

Village of Ellenville
Village Board Meeting
Monday, October 26, 2009

Meeting called to order at with the Pledge of Allegiance by Mayor Kaplan at 7:00 p.m. and request of moment of silence in memory of Marshall George.

ROLL CALL

Mayor Jeffrey Kaplan	Present
Deputy Mayor Raymond Younger	Absent w/notice
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

**APPROVAL OF
MINUTES
#102609-1**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the minutes of October 13, 2009 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Time Warner Cable – Correspondence received in reference to channel line up along with a current rate and polices showing different price points.

Veterans of Foreign Wars – Letter received requesting a waiver of fees associated with permits to excavate and for the connection to the sewer line. After discussion that in the past the Village has not waived any fees for non-profit organizations the board took no action in reference to this request since they did not want to set a precedent for waiving fees. Trustee Lopez stated that he is in favor of waiving the fees.

Hudson Health Plan – Requesting to place a community outreach vehicle on Center Street in the Village’s parking lot.

**MOTION APPROVING
HUDSON HEALTH TO
PARK A COMMUNITY
OUTREACH VEHICLE
#102609-2**

Motion by Trustee Steinhoff, seconded by Trustee Lopez approving their request to station a community outreach vehicle in the Center Street parking lot behind the Getty gas station.
All in favor - Aye - motion carried

Tyrone Thomas – Letter received from Mr. Thomas in reference to a situation involving a leaking water line on his property. Mr. Thomas was at the meeting tonight to discuss this matter with board members. Mr. Thomas believes that the garbage and oil trucks that make deliveries in his area caused his water line to break. Mr. Thomas further stated that he had a problem with Village personnel cooperating with him in reference to shutting off the water valves. There was discussion about water laterals where Mr. Thomas showed board members a piece of the lateral and also a sample of the brown water that is coming from his faucets. Mayor Kaplan stated that this lateral is on private property and the Village cannot be responsible for these. Mayor Kaplan requested Manager Sheeley to make sure that our water department is responsible for our own valves. Trustee Lopez stated that if there is a problem with a shut off valve that the Village should replace it.

Sheik Hassan – Treasurer Polkoski stated that she received a letter from Mr. Hassan requesting that the tax penalty incurred on his taxes be waived since he was deployed to Iraq and out of the country. Attorney Berger stated that State law does not allow us to waive any penalties.

ENGINEER’S REPORT

Glen Gildaly from Barton & Loguidice was before the board tonight to discuss several projects. The first was the Brownfields Area Opportunity (BOA) grant which evaluate the barriers that inhibit redevelopment of vacant or under-utilized sites as a result of real or perceived contamination. Mayor Kaplan inquired the cost to the Village and Mr. Gildaly will bring these figures to the next meeting.

**RESOLUTION TO ACCEPT AND
REJECT BIDS FOR THE CONSTRUCTION OF
BECKLEY DRIVE OVER THE
FANTINE KILL, BRIDGE
REPLACEMENT (PIN 8758.02, BIN 2264550)
#102609-3**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to accept the following bids for the construction of Beckley Drive over the Fantine Kill, Bridge Replacement:

Accept – Hudson Valley Bridge Construction, Inc.; W.M. Schultz Construction, Inc.; Arold Construction; Sullivan County Paving & Construction, Inc.; Arris Contracting Co, Inc. and Northern Construction Services, Inc.

Reject – Cal Mart Enterprises; Bette & Cring Construction Group; R. DeVincentis Construction; Harrison & Burrowes Bridge Constructors and Sun – Up Enterprises due to discrepancies that would not allow the Village to accept these bids.

All in favor - Aye - motion carried

**RESOLUTION TO AWARD
BID FOR THE CONSTRUCTION OF
BECKLEY DRIVE OVER THE
FANTINE KILL, BRIDGE
REPLACEMENT (PIN 8758.02, BIN 2264550)
#102609-4**

Resolution by Trustee Steinhoff, seconded by Trustee Lopez upon the recommendation of our Village engineers, Barton & Loguidice, P.C., who have reviewed the accepted bids, the Village of Ellenville awards the contract for the construction of the Beckley Drive over Fantine Kill, Bridge Replacement (PIN 8758.02, BIN 2264550) to the lowest responsible bidder, Hudson Valley Bridge Construction, Inc. in the amount of \$992,000.00.

All in favor - Aye - motion carried

**RESOLUTION TO AWARD
BID FOR CIRCLE AVENUE
ROADWAY IMPROVEMENTS
#102609-5**

Resolution by Trustee Steinhoff, seconded by Trustee Oliveras upon the recommendation of our Village engineers, Barton & Loguidice, P.C. who have reviewed the bids, the Village of Ellenville awards the contract to Callanan Construction Company due to the fact they were the lowest, qualified and most responsible bidder in the amount of \$156,975 with the understanding there will be a change order for these improvements reducing the award to \$102,475.

All in favor - Aye - motion carried

Trustee Oliveras questioned Mr. Gildaly about the solar panels for the new Wastewater Treatment Plans and the location and Mr. Gildaly will look into this matter.

Mr. Gildaly updated board members that the survey is underway and should be completed by Friday in reference to the Streetscape grant.

Trustee Lopez questioned if a new backhoe can be purchased with the funds received for the new Wastewater Treatment Plant. Mr. Gildaly stated that he is not sure if the funding source would allow the Village of Ellenville to purchase equipment.

Fair Assessments for Property Taxpayers - Mayor Kaplan and Supervisor Jennings met with three representatives from NYS Office of Real Property Services to discuss a re-evaluation of properties within the Town of Wawarsing. Mayor Kaplan stated that almost two thirds of the NY communities have updated assessment since 2005 and a reassessment is critical for all communities and taxpayers to ensure fairness, transparency, reduced litigation, revitalization/commercial base and a fair allocation. Mayor Kaplan further stated that the Town of Wawarsing has not done a re-evaluation in over a hundred years. The residents in the Village of Ellenville are overpaying their taxes since the tax burden is not fairly distributed in our community. It was requested that an analysis of the impact that a re-evaluation would have on the reservoir property.

Warren Street Bluestone – The Street Department is looking for areas that the bluestone can be used in the Village. Mayor Kaplan suggested that we declare a certain percent as excess and put it out to bid. Manager Sheeley will look into this matter and report back at the next meeting.

POLICE DEPARTMENT

Chief Mattracion reported that the Police Department challenged the Fire Department to a softball game and provided food for all spectators. The Police Department did win the game and Chief Mattracion thanked Harvey Levine and Reggie Steele for donating their services as umpires.

Chief Mattracion reviewed with the board the curfew for Devils Night and Halloween, along with a Halloween Safety Program done at the elementary school. Firearms Training will take place in November and the Police Civil Service Exam will be held on November 14th.

**RESOLUTION TO AUTHORIZE A
BOND RESOLUTION
#102609-6**

Motion by Trustee Oliveras, seconded by Trustee Lopez to authorize a bond resolution for the issuance of up to \$75,000 to finance the costs of the acquisition of machinery and apparatus for construction maintenance for the Village (Back hoe).
All in favor - Aye - motion carried

**MOTION TO AUTHORIZE
VILLAGE MANAGER TO
SIGN A CONTRACT WITH
GROUP LIFE INSURANCE
#102609-7**

Motion Trustee Steinhoff, seconded by Trustee Lopez to authorize the Village Manager to sign a contract for Group Life Insurance to Ulster Insurance Services, Inc for a three year period starting November 1, 2009.

Motion by Trustee Steinhoff, seconded by Trustee Lopez to amend the Village Manager to sign a contract for Group Life Insurance to Ulster Insurance Services, Inc for a **two** year period starting November 1, 2009.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
VILLAGE CLERK TO
ADVERTISE FOR OPENING
ON THE UC PLANNING BOARD
#102609-7**

Motion by Trustee Lopez, seconded by Trustee Oliveras authorizing the Village Clerk to advertise for the opening on the Ulster County Planning Board returnable the first meeting in December.
All in favor – Aye – motion carried

**RESOLUTION TO
ACKNOWLEDGE 10%
MATCH FOR FUNDING
OF NEW WWTP BY
THE VILLAGE OF ELLENVILLE
#102609-8**

Resolution by Trustee Steinhoff, seconded by Trustee Lopez:

Whereas the Village of Ellenville has competed for and received preliminary approval (\$314,200) for funding through the Green Innovation Grant Program (GIGP), administered by the NYS Environmental Facilities Corporation (EFC);

Whereas the grant funding would be used to pay for 90% of the cost related to the design, purchase and installation of a Photo Voltaic system to be located at the central Wastewater Treatment Plant (WWTP);

Whereas, the Village of Ellenville acknowledges a 10% “match” which is required by the NYS EFC and said funds will be made available through the existing Sewer Fund.

Whereas the Village of Ellenville Grant Agreement and related attachments from the NYS EFC; BE IT RESOLVED:

That the Mayor of the Village of Ellenville is authorized to sign the Grant Agreement and any related documents provided by the NYS EFC related to this project subject to review and approval by the Village Attorney.

All in favor - Aye - motion carried

ATTORNEY’S REPORT

MOTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AGREEMENT WITH NYS OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION #102609-9

Motion by Trustee Oliveras, seconded by Trustee Steinhoff authorizing the Village Manager to execute agreement with NYS Office of Parks, Recreation and Historic Preservation for the Hunt Memorial Building Project contingent upon the Village of Ellenville receiving a letter from Hunt Memorial Preservation Committee confirming that the Village share of the \$200,000 is solely the obligation of the Hunt Memorial Preservation Committee and a letter from Kathleen Butler as President of HMPC attaching a copy of a resolution from HMPC that Kathleen Butler is authorize to enter said agreement on behalf of the HMPC.
All in favor - Aye - motion carried

BUILDING DEPARTMENT

Code Enforcer Schug shared with board members a letter he received from the NYS Department of Environmental Conservation in reference to our participation in the National Flood Insurance Program.

RUPCO – A meeting was held today with RUPCO in reference to the forced sewer main at their Broadhead project and the issue with the Sewer Department requesting equipment for this sewer line.

**MOTION TO
MODIFY AGREEMENT
WITH RUPCO
#102609-10**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to accept the proposals by RUPCO to modify the original agreement and allow the building department to issue Certificates of Occupancy. Their proposals were:

1. RUPCO agrees to absorb the cost of any necessary hydro-jetting of the two inch force main for a period of five years from turn over of the system to the Village. This is applicable to blockages only and not inclusive of routine maintenance.
2. RUPCO will contribute \$800.00 to a maintenance escrow account upon the completed sale of the 8th unit at Buttermilk Falls. This escrow will be restricted to the maintenance of the pump station and force main.
3. RUPCO agrees to purchase a Western Mule P-10 fold down boom as a pump hoist for use by the Village of Ellenville sewer department.
4. The current water and sewer bills for the 15 Buttermilk Falls units will be voided and re-billed in January 2010 and subject to further consideration at that time.

All in favor - Aye - motion carried

Mayor Kaplan thanked Code Enforcer Schug and Michael Ryman for all their effort and help in this project.

TREASURER'S REPORT

Treasurer Polkoski presented to board members the audit figures and the October Treasurer's Report along with a Cash Flow Statement.

Mayor Kaplan stated that the audit committee will be meeting with the State Auditor this coming Friday and spoke about the reduction of the Village's deficit. Mayor Kaplan also spoke about making an application to draw down the mountain money but no decisions will be made until the State Audit is completed.

**VILLAGE MANAGER'S
REPORT**

**MOTION AUTHORIZING
BRIAN SCHUG TO ATTEND
COMPETENT PERSON SEMINAR
#102609-11**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing Brian Schug to attend a Competent Person Seminar on October 28, 2009 at a cost of \$175.00 plus travel expenses.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
VILLAGE MANAGER TO
ENTER INTO AN AGREEMENT
WITH M & T DIRECT DEPOSIT
WITH VILLAGE EMPLOYEES
#102609-12**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to authorize the Village Manager to enter into an agreement with M & T At Work Program for direct deposit for Village employees.
All in favor - Aye - motion carried

It was requested that Mrs. Sheeley send a letter to all four local banks to inquire about their direct deposit programs.

E. L. Henry Paintings – Manager Sheeley stated that a letter had been received in reference to the E.L. Henry Paintings stating that these paintings are not being viewed by the public and their wish to return them to the Village. Different suggestions as to where to house these paintings were discussed and it was requested that Manager Sheeley check with Sprague & Killeen to see if the Village of Ellenville has insurance on these paintings.

**MOTION AUTHORIZING
THE PAYMENT OF \$2,600
FOR MATERIALS FOR
WATER TOWER ROOF
#102609-13**

Motion by Trustee Lopez, seconded by Trustee Steinhoff authorizing the Treasurer to pay no more than \$2,600 for materials needed for the roof at the water tower paid directly to the vendor upon submission of proof of bill to the Building Inspector.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
CHANGE ORDER #1 ON THE
CALLANAN AWARDED BID
#102609-14**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to authorize change order #1 on the Callanan awarded bid.
All in favor - Aye - motion carried

BOARD REPORTS

Trustee Steinhoff commented that she attended a meeting with Town Council members in reference to the YMCA.

Trustee Lopez requested that a letter be sent to the residents on Warren Street where the new sidewalks were installed requesting that they do not use salt on these sidewalks during the first winter season.

ADJOURN

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn in memory of Marshall George at 8:40 p.m.
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk