

Village of Ellenville  
Village Board Meeting  
Monday, January 11, 2010

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

|                  |                              |         |
|------------------|------------------------------|---------|
| <b>ROLL CALL</b> | 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

**PRESENTATION**

Mayor Kaplan and board members presented a Certificate of Recognition to Marcus and Jamie Guiliano, Aroma Thyme Bistro, to thank them for the last seven years of their annual donation of Christmas meals to members of the community.

**POLICE DEPARTMENT**

**RESOLUTION ACCEPTING  
RESIGNATION OF BRANDON  
STRAUB  
#011110-1**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to accept the resignation of Brandon Straub, part time dispatcher, effective December 31, 2009 with regret.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
PURCHASE OF THREE  
BULLET PROOF VESTS  
#011110-2**

Resolution by Trustee Oliveras, seconded by Deputy Mayor Younger authorizing the purchase of 3 bullet proof vests and 1 replacement vest from Protective Products in the amount of

\$3064.72 for the Police Department. This purchase is reimbursable under a grant.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
PAYMENT OF A RECORDS  
MANAGEMENT SYSTEM  
#011110-3**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the payment of a Records Management System in the amount of \$7,500 to J2 Software Solutions for the Police Department. This purchase is reimbursable under a grant called Operation Impact.  
All in favor - Aye - motion carried

Chief Mattracion commented on the parking violations and the violators not paying their fines. Discussion took place about the “scofflaw law”, placing a “parking boot” or towing of cars that have outstanding violations. Mayor Kaplan requested Attorney Berger to look into this matter to give the Village different options to explore.

Also discussed was declaring Maiden Lane as a “Snow Emergency Lane” and it was requested that the Chief speak to Juan Caba, Street Department Foreman and George Budd, Fire Chief.

Further discussion took place about the permits needed to park in three of the municipal lots during the winter months.

**APPROVAL OF  
MINUTES  
#011110-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the minutes of December 14, 18, 2009 and January 5, 2010 as presented.  
All in favor - Aye - motion carried

**PETITIONERS &  
CORRESPONDENCE**

Five residents or their representative were before the board tonight to discuss the Village’s charge to remove snow from their property after the storm of December 10, 2009 and presented their individual circumstances.

**MOTION TO  
CONFIRM ASSESSMENT  
AND ADMINISTRATIVE  
FEES  
#011110-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to confirm the amount of assessments and administrative fees for the accounts with the exception of the five properties that appeared tonight.

All in favor - Aye - motion carried

**MOTION TO  
WAIVE ADMINISTRATIVE  
FEES FOR 14 PARK ST  
#011110-6**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to waive the charge incurred along with the administrative fee for Wayne Biasi, 14 Park Street since it was shoveled but not wide enough.

All in favor - Aye - motion carried

**MOTION TO  
SUSTAIN CHARGE  
AT 5 LINCOLN ST  
#011110-7**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff, to sustain as billed for Herbert Moss, 5 Lincoln Street since it was not shoveled but will be done in the future.

All in favor - Aye - motion carried

**MOTION TO  
WAIVE ADMINISTRATIVE  
FEE FOR 21 CANAL ST  
#011110-8**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to waive the administration fee for the Praise Dominion Church, 21 Canal Street since the Church had hired a contractor and there was a miscommunication on their part.

All in favor - Aye - motion carried

**MOTION TO  
WAIVE ADMINISTRATIVE  
FEE FOR 158 S MAIN ST  
#011110-9**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to waive the administrative fee for Robert Scialpi, 158 S. Main Street. Mr. Scialpi did not due Main Street since he injured his back after completing Market Street.

All in favor - Aye - motion carried

**MOTION TO  
WAIVE ALL FEES  
FOR 19 HILLCREST AVE  
#011110-10**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to waive the total fee for Angel Velez, 19 Hillcrest Avenue due to an issue they have with the Village's storm drain.  
All in favor – Aye – motion carried.

