

VILLAGE OF HILLBURN

Board of Trustees Meeting

Tuesday, September 13, 2016 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, September 13, 2016, in the Municipal Meeting Room, 31 Mountain Avenue, Hillburn, New York 10931, commencing at 7:00PM.

PRESENT: Craig M. Flanagan Jr., Mayor
Bonnie R. O’Blenis, Trustee
Eleanor J. DeGraw, Trustee
Elizabeth K. Cassidy, Village Attorney
Thomas M. Conklin, DPW Supt.

RECORDER OF MINUTES: Mary Boone, Clerk-Treasurer

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

Minutes of 8/16/16 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

Police Commissioner’s Report

Mayor Flanagan stated the issue of trucks parking illegally on Route 17 (Under the Thruway Bridge).
-DPW Supt. Conklin stated he had spoken with a representative from the NYS DOT who advised parking in the respective area is not permitted by the NYS DOT; however, they are opposed to the placement of signs.
-Attorney Cassidy recommended the Village Board pursue having the lighting restored under the bridge.

DPW Report – DPW Supt. Thomas Conklin reported:

Green Team Committee Meeting – 9/14/16 – 10:00AM Torne Valley Conference Ctr. - Supt. Conklin will be attending.

2008 Ford – 8/11/16 Quote from Suffern Sales & Service – \$725.00 - Reline bottom and sides of the 2008 Ford

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the issuance of a Purchase Order to Suffern Sales & Service, in accordance with the 8/11/16 quote to reline the bed and sides of the 2008 Ford at the cost of \$725.

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

Village of Suffern’s Recycling Trailer (Utilized by the Village of Hillburn DPW) –

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve an expenditure not to exceed \$500.00 for the purchase of tires for the Village of Suffern’s recycling trailer.

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

9/12/16 Water Main Break – Area of 143 Route 59 (Realty Mgmt/Hillburn Industrial Park) – The repair of 5½” of broken pipe was made more difficult by its location under a 30” drainage pipe. Supt. Conklin recommended that due to the large area that had to be excavated and backfilled, Chuck Bugby Blacktopping be contacted to pave the area, when the dirt has settled.

RE: 6/14/16 Proposal from Dutchess Overhead Door - Repair to Overhead Door - H.F.D. Bay – (Tabled at 6/28/16 meeting) – DPW Supt. requested the matter remain tabled to allow time to obtain an additional quote.

NYS DOT – 8/24/16 Correspondence – Shared Services Agreement - The Village Board approved entering into an Agreement between the NYS DOT and the Village of Hillburn for a 2 year period, subject to the Village Attorney’s review and approval of the Agreement.

NYS DOT – 8/19/16 Correspondence – Transportation Improvement Program (TAP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) – RE: Available funding for transportation-related projects and programs. Supt. Conklin recommended funding be requested for a Walking Trail around Veterans Memorial Park Pond.

-The Village Clerk stated there are workshops available.

RC Sewer District –

-Paving Around Manhole Covers – DPW Supt. reported he had spoken with Mike Saber of the RC Sewer District who advised the project, being done by Lascon, Inc., entails paving around the manholes to prevent the snow plows from hitting them. A few manholes still need to be paved and will be completed upon finalization of paperwork between the contractor and the RC Sewer District. Mayor Flanagan stated the contractor did a nice job.

-Sewer Hook-Up of Village Buildings – DPW Supt. discussed matter with Mike Saber who stated the RC Sewer District had agreed to hook up the firehouse building at no cost and Permit fees would be waived for other Village buildings. Mayor Flanagan requested DPW Supt. to accompany him at the next meeting of the RC Sewer Commission to discuss this matter.

HFD Report – Chief Shane Starr reported:

New Chief’s Car – Quote Received from Shultz Ford for 2017 F150 4-Door Pick-Up Truck - \$36,985.00 (Truck Only)

Mayor Flanagan stated there will be additional costs for upgrades from other vendors (i.e. cap, lighting, command box, etc.)

-Attorney Cassidy stated the purchase needs to conform to the Village’s Procurement Policy.

-Chief Starr stated it is under State Contract.

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to approve the State Bid purchase of a Ford F150 4-Door Pick-Up Truck from Shultz Ford, at the cost of \$36,985.00, subject to receipt of the State Contract # from the vendor.

FURTHER, this purchase will be funded in accordance with the Bond Resolution adopted on 7/12/16 authorizing Various Capital Improvements.

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

-Requests for Purchases:

(5) Scott Air Masks (7/28/16 Quote from MES): \$246.00 each Total: \$1,230.00 **Approved by Village Board**

(500) Tool Label Stickers (First Signs of Fire): Cost not to exceed: \$300.00 **Approved by Village Board**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

-Fire Coverage for Tuxedo – Request to take the CFR to Tuxedo, NY on 9/24/16 from 12:00noon to 7:00PM to provide fire coverage. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

-The Hillburn Fire Department won 1st Place Rescue at the 9/10/16 Rockland County Parade.

-The new light bar donated by Con Edison was received and installed on the Chief's car.

RC Office of Fire and Emergency Services – FEMA Hazard Mitigation Plan Update (Letter of Intent to Participate)

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien authorizing Mayor Flanagan to send the Letter of Intent for the Village of Hillburn's participate in the FEMA Hazard Mitigation Plan Update.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Village Engineer's Report – Engineer McCreedy not present.

RE: Salt Shed – Recommendation by Selective Ins. regarding the condition of structure – Matter was referred to the Village Engineer who replied it was his understanding the building was not needed and was going to be demolished.

-Mayor Flanagan stated the building is being used for storage of DPW equipment. DPW Supt. Conklin is to contact the Village Engineer and request an inspection of the salt shed and submittal of a proposal for required repairs.

-Claims filed by Brooker Engineering:

A MOTION was made by Trustee DeGraw and seconded by Mayor Flanagan to approve the following claims:

Claim – Escrow – Salomone – Bldg. Permit #124415 - Invoice #119867 - \$ 129.50

Claim – Investigate Request from Public Utility. - Invoice #119865 - \$ 127.50

Claim – Youth Center HVAC - Invoice #119866 - \$ 75.50

Claim – Inspection – Unsafe Structure - 53 Sixth Street - Invoice #119868 - \$1,000.00

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

-Attorney Cassidy stated the cost for inspection of the unsafe structure at 53 Sixth Street will be levied on the respective property owner's Village tax bill.

Village Attorney's Report – Attorney Elizabeth Cassidy reported:

RE: Unsafe Structure – 53 Sixth Street, Hillburn, NY

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

WHEREAS, pursuant to Chapter 88 of the Village of Hillburn Village Code, Buildings and Structures, Unsafe, the Village may remove or secure buildings which are determined to be unsafe;

WHEREAS, pursuant § 88-2, the Village Board of Trustees has received a written report from the Building/Fire Inspector stating that the structure located at 53 Sixth Street is unsafe;

WHEREAS, the Village Clerk/Treasurer together with the Village Attorney transmitted notice and order to remedy to the record property owner and record lien holder in accordance with Chapter 88;

WHEREAS, neither the property owner nor lien holder corrected the unsafe condition as required by Chapter 88;

WHEREAS, the Village retained Brooker Engineering, PLLC and Aufgang Architects to survey the structure and issue a professional report as required by Chapter 88;

WHEREAS, the Village provided notice to the property owner and record lien holder of the date of the survey as well as the property owner's right to retain an independent professional to inspect the structure and issue a report;

WHEREAS, the property owner and the record lien holder has failed to retain his or her own professional and the required survey proceeded in their absence;

WHEREAS, the survey, a copy of which is annexed hereto, recommends that the structure be demolished;

NOW THEREFORE BE IT RESOLVED that the Village Board hereby authorizes the Mayor and the Law Office of Elizabeth K. Cassidy to commence an action in New York State Supreme Court seeking an order authorizing the demolition of said structure;

BE IT FURTHER RESOLVED that the cost of such action shall become a lien against the property in accordance with Chapter 88.

Ayes: Craig M. Flanagan, Mayor

Bonnie R. O'Brien, Trustee

Eleanor J. DeGraw, Trustee

Noes: None

Abstain: None

Attorney Cassidy stated she will prepare the required paperwork and serve Notice on the property owner.

Mayor Flanagan reported that Mike Saber of the RC Sewer District called regarding a request received from the property owner of 53 Sixth Street for the installation of a grinder pump for the sewer hook-up. Mr. Saber was informed of the current status of the property and he will be supplied with a copy of the Resolution.

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

As authorized at the 8/16/16 Board meeting, one interest bid of 3% was received on 8/26/16 and awarded to Sterling Bank for a one year B.A.N., dated 9/1/16, in the amount of \$195,000.00.

Zombie Property Legislation

8/2/16 email correspondence from NYCOM – RE: Analysis of the new provisions of state law pertaining to zombie property and foreclosure prevention. The Village Attorney stated she is preparing a report that will be provided by the next meeting.

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 –

8/22/16 Claim filed by The Law Office of Elizabeth K. Cassidy – Legal Services

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the 8/22/16 claim filed by The Law Office of Elizabeth Cassidy, in the amount of \$2,947.50, and

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Ramapo Fire Protection Districts #1 and #5 – 2017 Fire Protection Service

The Village Clerk stated action is needed by the Board to confirm the projected budget amounts. At the 8/13/16 meeting, the Village Board authorized the following budget amounts be requested:

Fire Protection District #1:	\$185,000
Fire Protection District #5:	\$125,000

The letter sent to the Town of Ramapo by the Village Attorney reflects the amounts of \$150,000 for District #1 and \$150,000 for District #5.

-Mayor Flanagan stated he had directed the Village Attorney to send the letter with the different amounts.

-After a lengthy discussion, and in consideration of information supplied by HFD Chief Starr, it was the consensus of the Village Board that the amounts authorized at the 8/13/16 meeting be confirmed and directed the Village Attorney to send an amended letter reflecting \$185,000 for District #1 and \$125,000 for District #5.

-HFD Chief Starr will supply a report regarding expenses and manpower incurred while providing fire coverage to the Town of Ramapo Fire District areas.

Verizon 10 Year Special Franchise Agreement – Expiration Date: October 2017 – Attorney Cassidy stated a meeting is being coordinated.

-Mayor Flanagan stated the issue of double poles throughout the Village will be discussed.

Insurance 2016-2017 –

-RE: Salt Shed – Covered under Village Engineer’s Report.

-RE: 9/06/16 Accident Involved a DPW Truck – Selective has acknowledged receipt of the filed Report.

Tax Certioraris – (2014, 2015, 2016) –

RE: Proposals for Appraisals – Mayor Flanagan stated a meeting will be scheduled with Attorney Speno, as the proposals for appraisal services came in very high.

-Attorney Cassidy stated the matter can be discussed in an Attorney/Client session.

2016 Master Plan Committee

Mayor Flanagan reported the meeting scheduled for 8/18/16 had been cancelled. The next meeting was scheduled to be held on Saturday, 10/22/16, at 10:00AM, at Village Hall. Letters to members will be sent.

Claim filed by Nelson Pope & Voorhis, LLC for Consulting Services

A MOTION was made by Trustee DeGraw and seconded by Trustee O’Blenis to approve the 8/17/16 claim in the amount of \$1,100.00.

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Town of Ramapo Police Officer Minnervini arrived at meeting. A discussion was held regarding the trucks, including garbage trucks, parking on Route 17, under the NYS Thruway Bridge. Officer Minnervini stated tickets will be issued.

Zoning Board of Appeals –

Mayor Flanagan presented ZBA member Timothy Williams with the Certificate of Completion of Planning/Zoning Courses issued by the RC Municipal Planning

Planning Board – Next Meeting: 9/15/16.

-The Village Board acknowledged receipt of a copy of the GML Report from the RC Dept. of Planning pertaining to the application of All State Party Rentals that is presently before the Planning Board.

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

Requests to Village Board:

-Phone Upgrade Request (No additional cost) - **Approved by Village Board**

-42nd Annual OFPC Fire/Arson Investigation Seminar (Nov. 2-4, 2016) – Cost: \$100.00 - **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

Escrow Accounts – The written Escrow Report for month ending 8/31/16 was submitted by the Village Clerk-Treasurer.

Senior Citizens –

Trustee DeGraw reported the 9/19/16 Open House was cancelled until spring.

-RE: 10/4-5/16 Trip to Lancaster, PA - Village's Share: \$592.00 – **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Recreation – A written Report was provided and read by Trustee O'Brien.

2016-2017 After School Program – The program is off to a good start. Space is still available.

-Two Michelle A. Noel Scholarships have been awarded. A refund of the registration fee of \$75.00 paid by the parents of P. DeLeon, one of the recipients, was requested. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Fall Festival – October 15, 2016 (Rain Date: 10/16/16) Requests:

-Craft Order – Oriental Trading – Amount: \$184.68 - **Approved by Village Board**

-Face Painting – Tanya Van Dunk - \$75.00 for 6 hours. **Approved by Village Board**

-Rental of Bounce House with Attendance - Bounce & Jump Party Rentals – \$495.00 – Insurance will be provided by vendor – **Approved by Village Board – subject to review and approval by the Village's insurance company (as recommended by the Village Attorney)**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

-A draft of the Fall Festival Events is to be supplied.

-Trustee O'Brien stated volunteers are needed for the Fall Festival.

Trip to 2016 Radio City Christmas Spectacular Show – Request for authorization to proceed with plans. (Tickets to be sold) **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Cooking Class –. The cost would be \$25.00 per child (space limited to 20 participants) and will begin on Friday, 10/21/16. Instructor: Eleanor DeGraw. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

Post for Memorial Plaque for Wesley Powell – A letter was sent to Ramapo Iron Works on 8/17/16 from Mayor Flanagan expressing the Village's appreciation of their generous donation of a post with a slanted plate for mounting the plaque.

Hillburn Sewer Rebate Committee – Trustee DeGraw reported applications are still being received. Additional funding from the RC Sewer District is expected to be received in October, 2016.

Public Comments

Chevron Torres (54 5th St) stated issues at 29 Hickory Ave, including overgrown grass, possible obstruction of passage by fire trucks due to parking vehicles on roadway, and the parking of a tractor trailer on the 5th St. side of the residence.

-Mayor Flanagan stated the Building/Fire Inspector is following up on the overgrown grass and tractor trailer issue)

-HFD Chief Starr will look into the issue of fire truck access onto Hickory Avenue from 5th St. if cars are parked. Chief Starr stated there is an issue of fire truck access on Boulder Ave. There were signs posted designating the roadway from 23 Boulder Ave to end as a no parking zone; however, they are no longer there.

Mayor Flanagan stated there is a need for a Stop sign on Hickory Ave., at the intersection of 5th St.

HFD Chief Starr stated he has filed an application for the Village of Hillburn to host the 2021 Rockland County Parade.

O'Connor Davies - Auditor's Report Received for Year Ended 5/31/16 - Village Justice Court

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

WHEREAS, the Hillburn Village Justice Court was audited by the Village's independent auditor, O'Connor Davies, LLP for year ending 5/31/16; and

WHEREAS, the report has been filed by O'Connor Davies, LLP;

THEREFORE, BE IT RESOLVED that the Hillburn Village Board hereby acknowledges receipt of the Auditor's Report for year ending 5/31/16 for the Village Justice Court, as prepared by O'Connor Davies.

Ayes: Craig M. Flanagan, Jr., Mayor

Eleanor J. DeGraw, Trustee

Bonnie R. O'Brien, Trustee

Noes: None

RESOLUTION was unanimously adopted.

8:07PM – Trustee DeGraw left meeting to attend school.

7/28/16 Quote from John Deere/Hudson River Tractor Co., LLC – Commercial Front Mower w/Commercial Side Discharge Deck and 47" Snow Blower - Total Cost: \$37,105.42 – Quote exceeds the amount allocated in the 7/12/16 Bond Resolution. An additional quote is being obtained. **Tabled.**

Applications for Use of Community Room – Approved by Village Board.

- Eleanor DeGraw – Hillburn Ladies Aux., Sun., 9/04/16 – 9:00AM – Purpose: Meeting - **Ratified**
- Yvonne Van Dunk-Sat., 10/8/16 - 2-7:00PM – Purpose: “Dirty Bingo” - **Approved (Fee Waived – Certificate of Insurance filed)**
- Eleanor DeGraw – Hillburn Ladies Aux., Sat., 9/16/16 – 6-9:00PM – Purpose: Yard Sale Meeting - **Approved**
 Ayes: Mayor Flanagan & Trustees O’Blenis
 Noes: None

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

- NYS Unified Court System – Request for copy of Justice Court Audit for y/e 5/31/16 and the Village Board’s Resolution acknowledging that the audit was completed.
- RC Conference of Mayors – Notice of cancellation of 8/29/16 meeting.
- Cornell Cooperation Extension of RC – RE: NYSDEC Draft Maintenance Guidance for Stormwater Management Practices (supplied to Village Board and DPW Supt.)
- Town of Ramapo – Notice of Public Hearing – 9/14/16 – Local Law amending Local Law No. 10-2004 (Zoning) As Amended, to Revise Various Sections Concerning Applicability of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.
- NAMI Rockland – 8/6/16 Letter of thanks for the Village of Hillburn’s support and participation in the Ribbon Campaign during the month of May.
- RC Highway Superintendent’s Assoc. – 2016 Annual Membership Outing – The “New” TZ Bridge Project in Progress Tour on the River Rose - 10/5/16.
- Altice – 8/12/16 notice – removal of WPXO from Altice’s channel line on effective 9/12/16.
- Office of the State Comptroller – Local Training – 9/13/16 Webinar: Fiscal Stress Monitoring (supplied to Village Board)
- Linda Bull – NYS Archives – Notice of Upcoming Workshops – RE: Records Management.
- NYS Dept. of Taxation and Finance – RE: NYS Assessors’ Association Annual Meeting – 9/19/16, Lake George, NY (supplied to Village Board and Village Attorney)
- RC Personnel – Job Opportunity Announcements.
- Documentary Heritage & Preservation Services for New York – Instructional Webinars – “Introducing DHPSNY” – 9/15/16 and 9/22/16. (supplied to Village Board).
- Warwick Resource Group – Information regarding data security practices. (Supplied to Village Board, Village Attorney & Staff)

NYS Homeland Security & Emergency Services Grant – LM#151643– \$8,500 Grant for H.F.D. Equipment – Notice has been received that payment is being processed.

SAM Grant - Village of Hillburn #7063 – HVAC System for Youth Center – 9/8/16 notice has been received that the grant is still undergoing financial review.

RE: 2016-2017 LGRMIF Application – The Village is in receipt of a summary of the strengths and weakness of the application that was not selected for funding, for use in future grant applications.

NYS Retirement**2017 Contribution Projection** –

A MOTION was made by Trustee O’Blenis and seconded by Mayor Flanagan authorizing the payment of \$52,511 (prepayment amount due 12/15/16).

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

NYS Department of Civil Service

The Village Board acknowledged receipt of the Empire Plan Quarterly Experience Report for 2016 that includes the projected 2016 Empire Plan experience and the projected 2017 premium rates.

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 8:16PM.

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