

Village of Ellenville
Village Board Meeting
Monday, June 22, 2009

Meeting called to order at with the Pledge of Allegiance by Mayor Jeffrey Kaplan at 7:00 p.m.

ROLL CALL

Mayor Jeffrey Kaplan	Present
Deputy Mayor Raymond Younger	Present
Trustee Efrain Lopez	Present
Trustee Francisco Oliveras	Present
Trustee Patricia Steinhoff	Present

ALSO PRESENT

Mary Sheeley, Village Manager
Peter Berger, Village Attorney
Philip Mattracion, Police Chief
Noreen Dechon, Village Clerk
Linda Polkoski, Village Treasurer
Brian Schug, Code Enforcement Officer

Mayor Kaplan stated that earlier this evening the Board of Trustees held a “neighborhood walk” at the new Berme Road Park playground and they were very impressed with the work that has been done. The playground committee is still in need of volunteers to complete the project. Mayor Kaplan and Board of Trustees thanked the Playground Committee for all their hard work.

**APPROVAL OF
MINUTES
#062208-01**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to approve the minutes of June 8, 2009 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Mrs. Kathy Butler, President of the Hunt Memorial Preservation Committee, was before the board tonight to discuss a grant this committee has applied for from RUPCO – Main Street Grants – to use in the restoration of the building’s two entrance facades. This grant is for \$20,000 in matching money and the Hunt Memorial Preservation Committee has raised \$10,000 to date. Part of the qualification process is a seven year commitment from the village board to ensure maintenance and upkeep of the building

and the board members asked that the language of the commitment be changed so that it applied only to the entrance facades for which the grants would be used.

**MOTION TO AUTHORIZE
GRANT APPLICATION FOR
HUNT MEMORIAL PRESERVATION
COMMITTEE
#062209-02**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to authorizing the grant application for the Hunt Memorial Building subject to language change stating that the Village would maintain and upkeep the two entrance facades for seven years and after review by the Village Attorney.
All in favor – Aye – motion carried.

PUBLIC HEARING

**MOTION TO RECOVENE
AND CLOSE PUBLIC
HEARING
#062209-03**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to reconvene and close the first public hearing that was adjourned in connection to Local Law #3 of 2009 in reference to “utility tax.”
All in favor - Aye - motion carried

**MOTION TO OPEN
PUBLIC HEARING
LOCAL LAW #3-2009
UTILITY TAX
#062209-04**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to open Public Hearing at 7:15 p.m. to discuss Local Law #3 of 2009 Utility Tax
All in favor - Aye - motion carried

The purpose of this public hearing was to discuss a proposed utility tax pursuant to the authority granted by § 5-530 of the Village Law of the State of New York, a tax equal to 1% of its gross income is hereby imposed upon every utility doing business in the Village of Ellenville, New York, which is subject to the supervision of the State Department of Public Service, which has a gross income for the 12 months ending May 31 in excess of \$500, except motor carriers or brokers subject to such supervision under Transportation Law §240 et seq., which taxes shall have application only within the territorial limits of the Village of

Ellenville, New York, and shall be in addition to any and all other taxes and fees imposed by any other provision of law. Such taxes shall not be imposed on any transaction originating or consummated outside of the territorial limits of the Village of Ellenville, New York, notwithstanding that some act is necessarily performed with respect to such transaction within such limits.

Mayor Kaplan stated that this tax is an alternate way for the Village to raise revenue. The utility tax would spread out among a much broader base of people, in that renters and non-taxable entities such as religious organizations and the school would be responsible for paying the tax if they received power or other utility services in the Village.

**MOTION TO CLOSE
PUBLIC HEARING
LOCAL LAW #3-2009
UTILITY TAX
#062209-05**

Motion to close the Public Hearing at 7:35 p.m. in reference to Local Law #3 of 2009-Utility Tax.

All in favor - Aye - motion carried

**MOTION TO ADOPT
LOCAL LAW #3-2009
UTILITY TAX
#062209-06**

Motion to adopt Local Law #3 of 2009 in reference to adopting a Utility Tax equal to 1% of its gross income is hereby imposed upon every utility doing business in the Village of Ellenville, New York, which is

Roll Call Vote:	Mayor Kaplan	Aye
	Deputy Mayor Younger	Aye
	Trustee Lopez	Aye
	Trustee Oliveras	Aye
	Trustee Steinhoff	Aye

Motion carried.

POLICE DEPARTMENT

Mayor Kaplan commented that the owner of Aroma Thyme Bistro has some concerns with the Police Department and requested that the Village Clerk arrange a meeting with the owners, the Mayor, Village Manager and Police Chief.

Chief Mattracion stated that his department is ready for the 4th of July parade and traffic will be detoured around the parade route from 11:30 a.m. – 2:30 p.m.

Chief Mattracion also commented that firearms training will take place next month, selective traffic enforcement will be started and discussion ensued about the new playground security and if the Chief feels it warrants a security system.

Chief Mattracion will present a six month activity report at the next meeting and it was decided to have a 6:30 p.m. workshop meeting on July 13th to discuss this report.

**MOTION TO SCHEDULE
A WORKSHOP MEETING
ON JULY 13, 2009
#062209-07**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to schedule a 6:30 p.m. workshop meeting on July 13, 2009 to discuss police activity reports and part time officers.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE
(continued)**

Ellenridge Homeowners Association - Mayor Kaplan acknowledged receipt of correspondence from Susan Picarillo representing the Ellenridge Homeowners Association requesting reimbursement for one half of the bill for fire hydrant pressure testing.

**MOTION TO AUTHORIZE
PAYMENT TO
ELLENRIDGE
#062209-08**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to authorize a payment of \$500.00 for reimbursement for fire hydrant testing as previously agreed upon at Ellenridge.
All in favor - Aye - motion carried

Deputy Mayor Younger spoke about the lack of water pressure in this development and the booster station that is to be built. Mayor Kaplan stated that he will contact Don Fletcher from Barton & Loguidice to inquire if the review by the Ulster County Health Department is completed.

Time Warner Cable – Joel Schreiberman questioned the status of the franchise agreement with Time Warner Cable.

**MOTION TO SEND
LETTER TO NYS
CABLE COMMISSION
#062209-09**

Motion by Trustee Lopez, seconded by Trustee Oliveras to send a letter to the New York State Cable Commission that the Village of Ellenville is unhappy with Time Warner Cable’s lack of response to renew our franchise agreement and request the NYS Cable Commission take whatever steps are required to assist us in having Time Warner respond to our proposed franchise agreement.
All in favor - Aye - motion carried

Historic Preservation Commission – The Board of Trustees acknowledged receipt of the HPC minutes of May 11, 2009.

RESOLUTIONS

Procedure for posting openings on boards – Mayor Kaplan questioned board members if they would like to institute a policy to advertise for commission positions when there are openings. In the case when a present commissioner is still interested in the position and is the only candidate, there will be no need for an interview.

**MOTION TO SCHEDULE
A NEIGHBORHOOD
WALK
#062209-10**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to schedule the following “neighborhood walks.”
July 13 Maple Avenue
July 27 Phyllis Drive
All in favor - Aye - motion carried

**MOTION TO ADVERTISE
FOR POSITION ON
ZONING BOARD OF
APPEALS
#062209-11**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to advertise for a position on the Zoning Board of Appeals. All letters of interested should be received by noon on July 13, 2009.
All in favor - Aye - motion carried

Berme Road Park – There was discussion among board members about dogs not being on a leash at the park. A sign will be placed at the park that reinforces that dogs must be on a leash at all times.

**MOTION TO AUTHORIZING
EXPENDITURE TO
HACH COMPANY
#062209-12**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the expenditure of \$2,100.32 to Hach Company for the purchase of a composite sampler for the Sewer Department.
All in favor - Aye - motion carried

**MOTION TO AUTHORIZING
AGREEMENT WITH WHITE
OAK FIRE SAFETY
#062209-12**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the Village Manager to execute an agreement between White Oak Fire Safety and the Village of Ellenville in the amount of \$18,000.00 yearly subject to agreement approval by the Village Attorney.
All in favor - Aye - motion carried

**MOTION TO APPOINTING
KENNETH JETER, PART TIME
MUNICIPAL WORKER
#062209-13**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger appointing Kenneth Jeter, part time Municipal worker, at an hourly rate of \$10.00 not to exceed 19 ½ hours per week effective June 24, 2009.
All in favor - Aye - motion carried

**MOTION TO APPOINTING
WILLIAM MARCHUK, PART TIME
MUNICIPAL WORKER
#062209-14**

Motion by Trustee Oliveras, seconded by Trustee Lopez appointing William Marchuk, part time Municipal worker, at an hourly rate of \$10.00 not to exceed 19 ½ hours per week effective June 24, 2009.
All in favor - Aye - motion carried

**MOTION TO RETURN
DEPOSIT FOR
MILL STREET PROPERTY
#062209-15**

Motion by Trustee Lopez, seconded by Trustee Oliveras to return the deposit given by Eric Cafaro for the purchase of the Mill Street property in the amount of \$1,390.00
All in favor - Aye - motion carried

**MOTION TO ADVERTISE
FOR THE SALE OF THE
MILL STREET PROPERTY
#062209-16**

Motion by Trustee Lopez, seconded by Trustee Oliveras to advertise the sale of the Mill Street Property for the asking price of \$20,000.
All in favor - Aye - motion carried

TREASURER'S REPORT

Treasurer Polkoski reviewed with board members the monthly audit report.

Appropriation Transfers - Treasurer Polkoski reviewed with board members the appropriation transfers and budget amendments.

**MOTION TO APPROVE
APPROPRIATION TRANSFER
#062209-17**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the attached appropriations transfers as recommended by the Village Treasurer.
All in favor - Aye - motion carried

**MOTION TO APPROVE
BUDGET AMENDMENTS
#062209-18**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to approve the budget amendments as recommended by the Village Treasurer.
All in favor - Aye - motion carried

Treasurer Polkoski gave to board members for their review the proposed sewer rates for the new wastewater treatment project. Also Ms. Polkoski told board members that she has received notification that the CHIPS monies will be the same as last year - \$75,965.05.

BUILDING DEPARTMENT

Code Enforcer Schug reviewed with board members his monthly report and also a new swimming pool permit and requested permission to place this application form on the Village website.

VILLAGE MANAGER’S REPORT

Circle Avenue Project – Manager Sheeley stated that this project will begin on July 6 and a press release along with a letter to all property owners has been issued regarding road closure.

**MOTION TO APPROVE
EXPENDITURE TO
WOODWARDS CONCRETE
#062209-19**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to approve the expenditure of \$9,804.44 for materials for the Circle Avenue project to Woodward’s Concrete, who submitted the lowest quote.

All in favor - Aye - motion carried

Main Street Grant – Manager Sheeley told board members that Dan Hauspurg, Glenn Gidaly and herself revisited Liberty Square to discuss the renovations to this area. Mayor Kaplan stated that he has had discussion with Rivan Krieger about widening the sidewalks in that area.

BOARD REPORTS

Mayor Kaplan discussed the lack of the Village not having a grant writer and he has contacted Laberge group which the County uses for procuring their grants. This group will send us a few proposals and this will be reviewed at a later meeting.

Mayor Kaplan also discussed that he has been approached by the Town of Wawarsing to consolidate our Local Development Corporation and this will be discussed at the Village’s next LDC meeting.

Trustee Oliveras inquired as to the date of the next Sewer Plant meeting, questioned the status of the PBA contract and the solar panel proposals.

**MOTION TO RECOMMEND
TO ULSTER COUNTY TO USE
GOVERNMENT CENTER AS
An INCUBATOR FOR GREEN
TECHNOLOGY
#062209-20**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger requesting Ulster County use the Village Government Center as an incubator for green technology.

All in favor - Aye - motion carried

Trustee Lopez commented on following up on the matter of Ulster County Social Services using the Government Center.

Trustee Steinhoff reported that the YMCA Summer Program has 260 children registered. Mrs. Steinhoff also reported that there was damage to a pipe at the pool.

**ADJOURN TO
EXECUTIVE
SESSION
#062209-21**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn into Executive Session at 8:50 p.m. to discuss legal matters not to reconvene to public session.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk