

Village of Ellenville
Village Board Meeting
Monday, September 12, 2011

Audit meeting began at 6:30 p.m. and the regular meeting called to order at 7:00 p.m. with the Pledge of Allegiance by Mayor Kaplan.

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, Chief of Police
Linda Polkoski, Village Treasurer
Brian Schug, Code Enforcer Schug
Noreen Dechon, Village Clerk

**APPROVAL OF
MINUTES
#091211-1**

Motion by Trustee Steinhoff, seconded by to approve the minutes of August 22, 2011 as presented.
All in favor - Aye - motion carried

PRESENTATION

Lisa Kellogg representing the "Valley of the Giants" was before the board tonight to discuss a grant application for start up funds to study this concept. Mayor Kaplan told board members that the Rondout Valley Business Association is requesting that the Village agree to be lead agency on this grant.

**MOTION FOR THE
VILLAGE OF ELLENVILLE
BE LEAD AGENCY FOR
GRANT APPLICATION
#091211-2**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger that contingent to attorney review and confirmation that this grant application will not cost the Village of Ellenville any monies the following motion was made:

WHEREAS, the Village of Ellenville is applying to the Hudson River Greenway for a grant under the Greenway Communities

Grant Program for a project entitled Valley of the Giants to be located in the Rondout Valley of NY including the Village of Ellenville and the Towns of Wawarsing, Rochester and Rosendale;

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, be it resolved that the governing body of the Village of Ellenville hereby does approve and endorse the application for a grant under the Greenway Communities Grant Program, for a project known as Valley of the Giants and located within this community.

All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Sam Bugna, Ellenville-Wawarsing Youth Commission, was before the board tonight to discuss the Flag Football activity and the need for police presence at this event. Mrs. Bugna is requesting to pay for a police person to be present during the activity and the EWYC will reimburse the Village for the officer's salary.

**MOTION TO
OPEN PUBLIC HEARING
IN REFERENCE TO
SEWER ASSESSMENT
RATE SCHEDULE
#091211-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to open the Public Hearing in reference to amending the rate schedule for Local Law #2 of 2010 at 7:15 p.m.

All in favor - Aye - motion carried

Attorney Berger stated that Water Commission had met and is recommending to the Village Board three changes on the rate schedule be amended (see attached).

No public comment at this time.

Trustee Lopez has concerns about the final cost of the wastewater treatment plant project.

**MOTION TO
CLOSE PUBLIC HEARING
IN REFERENCE TO
SEWER ASSESSMENT
RATE SCHEDULE
#091211-4**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to close the Public Hearing in reference to amending the rate schedule for Local Law #2 of 2010 at 7:17 p.m.
All in favor - Aye - motion carried

**MOTION TO ADOPT
LOCAL LAW #3 OF
2011
#091211-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adopt Local Law #3 of 2011 for the Village of Ellenville revising the Wastewater Treatment Plant Special Assessment schedule originally annexed to Local Law No. 2 of the Year 2010:

WHEREAS, the Board of Trustees of the Village adopted a special assessment schedule in connection with Local Law No. 3 of the Year 2010; and

WHEREAS, the Board of Trustees of the Village desires to amend that special assessment schedule;

NOW, THEREFORE, BE IT resolved that the Village Board of the Village of Ellenville adopted the revised Wastewater Treatment Plant Special Assessment Schedule annexed hereto.

Roll Call Vote:

Mayor Kaplan	Aye
Deputy Mayor Younger	Aye
Trustee Lopez	Aye
Trustee Oliveras	Aye
Trustee Steinhoff	Aye

Motion passed

PRESENTATION

[Emerald Ash Borer \(EAB\)](#) – Elizabeth D’Auria, Catskill Invasive Species Assistant for the Catskill Center for Conservation and Development was before the board tonight to discuss an Ash Tree Street Inventory Report that she recently completed in the Village.

Ms. D’Auria reported that she has found thirty five ash trees in the Village and spoke about the invasive beetle (EAB) that has been decimating the country’s ash tree population. Ash trees that

become infested with the emerald ash borer will die within 2-4 years and the purpose of this project is to locate trees in order to enumerate the population of ash trees.

**MOTION TO
OPEN PUBLIC HEARING
IN REFERENCE TO
A SPECIAL PERMIT
APPLICATION
#091211-6**

Motion by Trustee Lopez, seconded by Trustee Oliveras to open the Public Hearing in reference to a Special Permit at 7:30 p.m.
All in favor - Aye - motion carried

**MOTION TO
ADJOURN PUBLIC HEARING
IN REFERENCE TO
A SPECIAL PERMIT
APPLICATION
#091211-7**

Motion by Trustee Lopez, seconded by Trustee Oliveras to adjourn the Public Hearing in reference to a Special Use Permit at 7:31 p.m.
All in favor - Aye - motion carried

**CONTINUATION OF
PRESENTATION**

Ms. D'Auria outlined three options available that the Village might want to take for dealing with ash trees. Ms. D'Auria's group is recommending within Ulster County that a county wide task force be created and Mayor Kaplan thanked her for her work and requested that she keep the Village informed on a regular basis of their progress.

**MOTION TO
REOPEN PUBLIC HEARING
IN REFERENCE TO
A SPECIAL PERMIT
APPLICATION
#091211-8**

Motion by Trustee Lopez, seconded by Trustee Oliveras to reopen the Public Hearing in reference to a special permit application at 7:41 p.m.
All in favor - Aye - motion carried

Attorney Berger stated that this public hearing was to review the application of Mr. Angelo Montalvo to obtain a Special Permit in accordance with the Village Code, Section 107-15, corner lots – fence and hedges – at 19 Hillcrest Avenue. Mr. Montalvo is requesting to install 6' x 8' fences on his property which is a

corner lot that has two front yards. Mr. Montalvo would like to install a six foot fence on both sides. Code Enforcer Schug stated that this fence would alter the essential character of the neighborhood.

There was no public comment at this time.

There was further discussion about the height of the neighbor's hedges and the composition of the materials that would be used for Mr. Montalvo's fence.

**MOTION TO
CLOSE PUBLIC HEARING
IN REFERENCE TO
A SPECIAL PERMIT
APPLICATION
#091211-9**

Motion by Trustee Lopez, seconded by Trustee Oliveras to close the Public Hearing in reference to a special permit application at 7:41 p.m.

All in favor - Aye - motion carried

**MOTION TO GRANT
A SPECIAL PERMIT @
19 HILLCREST AVE
#091211-10**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to grant a special permit to Angelo Montalvo, 19 Hillcrest Avenue, to install a 6' x 8' fence on his corner property up to the front building line.

Roll Call Vote:

Mayor Kaplan	Aye
Deputy Mayor Younger	Aye
Trustee Lopez	Aye
Trustee Oliveras	Aye
Trustee Steinhoff	Aye

Motion passed.

**PETITIONERS &
CORRESPONDENCE
(continued)**

Sam Bugna, EWYC, was back before the board again after speaking with Councilman Gavaris from the Town of Wawarsing in reference to paying for a police officer to attend Flag Football games at the Berme Road park. It was requested that Mrs. Bugna meet with the Chief of Police, Manager and Councilman Gavaris to discuss this matter.

Amending Village Code pertaining to Taxicabs – Previously the present owners of the taxi cab companies in the Village requested that the Village Board consider amending the Village code to increase the number of taxi licenses. They taxi companies have since withdrawn this request and the Village board will honor their recent request.

Delinquent Property Foreclosures – Michelle Booth, tax collector, sent a memorandum to board members requesting approval to start the foreclosure process on delinquent taxes. Discussion ensued about the possibility of a Request for Proposal to outsource this process and it was decided that no action would be taken until after September 30th. It was requested that after September 30th Mrs. Booth research to compare if our delinquent taxpayers are also delinquent on their school taxes, etc.

Time Warner Cable – Correspondence received in reference to channel additions/deletions.

Lana Tso – Correspondence received from Mrs. Tso in reference to a bill generated from the Village after our staff mowed her property on Clinton Avenue/Creamery Lane. Mrs. Tso sent a copy of an invoice from her landscaper, Mobley Landscaping for the same day and is requesting we void our bill. Mayor Kaplan requested that Mr. Schug call Bob Mobley to speak to him about this matter. Mayor Kaplan further stated that this is the reason why we should take a picture of a property before any mowing or shoveling takes place.

Mayor Kaplan also requested that Mr. Schug look at 1 Helen Street and their need to be mowed, contact the bank and if they are not willing to take care of it, have our staff mow the property and bill back the bank.

Sherman & Betty Erich – A thank you note received from the Erichs for all employees during the recent hurricane. Mayor Kaplan encouraged all residents to sign up for the “emergency call em”.

POLICE DEPARTMENT

Karen Krom – Request from Ms. Krom to hold a walk for Multiple Sclerosis Walk in the Village of Ellenville. Ms. Krom has met with the Chief of Police and he is favor of this walk. This walk will be held on October 15, 2011 at 12 noon.

Susan Slee – Westwood Avenue – Mrs. Slee was before the board tonight to discuss the recent enforcement of the “no parking” on

Westwood Avenue. Mrs. Slee spoke about the hardship of not parking in the street and is requesting to have this law reviewed.

**MOTION TO
SCHEDULE A
PUBLIC HEARING
ON ALLOWING
PARKING ON SOUTH
SIDE OF WESTWOOD AVE
#091211-11**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to schedule a Public Hearing on September 26, 2011 at 7:15 p.m. to discuss amending the Village Code to allow parking on the southside of Westwood Avenue between Linden Street and Laurel Terrace.

All in favor - Aye - motion carried

Mayor Kaplan questioned the Chief about the parking in the business district and also about a group of teens that are in the area hanging out after dark and requested regular foot patrols at night.

Mayor Kaplan requested that Chief Mattracion thank all his staff for their work during the recent crisis.

Also discussed with the Chief was dog feces in the downtown area and possibility of amending the Village Code that prohibits a left hand turn on Mountain Avenue.

**MOTION TO
SCHEDULE A
PUBLIC HEARING
ALLOWING LEFT HAND
TURN ON MOUNTAIN AVE
#091211-12**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to schedule a public hearing changing the Village Code to allow a left hand turn on Mountain Avenue.

It was decided to delay this hearing until such time our attorney research the matter that would allow a left hand turn on an emergency basis since damage was done to the Clinton Avenue Bridge.

MANAGER'S REPORT

Manager Sheeley reviewed with board members the summary of emergency contracts that was necessary due to the recent flooding crisis.

**MOTION AUTHORIZING
EXPENDITURE FOR DIRECTIONAL
DRILLING FOR NEW WATER LINE
#091211-13**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the expenditure of directional drilling of a new water line under the Rondout Creek at the Wastewater Treatment Plant to H. Osterhoudt Excavating in the amount of \$53,200.00 assuming 300' bore, if additional HDPE pipe is required than it can be installed for \$132/LF.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
EXPENDITURE FOR RELOCATION
OF WATER MAIN
#091211-14**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger authorizing the expenditure H. Osterhoudt Excavating in the amount of \$37,400.00 for the re-location of the water main at the Wastewater Treatment Plant.

All in favor - Aye - motion carried

Clinton Avenue Bridge – Manager Sheeley updated board members about this bridge and the bridge appears to be comprised. This matter is a priority for our engineers and will keep the board members updated on the situation.

Mayor Kaplan spoke about the necessity of full mapping system for our Village water mains and values as well as testing the values on a schedule that will instituted.

TREASURER'S REPORT

Treasurer Polkoski presented board members the audit report as well as the following appropriation transfers:

**MOTION AUTHORIZING
APPROPRIATION TRANSFERS
#091211-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the below listed appropriation transfers:

General Fund –

From: A9040 803 Worker's Comp C.E. \$10,000.

To: A1440 Engineering C.E. \$10,000.

This is for the close out of the old Ellenridge escrow accounts

Water Fund –

From:	F8310	4 Admin	C.E. 6602.
To:	F8340	4 Transmission	C.E. 4032.
	F 9010	801 State Retirement	<u>2570.</u>
			6602.

Water has overspent the budget by \$43,736.17

Sewer Fund –

From:	G8110	1 Admin	P.S. 88.
	G8110	4 Admin	C.E. 9910.
	G 9040	803 Worker’s Comp	86.
	G 9730	700 BAN Interest	<u>5.</u>
			10089.
To:	G 8130	4 Sewer Treatment	C.E. 6694.
	G 9010	801 State Retirement	<u>3395.</u>
			10089.

The Sewer Fund has overspent the budget by \$55,085.21 due to the equipment repairs. Some money might be recovered from insurance.

All in favor - Aye - motion carried

ATTORNEY’S REPORT

Appraisal Fee – Attorney Berger is researching an appraisal amount for 88 Canal Street and will report back at the next board meeting.

**MOTION AUTHORIZING
ATTENDANCE OF CLERK
TO NYSHIP MEETING
#091211-16**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the attendance of Noreen Dechon, Village Clerk, to the 2011 NYSHIP Regional Meeting on October 5, 2011 in Suffern, NY.

All in favor - Aye - motion carried

**MOTION CHANGING
DATE OF VILLAGE BOARD MEETING
#091211-17**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to change the date of the Village Board meeting from October 10 to October 11, 2011 in observance of the Columbus Day holiday.

All in favor - Aye - motion carried

**MOTION CHANGING
NEIGHBORHOOD WALK
SCHEDULE
#091211-18**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to change the neighborhood walk schedule as follows:

September 26 Clinton Avenue Bridge

October 11 Glenwood Drive

All in favor - Aye - motion carried

BOARD REPORTS

Trustee Steinhoff requested that a letter be sent to the Town of Wawarsing in reference to a town wide re-evaluation.

Trustee Lopez inquired about the paving schedule as well as CHIPS funds.

**MOTION FOR RFP
FOR FUTURE ENGINEERING
PROJECTS
#091211-19**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger that for any future engineering projects that a Request for Proposal be generated and advertised.

All in favor - Aye - motion carried

**MOTION TO ADJOURN
#091211-20**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to adjourn at 9:00 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk