

Village of Ellenville
Board Meeting
Monday, October 10, 2012

Board members audited the bills at 6:30 p.m.

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

ROLL CALL

Mayor Jeffrey Kaplan	Present
Deputy Mayor Raymond Younger	Present
Trustee Efrain Lopez	Present
Trustee Francisco Oliveras	Absent w/notice
Trustee Patricia Steinhoff	Present

ALSO PRESENT

Mary Sheeley, Village Manager
Peter Berger, Village Attorney
Brian Schug, Code Enforcer
Linda Polkoski, Village Treasurer
Noreen Dechon, Village Clerk

Mayor Kaplan stated that earlier this evening board members met at the Clinton Avenue Bridge to look at the creek bed under the bridge which had been affected by last year's hurricane. Board members also went to the Mill Street Park and there is a water issue there as well. At the next neighborhood walk, board members will go to the source of the water to see where the water is flowing and its path.

Also noticed on the walk was a leak on Tyrone Thomas Lane and although this is private property, water cannot be wasted and requested Village Manager take the necessary steps to find out what the problem there is.

**APPROVAL OF
MINUTES
#101012-1**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the minutes of September 24, 2012 as presented.
All in favor – Aye – motion carried

DISCUSSION ITEMS

Sale of Municipal Parking Lot – Mayor Kaplan stated that a request has been made by Genaro Garcia to purchase a portion of a municipal

parking lot located at 90 Center Street. Mr. Garcia intends to use this space as an outdoor eatery. Mayor Kaplan invited surrounding property owners to this meeting for their input. Building Inspector Schug reviewed Mr. Garcia's plans for this lot. Several property owners asked Mr. Garcia about parking and garbage containers that are currently there. Mr. Garcia stated there would be twenty two parking spaces left intact and also discussed were the right-of-ways which will be preserved. Mayor Kaplan thanked Mr. Garcia for his major investment in the Village.

**PETITIONERS &
CORRESPONDENCE**

Time Warner Cable – correspondence received in reference to additions and/or deletion of cable channels.

Marie Quick complimented that board on the renovation done at Liberty Square.

Tyrone Thomas – spoke about the water leak on his property and was told that earlier in the meeting it was requested that the Village Manager find a resolution and asked the Village Attorney to become involved in this matter due to the possibility of doing work on private property.

Michelle Mainolfi- questioned the water/sewer charges for her home and Mayor Kaplan explained the loss of revenue in our water budget.

POLICE DEPARTMENT

Chief Mattracion requested a curfew in the Village for October 30 and 31 for children under 18.

**MOTION TO ACCEPT
RESIGNATION OF
ANTHONY VENTURA
#101012-2**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to accept the resignation of Anthony Ventura, part time police officer effective October 1, 2012 with regret.

All in favor – Aye – motion passed.

**MOTION TO
ESTABLISH A
CURFEW
#101012-3**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff upon recommendation of the Chief of Police Philip S. Mattracion, the Village of Ellenville Board of Trustees approved the following curfews:

Tuesday, October 30, 2012	Devil's Night	8:30 p.m.
Wednesday, October 31, 2012	Halloween	8:30 p.m.

All persons under the age of 18 shall not be permitted to be out passed the hour of 8:30 p.m. on both of the above dates unless accompanied by a parent or legal guardian.

All in favor – Aye – motion passed

Chief Mattracion spoke about the previous board authorization received for the purchase of cameras. He has been advised that the price stated was a Federal bid not a State bid. Since that time Chief Mattracion has been informed that the Town of Ulster had placed a bid which included all municipalities. Attorney Berger told board members that a State statute authorizes other political sub-divisions to use other municipalities bidding.

**MOTION TO
AUTHORIZE PURCHASE
OF CAMERAS
#101012-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the use of the lowest responsible bid obtained by the Town of Ulster for the purchase of cameras in the amount of \$24,080 upon recommendation of the Chief of Police.

All in favor – Aye – motion carried.

MANAGER'S REPORT

Manager Sheeley informed board members that she has scheduled a meeting with an attorney to meet with board members on October 22, 2012 at 6:30 p.m. to discuss a possible contract to collect delinquent taxes.

**MOTION AUTHORIZING
TO SEEK BIDS FOR
CURE IN PLACE PIPING
#101012-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village Manager to seek bids for Cure in Place Piping for the Sewer Department returnable October 26, 2012.
All in favor – Aye – motion passed

TREASURER’S REPORT

Treasurer Polkoski reviewed with board members the appropriation transfer and the budget amendments.

ATTORNEY’S REPORT

Time Warner Cable Franchise Agreement – The subject dealing with Time Warner maintaining an office in Ellenville to be included in the franchise agreement was discussed with Brenda Parks and as of this time, Attorney Berger has not received an answer. Treasurer Polkoski questioned at the last board meeting the section of the agreement stating that their building is taxable and this should be included in the new agreement. Mayor Kaplan requested Attorney Berger send them a letter in reference to these two items to be included in the new franchise agreement.

Cat Ordinance – Attorney Berger gave sample legislation to board members for their review. Mayor Kaplan requested the Village Manager to find any organizations that would be willing to undertake the neutering and spaying of feral cats in the Village.

BUILDING DEPARTMENT

Building Inspector Schug reviewed with board members a letter he had received from a property owner on Park Street in reference to a dead tree at 18 Park Street. Mr. Schug has issued an Order to Remedy Violation. Mayor Kaplan requested that Mr. Schug get two other proposals for the removal of this tree.

**MOTION TO REMOVE
DEAD TREE-18 PARK ST
#101012-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger that after two other proposals are received for the removal of the dead tree at 18 Park Street, authorization to remove said tree by the lowest responsible proposal not to exceed \$1,600.00, contingent on that we do not receive any response from the property owner, this tree be removed.
All in favor – Aye – motion carried

Mayor Kaplan informed board members that he and Brian Schug will be attending an “Abandoned Buildings” seminar in November.

Also discussed were two pending “grass maintenance” charges for Gerard Mazzarelli and Charles Richard and after review the board took no action.

RESOLUTIONS

**MOTION TO RESCIND
ORIGINAL RETIREMENT
DATE-J. CONSTANTINE
#101012-7**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger rescinding original retirement date of John Constantine from November, 2012 and extending his retirement date of September 22, 2013.
All in favor – Aye – motion passed

**MOTION TO CORRECTING
AUDIT REPORT
#101012-8**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff correcting the attached audit record of September 10, 2012 as recommended by the Village Treasurer.
All in favor – Aye – motion passed

**MOTION TO AUTHORIZING
APPROPRIATION TRANSFERS
#101012-9**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the attached appropriation transfers as recommended by the Village Treasurer.
All in favor – Aye – motion passed

**MOTION TO APPROVING
BUDGET AMENDMENTS
#101012-10**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to rescind the budget amendment of 9/27/12 and approving the attached budget amendments as recommended by the Village Treasurer.
All in favor – Aye – motion passed

**MOTION APPROVING
EXPENDITURE-BANNER
TIRES
#101012-11**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez approving the expenditure of \$1,509.52 to Banner Tire for 4 tires for Truck #6 as recommended by the Street Department Mechanic.
All in favor – Aye – motion passed

**MOTION REAFFIRMING
EXPENDITURE-SIEWERT EQUIP
#101012-12**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez reaffirming the expenditure of \$1,335.00 to Siewert Equipment Co. for an emergency service call at the Sewer Department as recommended by the Sewer Department Foreman.
All in favor – Aye – motion passed

**MOTION APPROVING
EXCESS EATON DRY
TYPE TRANSFORMER
#101012-13**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to excess an Eaton Dry Type Distribution Transformer and to sell it as excess equipment as recommended by the Village Engineers.
All in favor – Aye – motion passed

**MOTION REAFFIRMING
EXPENDITURE-KE GREER
#101012-14**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff reaffirming the emergency expenditure of \$2,933.87 to KE Greer Infrastructure for water main repair as recommended by the Village Manager and Water Department Foreman.
All in favor – Aye – motion passed

**MOTION AUTHORIZING
APPLICATION FOR JCAP GRANT
#101012-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village of Ellenville Justice Court to apply for a JCAP grant in the amount of \$3,189.00.
All in favor – Aye – motion passed

**MOTION ACCEPTING
RESIGNATION OF
CYNTHIA SCHMALZLE
#101012-16**

Motion by Deputy Mayor Younger, seconded by Deputy Mayor Younger accepting the resignation of Cynthia Schmalzle, typist, effective October 9, 2012.

All in favor – Aye – motion passed

**MOTION DECREASING
HOURS-R. WEISS
#101012-17**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger decreasing the hours worked per week for Rosemary Weiss, typist, to ten hours effective October 24, 2012.

All in favor – Aye – motion passed

**MOTION AUTHORIZING
EXPENDITURE-BADGER
METERS
#101012-18**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the purchase of 25 Badger Meters from Schmidt's Wholesale at a price of \$65.48 each upon recommendation of the Village Manager and Water Department Foreman.

All in favor – Aye – motion passed

**MOTION APPROVING
EXPENDITURE-CHEMUNG
SUPPLY
#101012-19**

Motion by Trustee Steinhoff, seconded by Trustee Lopez reaffirming the authorization for the purchase of pipe couplings to Chemung Supply Co. in the amount of \$2,361.46 upon recommendation of the Street Department Foreman and Village Manager.

All in favor – Aye – motion passed

BOARD REPORTS

Trustee Steinhoff requested a report as to how much we have spent on recent water line breaks for both Village employees and outside contractors.

Mayor Kaplan spoke about his concerns in reference to the Town's inventory costs and what properties should be considered just Village properties. Mayor Kaplan feels there should be three categories when

considering the costs and this will be discussed at our next joint meeting with the Town.

Deputy Mayor Younger would also like to see the expenditures for water line breaks and how we might keep our costs down in the Water Department.

Mayor Kaplan requested that in the near future a questionnaire be sent to residents inquiring if they are experiencing more water in their basements then in the past.

Trustee Steinhoff questioned if we would be advertising for the part time typist opening.

**MOTION TO
ENTER INTO
EXECUTIVE SESSION
#101012-20**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to enter in Executive Session not to reconvene into public session to discuss personnel matters at 8:20 p.m.

All in favor – Aye – motion passed

Respectfully submitted,

Noreen Dechon
Village Clerk