rockland County Shared Services Plan – Draft Countywide Shared Services Plan – Matter remains tabled.

Village Water System

Water System Financial Evaluation – KC Eng. & Land Surveying, PC - Pending Agreement – Matter remains tabled.

SUEZ Water New York – Bill for Water Usage: 8/10/18 – 9/11/18 – The Village Board was in receipt of a copy of the bill. Mayor Flanagan stated the bill seems high.

Williamson Law Book Co. – WLB Water/Sewer Software Contract (11/1/18 – 10/31/19) – Invoice #173232: \$968.00.

Approved by Village Board.

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

4th Street Railroad Bridge - RE: Resurfacing by Town of Ramapo – Engineer Mancuso reported no notification has been received regarding the grant application filed by the Town of Ramapo.

HFD Report – Chief Starr not present.

Penflex, Inc. – 2018-2019 Service Fee Agreement – \$950.00 Fee for Preparation of the GASB 73 Package - Tabled at 10/2/18 meeting subject to review by the Village Auditors.

-The Clerk-Treasurer reported that the Village Auditors, Berard Assoc., recommend Penflex also prepare the GASB 73 Package. Subsequently, the 2018-2019 Service Fee Agreement was returned as follows:

Preparation of Financial Statement Disclosures:	
Base Fee:	\$3,450.00
NYS LOSAP Audit Package	495.00
GASB 73 Package	950.00
	<u>\$4,895.00</u>

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

LED Street Lighting Upgrade

O & R – RE: NY Public Service Commission Case 16-E-0226; O & R’s Add’l LED Street Lighting Options Available to Municipalities – Upgrade of 9 streetlights to LED along 4th St. – Upgrade still pending.

RealTerm Energy LED Street Light Proposal – Attorney Ellsworth reported he had provided Sandy Stead of RealTerm Energy with a copy of the letter he received via email from John L. Carley, O&R’s legal representative, regarding the sale of its street lights. Ms. Stead advised that she is preparing a revised proposal. The estimated price quoted by O&R is \$34,672. Matter remains tabled by the Village Board.

Village Engineer’s Report - **Engineer Eve Mancuso** stated she has no report.

Community Development

2019 CD Program – Application for 2019 CDBG funding. Remains tabled by Village Board.

Village Attorney’s Report – **Village Attorney Richard Ellsworth**

Pending Litigation – Village of Hillburn v. Losner – Attorney Ellsworth reported that the Judge had denied the Village’s motion to dismiss without a trial. He had appeared in RC Supreme Court today, 10/16/18, at which time Mr. Losner was present and stated repairs to the house will be complete by 11/13/18. Matter was adjourned to 12/12/18. If repairs are complete, a settlement will be discussed. If repairs are not made, Attorney Ellsworth will request the Court to schedule a trial date.

Voucher Claims: Special Council – Jacobowitz and Gubits, LLP: As recommended by Attorney Ellsworth, the following claims were tabled by the Village Board, for review by the Village Attorney:

Invoice #275397 dated 09/28/18 (Legal Services: 08/01/18 – 08/30/18) \$ 4,493.16

Invoice #275606 dated 10/10/18 (Legal Services: 09/01/18 – 09/28/18) \$ 1,997.18

Satori Energy (Constellation Contract) – Electric Supplier – Expires December 2018 – Renewal Options –

Renewal Options – Attorney Ellsworth stated that he will contact Satori Energy and request proof of savings be provided.

Insurance

NYS Municipal Workers’ Compensation – Selective Loss Report at 10/1/18.

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

The Village Board acknowledged receipt of a Financial Report as of 10/16/18, as prepared by the Asst. Village Clerk-Treasurer.

RE: Comprehensive Plan -Claim filed by Nelson Pope & Vorhees (Period: 8/10/18 – 8/22/18): \$420.00. **Approved by Village Board**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

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

Attorney Ellsworth reported a draft Agreement is forthcoming from Verizon. Upon receipt and review, a Public Hearing will be scheduled.

Warrant of Unpaid 2018 Village Taxes to Rockland County

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan authorizing the Village Clerk-Treasurer to prepare and submit the Warrant of Unpaid 2018 Village Taxes at 11/01/18, including penalty, to the County of Rockland.

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

2019 Village Election – Tuesday, March 19, 2019

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

WHEREAS, the next general election for officers will be held on Tuesday, March 19, 2019, and

WHEREAS, the Board of Trustees must designate by resolution and publish the office(s) which are to be filled in such election and the term(s) therefore.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Board of Trustees designates the following offices as vacant at the end of the current year, and to be filled at the Village Election to be held on Tuesday, March 19, 2019 for the following terms:

OFFICE OF MAYOR two year term

OFFICE OF TRUSTEE two year term

Section 2. The Village Clerk is hereby directed to publish this resolution in the Journal News.

Section 3. This resolution shall take effect immediately.

**Ayes: Craig M. Flanagan, Mayor
Bonnie O’Blenis, Trustee**

Noes: None

Absent: Eleanor DeGraw, Trustee

RESOLUTION was unanimously adopted.

2016 Master Plan Committee –

Committee Secretary, Parquiris DeLeon, reported that there is no meeting scheduled.

-RE: Local Law No. 2, 2018 – RE: 6 Month Extension of Moratorium – Attorney Ellsworth reported that the local law was filed with New York State. He is awaiting receipt of a corrected notice of filing from the State.

NYSER Standard Workday Report

The Resolution was posted on 9/26/18 and must be posted for 30 days. On 10/26/18, it will be submitted to NYSER.

2020 Census – Local Update of Census Address Operation (LUCA) – Deputy Village Clerk Yvonne Van Dunk is following up with same.

Zoning Board of Appeals – No report

Planning Board – The 10/17/18 was cancelled.

RE: 260 Route 17: Property Owner: TJG Realty of Rockland – (Property ID: 47.14-2-41) Attorney Ellsworth stated the matter was addressed in Village Court on 10/11/18. Matter was adjourned to 11/8/18. Prior to 11/8/18, the property owner is required to:

- File a request for a waiver from the Moratorium with the Village Board and; if granted,
- File a Planning Board Application

-Planning Board member Patricia Van Dunk addressed the Board and stated that she and Planning Board Chairperson Sheree Edwards had visited the site and witnessed many buses parked on the property and building renovations being done with no Planning Board approvals.

-Attorney Ellsworth stated the matter is being handled through the Hillburn Court.

NYCOM – Planning and Zoning Webinar Series – Scheduled Dates: 10/30, 11/13, 11/20 and 11/27 – Authorization of Fee for Planning & Zoning Board members: \$25.00 Per Webinar, Per Participant. **Approved by Village Board**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

Building/Fire Inspector’s Report –

The Village Board was in receipt of copies of various correspondence, Violations Notices, etc.

-RE: 32 2nd Street – A written complaint/concern was received from a property owner in the area – RE: Suspicious Activity – individuals are going in and out of building as it is not secured.

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan authorizing the Hillburn DPW to board up the entrances to the home at 32 2nd Street and the property owner be billed accordingly.

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

Escrow - Status of Escrow Accounts Report @ 10/16/18 was supplied.

-10/9/18 Inv. #421.1-7 filed by Spence Engineering – (RE: SUEZ Water New York - 8/16/18 Building Permit #082218): \$1,395.33

Approved by Village Board

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

Senior Citizens

-President Diana DeGroat withdrew the Application for Use of the Community Room filed on 10/26/18. (Military Bridge has been postponed to spring 2019)

Village Engineer Mancuso left meeting.

Recreation – A written Report was read by Trustee O’Blenis:

Fall Festival –10/13/18 - The event was a great success. Special thanks were extended to the volunteers, DPW and HFD for their support.

-The Clerk-Treasurer supplied the Village Board with reports of Expenses and Receipts at 10/16/18.

RE: Mike’s Dog House –

Invoice #1834 in the amount of \$550.00 has been replaced with Inv. #7953 in the amount of \$365.00 – Reason: Malfunction of Cotton Candy Machine

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to void Village of Hillburn Check #S1942, dated 10/13/18, in the amount of \$515.00 and

FURTHER, authorizing payment of revised Invoice #7953, dated 10/16/18, in the amount of \$365.00.

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

RE: Town of Stony Point – Use of Stage – Invoice #1: \$978.00

Mayor Flanagan stated he will be contacting the Town of Stony Point to discuss the hours. **Tabled by Village Board.**

Ayes: Mayor Flanagan & Trustee O’Blenis

Noes: None

2018-2019 After School Program –

-Halloween Party – Tuesday, 10/30/18 – Request for approval and \$100 petty cash for refreshments. **Approved by Village Board**

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

American Coliseum Wrestling - 11/2/18 – 6:30PM – Youth Center. Tickets are on sale for \$5.00 each.

Annual Christmas Party – Request for authorization to hold the event on 12/15/18 from 2:00PM – 4:00PM. **Approved by Village Board**

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

Hillburn Sewer Committee – Mayor Flanagan reported rebate applications are still being accepted.

-RC Sewer District #1 – 2018 Intermunicipal Cooperation Agreement – Payment of \$37,384.91 was received on 10/15/18.

39th Annual Interfaith Thanksgiving Service – Tuesday, 11/20/18 at 7:00PM

Patricia Osterhoudt of Brook Presbyterian Church was present and recommended more planning be done.

Mayor Flanagan scheduled two planning meetings as follows: 10/25/18 & 11/8/18 at 6:30PM in the Community Room. Notices will be sent to participating clergy.

7:59PM

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to suspend the regular meeting in order to go into Executive Session – Purpose: Personnel Matter.

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

8:12PM

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to reopen the regular meeting.

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

Personnel

Letter of Resignation – Roger C. DeGroat, Jr.

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to accept Roger C. DeGroat, Jr.’s Letter of Resignation from the position of DPW Laborer, effective 10/10/18.

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

Public Comments –

Patricia Osterhoudt (159 Sixth Street) reported on two recent incidents whereby someone had broken into the Brook Presbyterian Church and the Ramapo Police were contacted. Ramapo Police Officer Paolucci responded on both occasions and was very arrogant and unhelpful. Further, Officer Paolucci then interrupted a Sunday Church Service to announce that a van was blocking the road and a car was parked in the fire lane.

Tim Williams (31 Sixth Street) confirmed Officer Paolucci’s actions and stated it was very disrespectful of him to interrupt a Church Service.

-Mayor Flanagan stated he will follow up on this matter with the Ramapo Police.

Ms. Osterhoudt stated Brook Presbyterian Church has been doing outreach (i.e. drug addiction) and would like to work with the Village to organize support groups.

-Mayor Flanagan stated he would like to reorganize the Police Advisory Committee.

Village Office Computers - 10/4/18 Quote from Protected Harbor for Purchase and Installation of (2) Terminals: \$990.00. **Approved by Village Board**

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

-Mayor Flanagan stated he would like to meet with Protected Harbor regarding a computer for his office.

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

-NYCOM – RE: Legislative Priorities Meeting – Monday, 11/19/18 – Albany, NY (Mayor Flanagan stated he is unable to attend)

-ReadyRefresh – 10/3/18 Notice of Increases effective 11/3/18.

-RC Youth Bureau – Notice of Relocation – 50 Sanatorium Road, Bldg. A, 7th Fl., Pomona, NY.

-RC Office of Fire & Emergency Services – RE: Hazard Mitigation Assistance Funding Opportunity.

-O & R Utilities – Notification of smart meter upgrade scheduled for the Sixth St. Pumphouse and Terrace Avenue DPW Garage.

-NYCOM – RE: NYS Dept. of Labor - Finalization of the sexual harassment prevention guidance.

-NYS Comptroller – Upcoming Webinars – How-To Guide to Shared Services.

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

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan to adjourn the meeting at 8:39PM.

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