**MOTION TO  
RESERVE THE  
RIGHTS OF 24 HILLCREST  
#011110-10**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to reserve the rights of 24 Hillcrest to be heard next meeting.  
All in favor - Aye - motion carried

**PUBLIC HEARING**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to open a Public Hearing in reference to the Kingston-Ulster Empire Zone at 7:30 p.m.  
All in favor - Aye - motion carried

Attorney Berger stated this public hearing was being held for the purpose of revising the Kingston/Ulster Empire Zone boundaries and deleting the Village of Ellenville Sub-Zone and to decide if the Village of Ellenville wants to withdraw from this zone.

**MOTION TO  
CLOSE PUBLIC  
HEARING**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to close the Public Hearing at 7:35 p.m.  
All in favor - Aye - motion carried

Mayor Kaplan requested that Manager Sheeley confirm that the businesses that are qualified in the zone will stay in the zone and to place this matter on the next Village agenda.

**PETITIONERS &  
CORRESPONDENCE  
(continued)**

Time Warner Cable – Received correspondence from Time Warner Cable in reference to channel additions/deletions. Attorney Berger reported that he has received correspondence from Time Warner in reference to our franchise agreement renewal with their comments on the modifications we requested. Attorney Berger will update the Board in two weeks.

Shawangunk Garden Club – Requesting permission to use the Village gazebo to sell Mother’s Day plants on May 8<sup>th</sup>.

**MOTION GRANTING  
PERMISSION TO  
SHAWANGUNK GARDEN  
CLUB  
#011110-11**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to grant the Shawangunk Garden Club’s request to sell plants on May 8, 2010 at the Village gazebo.  
All in favor - Aye - motion carried

Historic Preservation Committee – Acknowledged receipt of the minutes for November 9, 2009 meeting.

**DISCUSSION ITEMS**

Napanoch Water District – This discussion involves the possible increase of rates for this district. This will be discussed at the next Water Commission meeting and will give their recommendations to the Village Board.

Tax Exempt Parcels – The Board decided to wait for a recommendation from Assessor Sommer before any action on this matter is taken.

Ellenville Housing Authority- We recently received \$3.75 on this property for our PILOT agreement. Mayor Kaplan is concerned they are using the town assessment and requested Treasurer Polkoski treat this matter as a priority and research this in depth.

Deputy Mayor Younger requested that Assessor Sommer come to Village Board meeting to talk about tax exempt properties.

**RESOLUTIONS**

**MOTION AMENDING  
PROCUREMENT POLICY  
#011110-12**

Motion by Trustee Steinhoff, seconded by Trustee Lopez amending the Village of Ellenville’s procurement policy to increase the amount required for bidding in accordance State Law to \$35,000 and to otherwise coordinate this policy with the proposed worksheet (attached).

**RESOLUTION ESTABLISHING  
STANDARD WORK DAY FOR  
APPOINTED OFFICIALS  
#011110-13**

BE IT HEREBY RESOLVED by the Village of Ellenville Board of Trustees that the standard work week for all appointed officials not covered by a collective bargaining agreement shall be 7.5 hours per day, 37.5 hours per week.

AND BE IT FURTHER RESOLVED, that the job titles covered by this resolution shall be:

Village Manager  
Village Clerk  
Village Treasurer  
Code Enforcement Official  
Confidential Secretary

Motion made by Trustee Steinhoff, seconded by Deputy Mayor Younger.

All in favor - Aye - motion carried

**RESOLUTION REAFFIRMING  
WORKDAY FOR ELECTED  
OFFICIALS  
#011110-14**

BE IT RESOLVED, that the Village Board does hereby re-affirm the following as the standard workday for elected officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System, as originally adopted on February 23, 2004:

Elected Officials: Mayor and Trustees

Ten day work month, six hour day

Motion by Trustee Steinhoff, seconded by Trustee Lopez

All in favor - Aye - motion carried

**RESOLUTION ESTABLISHING  
MILEAGE REIMBURSEMENT  
RATE  
#011110-15**

Resolution by Deputy Mayor Younger, seconded by Trustee Oliveras establishing fifty cents per mile as the mileage reimbursement rate for 2010.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
PURCHASE OF JACK ASSEMBLY  
AND GEAR BOXES  
#011110-16**

