

VILLAGE OF HILLBURN  
Board of Trustees Meeting  
Tuesday, September 19, 2017 – 7:00PM

MINUTES OF THE BOARD OF TRUSTEES MEETING held on Tuesday, September 19, 2017, 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  
Elizabeth K. Cassidy, Village Attorney  
Eve Mancuso, Village Engineer (Brooker Engineering)  
Thomas M. Conklin, DPW Supt.  
Mary M. Boone, Clerk-Treasurer

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

Meeting called to order by the Hon. Craig M. Flanagan, Jr., Mayor. Village Engineer Eve Mancuso led in the Salute to the Flag.

**Minutes of the 8/22/17 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**

-RE: Post Office – Mayor Flanagan reported that complaints received regarding loitering/littering inside of the Post Office during the evening hours have been referred to the Ramapo Police for increased patrol.

-Mayor Flanagan stated motorists running Stop signs continues, and will be discussed with the Ramapo Police.

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

**Purchase of New Tractor** – Supt. Conklin has been in contact with Sosler’s Garden & Farm Equipment, Inc. Sosler’s will contact DPW Supt. to make arrangements for delivery of new tractor and pick-up of old tractor.

**7<sup>th</sup> St. Drain Pipe Project – Phase II** – The following quotes were received:

- DeSimone & Sons, Inc. - 8/06/17 Estimate: \$28,000.00
- Scaffidi’s Paving and Drainage - 8/21/17 Estimate: \$27,000.00

-Supt. Conklin stated he is awaiting a quote from Anthony Bruno.

-Attorney Cassidy stated that, in accordance with the Village’s Procurement Policy, three quotes are required.

-The Village Board extended the due date for receipt of quotes to October 10, 2017.

**Purchase of Tires for DPW Vehicles** – (4) Tires for 2014 DPW Truck and (2) Tires for 2008 DPW Truck - Quote from Eastern State Tires – \$990.00 (Mounting to be done at Suffern Sales at an additional cost) **Approved by Village Board.**

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

**Youth Center – Replacement of Carpeting** – 9/5/17 Estimate from Capalbo & Son, Inc., d/b/a Artistic Floors to remove old carpeting and install new carpeting (Projected Install Date: 9/23/17) – Total Cost: \$702.00. **Approved by Village Board.**

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

**RE: Repair of Sidewalk on 4<sup>th</sup> Street (area of Veterans Memorial Park)** – A complaint was received on this date, 9/19/17, whereby a resident allegedly tripped on an uneven section of sidewalk. DPW Supt. Conklin stated the matter has been corrected. Preemptive measures were taken on other areas of sidewalk.

**RE: NYS DOT – Local Highway Inventory Update** – Correspondence referred to DPW Supt. Conklin for completion.

**Hillburn Youth Center HVAC Replacement Project** – Bid Awarded to E.B. Design Air on 8/22/17.

Signing of Contract was scheduled for Monday, 9/25/17 at 2:00PM. Attorney Cassidy will be present.

-Recommendation received from Design Air: Lowering of bathroom ceilings to conserve energy – Add-Ventures has been contacted for a quote.

-Engineer Mancuso stated that the contractor must supply the “cut sheets” (equipment specifications) to ensure it is comparable to the equipment stated in the bid package.

**O & R – Vegetation Management** – Notification has been received that Trees, Inc. has been contracted by O & R to spray non-compatible vegetation along their right-of-way, which may include a portion of Hillburn (Reservoir area – 200 6<sup>th</sup> St.)

**4<sup>th</sup> Street Railroad Bridge** – Village Clerk-Treasurer reported she has been in contact with the Town of Ramapo regarding the status of the 4<sup>th</sup> Street Railroad bridge maintenance. The Village Board was supplied with copies of emails to and from Metro-North Railroad confirming that the substructure of the bridge is to be maintained by Metro-North and the Town of Ramapo has assumed the lead role for the repair of the concrete deck (dates back to April 2010). This matter needs to be pursued, due to the degraded condition of the bridge.

-RE: CPR and AED Training – Instructor: Jennifer Salomon – As approved on 5/23/17, the training was held on 8/4/17. A total of 13 members participated (listing of names provided). (\$959.00 Claim approved by Village Board)

**HFD Report – Chief Starr reported:**

-Repair of HFD 5-Quad (6/11/17 Accident) – Chief Starr reported the 5-Quad is scheduled to be taken to Valtek, Inc. for repair on 10/10/17. (DPW employee will accompany Chief Starr to provide return transportation) Repair will take approximately 14-16 days.

-CFR – Complete service by Ruscon Truck Service.

The paint is starting to bubble on the back of the truck. Pierce (manufacturer) was contacted and made an inspection. It is possible that the truck will need repainting. Matter is being follow up on by Chief Starr.

-5-Quad and 5-MP – NY Inspections will be done.

-Rockland County Parade – H.F.D. won 2<sup>nd</sup> Place Best Pumper.

-Sloatsburg “Wet Down” – 9/30/17 – Request for permission to take three trucks. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

**HFD Building Repairs Needed:**

Quad Bay - roof is leaking; CFR Bay - floor drain is still not working; Hallway and Base Station – lights/ballasts need replacement.

(Mayor Flanagan requested Supt. Conklin to follow up on matter and obtain quotes for automatic sensor LED lighting)

RE: November 2014 Snow Emergency - Mutual Aid Provided to Scranton, NY by the HFD – In response to an email received from Kurt Covert, Treasurer of the Scranton Fire Company, the Village Clerk-Treasurer supplied copies of the 2/11/15 letter/bill sent to the NYS Division of Homeland Security and Emergency Services - RE: Reimbursement for Activities Associated with State Fire Mobilization and Mutual Aid Plan Activations. (No payment has been received)

**NYS Department of Labor** – At this date, all citations have been abated.

**O & R – RE: NY Public Service Commission Case 16-E-0226; O & R’s Add’ 1 LED Street Lighting Options Available to Municipalities** – No additional information has been received from O & R regarding the Village qualifying for additional no-cost LED upgrades. DPW Supt. Conklin will follow up with O & R.

**Village Engineer’s Report – Mayor Flanagan welcomed Engineer Eve Mancuso, of Brooker Engineering, who will now serve as the Village’s engineering consultant.**

RE: Draft Moratorium – Engineer Mancuso reported that her comments regarding the draft Moratorium, received from the Village Attorney, have been supplied to Attorney Cassidy.

Attorney Cassidy reported she had met with Engineer Mancuso and Building/Fire Inspector Adam Gordon to review pending matters.

**Claims for Village Engineer Services: Approved by Village Board**

9/11/17 Claim – Against Escrow (Capitol Wood Rails/Hillburn Park):	\$155.00
9/11/17 Claim – Against Escrow (Jay Kim)	77.50
9/11/17 Claim – Meeting w/Suez Regarding Water System	155.00
9/11/17 Claim – TJG Realty (General)	310.00
9/11/17 Claim – Youth Center HVAC Replacement (Grant)	155.00
9/11/17 Claim – 7 <sup>th</sup> Street Drainage Repair (Phase II) CHIPS	620.00

Ayes: Mayor Flanagan, Trustees DeGraw & O’Blenis

Noes: None

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

**Verizon 10 Year Special Franchise Agreement – Expiration Date: Oct. 2017** – Verizon representatives advised that they were unable to attend the workshop meeting scheduled for today at 6:00PM.

-Attorney Cassidy recommended scheduling the required Public Hearing for 10/10/17. Attorney Cassidy will prepare the Notice of Public Hearing and supply same to the Village Office for publication and posting.

-Attorney Cassidy was requested to provide copies of the Draft 5 Year Franchise Agreement for review by the Village Board and the public.

RE: Village Property Located at 40 5<sup>th</sup> Street (Old 5<sup>th</sup> Street DPW Garage)

Attorney Cassidy stated she has been in contact with the Attorney for Habitat for Humanity regarding the proposed use of the property for affordable housing.

-Driver Training Program for DPW Employees and HFD Members - Attorney Cassidy reported a representative from Selective has advised of a potential Driver’s Course for a fee of \$16 to \$17 per driver and would qualify participants for point reduction. There is also a program available that would notify the Village through email of any issue regarding the licenses of Village Drivers. Matter will be further reviewed.

RC Board of Elections– RE: Fees for Use of Hillburn Community Room: 9/12/17 (Local Primary) and 11/7/17 (General Election) – Attorney Cassidy reported she has spoken with the Board of Elections and is trying to proceed with obtaining an increase in fees, as requested by the Village Board.

**Village of Hillburn v. Losner** – Attorney Cassidy reported that, although she was not notified, a Court Date had been scheduled for Thursday, 9/21/17; however, the date was adjourned pursuant to the defendant’s request.

**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** –

-Attorney Cassidy stated the matter is settled and she will supply the fully executed Stipulation.

**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** – Attorney Cassidy stated matter will be discussed in an Attorney/Client session.

**RE: Draft Moratorium** – Attorney Cassidy has supplied copies of the Draft Moratorium to the Village Board, Village Engineer, Building/Fire Inspector and Master Plan Consultant. The proposed Moratorium would be in effect for a period of approximately 6 months and would not affect minor residential improvements. A Local Law to implement the Moratorium will be introduced at the 10/10/17 Board Meeting, at which time the required Public Hearing will be scheduled.

**Insurance**

Comp Alliance – Safety Training Seminar – 10/3/17 – Hyde Park, NY.

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

RE: Master Plan Consultant – 8/28/17 Claim from Nelson, Pope & Vorhees: \$13,195.53 (Invoice #15051).

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien authorizing the payment of \$13,195.53 to Nelson, Pope & Vorhees.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

**Tax Certioraris – (2014, 2015, 2016, 2017) –**

**RE: Fujita Trust** – Attorney Cassidy stated discussions have been held with the Village Board in Attorney/Client sessions. The 9/6/17 scheduled Court Conference has been adjourned until 10/10/17.

-8/31/17 Claim–Law Office of Rebecca Speno – Fujita Trust v. Village of Hillburn - \$550.00. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

**2016 Master Plan Committee –**

Committee Secretary, Parquiris DeLeon, reported that a meeting was held on 8/26/17. Items discussed included a proposed questionnaire to be included with the November 2017 Village Memo.

-Bonnie Franson, Planning Consultant is to provide a date for the next meeting. Mayor Flanagan stated he would like a meeting to be held in early October.

**Community Development** – No correspondence has been received.

**Zoning Board of Appeals –**

RE: Appointment of a new ZBA Member –

A MOTION was made by Trustee DeGraw and seconded by Trustee O'Brien to approve Mayor Flanagan's appointment of Robert Brophy to the Zoning Board of Appeals for the unexpired 5 year term ending April 2019.

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

**Planning Board** – Next Meeting: 9/27/17.

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

**RE: Change of Position Designation from Building/Fire Inspector to Building Inspector and Fire Inspector**

A discussion was held regarding changing the position of Building/Fire Inspector to two positions of Building Inspector and Fire Inspector. Adam Gordon would serve as Fire Inspector and Sean Tichenor would serve as Building Inspector.

-Attorney Cassidy stated a Board Resolution is required to separate the positions, and said positions would have to be established and approved by the RC Personnel Dept. (Village Attorney to supply needed info/documents to Village Board at next meeting of the Village Board)

-An Application for Employment must be completed and filed by Sean Tichenor.

**RE: Illegal Housing Seminar – 10/5/17 – RC Fire Training Center – (9:30AM – 11:00AM)**

Building/Fire Inspector Gordon and Attorney Cassidy are interested in attending. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

**Escrow**

There are presently claims before the Hillburn Planning Board for approval.

**Senior Citizens** – Liaison, Trustee DeGraw reported the following comments have been received:

-Floors in Community Room need cleaning.

-Chairs in the Community Room need cleaning. (DPW Supt. was directed to obtain a quote to recover the chairs)

-Utensils are missing from the kitchen. (DPW Supt. was directed to obtain a lock for a cabinet for use only by Seniors)

-The Senior Citizens Organization By-Laws are being updated. Copies of the existing By-Laws and proposed changes will be provided to the Village Board.

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

**2017-2018 After School Program** –

-At present, there are 28 children registered for the After School Program.

-Request for \$200.00 Petty Cash to purchase snacks. **Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

**RE: New Phones** – Request for the following purchase:

Vendor: Staples - Panasonic (4) Handset, Cordless Phone with Answering Machine - Cost: \$134.99.

**Approved by Village Board.**

Ayes: Mayor Flanagan, Trustees DeGraw & O'Brien

Noes: None

-Ink for Printer – Color ink is needed for the Brother Printer.

Cooking Class – Instructor: Eleanor DeGraw – Fridays, beginning 10/20/17 – Cost Per Child: \$25.00. **Approved by Village Board.**

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

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

-Intermunicipal Cooperation Agreement – 2017 Annual Payment – The required voucher, duly signed by Mayor Flanagan, was remitted to the RC Sewer District on 9/18/17.

**Public Comments**

Shane Starr (62 5<sup>th</sup> Street) recommended the speed limit throughout the Village be reduced to 25mph. (Matter will be reviewed by the Village Attorney)

The Public Comment period was closed.

**Requests for Use Village Property - Approved by Village Board**

Youth Center

Applicant: Katherine Eugene - Date: Sat., 10/28/17 / Time:4:00PM–9:00PM / Purpose: 1<sup>st</sup> Birthday  
(approved subject to receipt of \$150.00 rental fee and Insurance Certificate)

Community Room

Applicant: Kathleen Davies - Dates: Thursdays: Sept. 14 & 28, Oct. 12 & 26, Nov. 9 and December 14  
Time: 6:30PM – 8:30PM - Purpose: “Bobbin Babes” Sewing & Quilting

Applicant: Yvonne Van Dunk – Date: Sat., 12/24/17 / Time: 5:00PM – 9:00PM / Purpose: Christmas Eve Party

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

Written Complaints Received:

-Denise Ramos – 187 Route 17 – Action Form filed 9/12/17 – RE: Two trees on neighbor’s property appear to be ready to fall. (Ms. Ramos was advised to contact property owner as well) Complaint was acknowledged by Village Board.

-Kevin Clark – 15 Fox Hollow Road – (3) Action Forms Filed 8/31/17– (Referred to and answered by Bldg/Fire Inspector)  
RE: 230 Route 17 – Operating During Non-Business Hours causing Noise and Environmental Violations (trucks idling).

RE: Recommendation that zoning buffers between commercial property and residential property be increased

RE: 275 Route 17 – Inquiry as to the actual use – additional buffering is needed, garbage on property, loud noise, etc.

-Kevin Clark – 15 Fox Hollow Road – Action form filed 9/12/17 – 2<sup>nd</sup> Request regarding issues at 275 Route 17.

-Carolyn Melnick – 8 Ramapo Avenue – (via phone) – Request to trim the tree branches on Village property near her garage.

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

-Shining Lights Helping Hands Corporation – 9/1/17 Letter of thanks regarding use of Village Office for the Back-to-School Collection Box.

-NYCOM – 9/11/17 Correspondence – RE: Fighting to Preserve Deductibility for state and local taxes (“SALT”). (Sample Resolution for adoption by the Village Board provided)

-NYSER – 2019 Projected Contribution.

**2018 Village Election – Tuesday, March 20, 2018**

Offices to be Filled: Village Trustee (two year term)  
Village Justice (four year term)

**2017 Local Government Records Management Improvement Fund Grant (LGRMIF)** – Grant Award: \$28,631.00 – Final approval is still pending from the New York State Archives Grants Administration Unit.

**Scheduling of October 2017 Village Board Meetings:**

Tuesday, October 10, 2017 – 7:00PM and Tuesday, October 24, 2017

**Approved by Village Board.**

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

**\*Cancellation of 9/26/17 scheduled Village Board Meeting – Approved by Village Board**

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

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

A MOTION was made by Trustee O’Blenis and seconded by Trustee DeGraw to adjourn the meeting at 8:10PM.

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