Resolution by Deputy Mayor Younger, seconded by Trustee Oliveras authorizing the purchase of one jack assembly and two gear boxes from Hudson River Truck & Trailer in the amount of \$1,597.66 for the Street Department upon recommendation of the Village Manager and Street Department Foreman.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
PAYMENT #2 TO PRECISE  
LANDSCAPING  
#011110-17**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing payment #2 to Precise Landscaping & Lawn Maintenance for the Warren Street Sidewalk Project in the amount of \$25,196.66 in accordance with contract and per recommendation of the Village Engineers, Barton & Loguidice.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
CHANGE ORDER #2 TO  
CALLANAN INDUSTRIES  
#011110-18**

Resolution by Deputy Mayor Younger, seconded by Trustee Lopez authorizing a change order #2 to Callanan Industries, Inc. in the amount of \$28,601.82 for the Circle Avenue roadway improvements per recommendation of the Village Engineers, Barton & Loguidice.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
THE SALE OF THE DARE  
VAN  
#011110-19**

Resolution by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing the sale of the "DARE" van to Juan Caba in the amount of \$75.00. This vehicle has previously been excessed as surplus, advertised for sale in the local newspaper and was posted in all departments and was available for everyone to bid.  
All in favor - Aye - motion carried

**BUILDING DEPARTMENT**

Ellenridge Holdings – Code Enforcer Schug reported that some progress has been made towards resolving issues and they have made a payment to the escrow account.

**MOTION AUTHORIZING  
ATTENDANCE TO HUDSON  
VALLEY CEO EDUCATIONAL  
CONFERENCE  
#011110-20**

Motion authorizing the attendance of Brian Schug and Nordeen Pickell to the 23<sup>rd</sup> Annual Hudson Valley CEO Educational Conference 2010 on April 7, 8, 9 with the registration fee of \$275.00 each.

All in favor - Aye - motion carried

143 Center Street- Code Enforcer Schug reported that this property has been issued appearance tickets for the debris that is around their property and if the Village of Ellenville were to clean up the site it would be too costly. Attorney Berger will send them a letter about the condition of their property and Mayor Kaplan and Deputy Mayor Younger will speak to the property owners.

**TREASURER'S REPORT**

Treasurer Polkoski reviewed with board members her monthly report and will have some transfers between accounts at the first meeting of February.

Also discussed was the Police Department's budget and it was requested that a memorandum be sent to the Chief advising him that his budget will be discussed at the next board meeting.

**MANAGER'S REPORT**

Manager Sheeley presented to board members the department's monthly reports.

Also discussed were delinquent taxes and the means of collecting these amounts and it was requested that this be placed on the next board agenda.

**TRUSTEE REPORTS**

Deputy Mayor Younger stated the Supervisor Distel is open to having joint meetings and requested that Manager Sheeley schedule a meeting with the Town Board.



**RESOLUTION  
ACCEPTING PROPOSAL  
OF BARGAINING AGREEMENT  
WITH CLERICAL WORKERS  
#011110-21**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the proposal of the White Collar Clerical Unit bargaining unit effective January 1, 2010 and shall remain in effect until May 31, 2012.

All in favor - Aye - motion carried

Trustee Steinhoff reported that there will be a Youth Commission meeting on Wednesday and she will discuss insurance. There will be an ARTS meeting this coming Saturday and spoke about the Youth bus being moved to the Town property. Trustee Steinhoff also updated board members about the monthly meeting with the State auditors and they have been providing us with management suggestions.

Trustee Lopez spoke about a problem with the water in the School building and Mayor Kaplan replied that there is a meeting scheduled with the Superintendent to discuss this matter.

**ADJOURN**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to adjourn at 8:30 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk