

Village of Ellenville
Village Board Meeting
Monday, November 9, 2009

Meeting called to order at 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	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 did an official opening of the new playground on Berme Road and it is a beautiful facility and wanted to publicly thank the committee for all their hard work.

**PLAYGROUND PLAQUE
#110909-1**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff authorizing the installation of a plaque on the new Berme Road Playground commmerating the efforts of the members of the Playground Committee.

All in favor - Aye - motion carried

Mayor Kaplan congratulated Trustees Lopez and Steinhoff on their recent re-election to the Village Board and also looks forward to working with them. Mayor Kaplan congratulated Manager Sheeley to her re-election to the Ulster County legislature.

**APPROVAL OF
MINUTES
#110909-2**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the minutes of October 26, 2009 as presented.

All in favor - Aye - motion carried

**PETITIONERS \$
CORRESPONDENCE**

Kathleen Butler, President of Hunt Memorial Preservation Committee, was before the board tonight to clear up any misunderstandings that might have occurred in reference to the State grant they have received.

Mrs. Butler stated it is the understanding of the Hunt Memorial Preservation Committee (HMPC) that:

1. HMPC will not do any work unless they have the money to cover the cost of the project in advance of the beginning;
2. The money to pay the bills for any work at the Hunt will be given to the Village of Ellenville by the HMPC;
3. Once the money is received, the Village of Ellenville will pay the bills;
4. Submission for reimbursement from the State of New York will be done by the Village of Ellenville and the HMPC in coordination, since each party has played a role in this process;
5. When the reimbursement from NYS comes back to the Village of Ellenville, the moneys received will be credited to HMPC so it can proceed with further restoration and renovation work and
6. It is understood by the HMPC that they are solely responsible for raising up to \$200,000 to be used as the match against the State grant.

**MOTION AMENDING
#102609-9 EXECUTING
AGREEMENT WITH
NYS OFFICE OF PARKS &
HMPC
#110909-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez amending the resolution authorizing the Village Manager to execute agreement with NYS Office of Parks, Recreation & Historic Preservation (#102609-9) to add that it is understood and agreed that the Hunt Memorial Preservation Committee will raise the matching portion up to \$200,000 from the grant received from NYS Parks, Recreation & Historic Preservation.

All in favor - Aye - motion carried

Mayor Kaplan congratulated the Ellenville High School Football team on their recent victory against Liberty and reminded everyone there is a playoff game this coming Friday at Dietz Stadium.

Ellenville Playground Committee – Karri Scott-DiFazio requested speed limit signs be posted by the new playground and Mayor

Kaplan requested that Chief Mattracion contact the Department of Transportation to request the speed limit on that road be lowered. Mayor Kaplan also requested that our Street Department paint blue lines on two parking spaces to indicate handicap parking. Ms. Scott-DiFazio requested that the Police Department on their patrol do walk around inside the playground area and told board members that the Kiwanis Club in conjunction with the Ellenville Partnership Program are searching for grants to create a community youth center.

Ellenville Regional Hospital – Letter received thanking the Police Department for their participation at the Harvest Festival.

**MOTION TO OPEN
PUBLIC HEARING
ON SIDEWALK REMOVAL
REQUEST
#110909-4**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to open the Public Hearing on the removal of sidewalks by the Ellenville Central School District at 7:15 p.m.
All in favor – Aye – motion carried.

A letter received from the Ellenville Central School District requesting the right to remove the sidewalks in front of their property on Church Street. Before the board takes action on this request, Mayor Kaplan asked if anyone from the public was at the meeting tonight to discuss this request. No public comment at this time.

**MOTION TO CLOSING
PUBLIC HEARING ON
SIDEWALK REMOVAL
REQUEST
#110909-5**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to close the public hearing at 7:20 p.m.
All in favor - Aye - motion carried

**MOTION CONFIRMING
CONSENT TO REMOVE
SIDEWALKS ON
CHURCH STREET
#110909-6**

Motion by Trustee Oliveras, seconded by Trustee Lopez directing the Village Manager to send a letter to the School District confirming our consent to remove sidewalks on the Church Street

side of their property at their sole cost and expense subject to them contacting our Building Department to obtain the proper permits.
All in favor - Aye - motion carried

**PETITIONERS \$
CORRESPONDENCE
(continued)**

Ellenridge - Mayor Kaplan stated to the members present tonight from the Ellenridge Homeowners Association that this Village Board has attempted as much as possible to be supported to the homeowner's needs and concerns. Mayor Kaplan reported that a meeting was held recently with the initial developer's representative, the current developer and his attorney, our engineer and attorney along with our Building Code Enforcer Schug and the main concern right now is that the booster pump station needs to be built. Mayor Kaplan spoke about the original test that was performed on the fire hydrant lines and the results resulted in only raw data and a more involved thorough test needs to be done. The Village engineers will conduct this test for a fee of \$2,000 and Moses Braver has agreed to contribute \$1,000 towards this venture and it was stated that the Village of Ellenville will pay \$500 and is requesting the Homeowners Association would pay the remaining \$500 and hopefully the results will resolve some of the water pressure problems.

Also discussed at this meeting was erosion control and Code Enforcer Schug was requested to have the NYS Department of Environmental Conservation to do another site visit and it was decided that the Mayor and Mr. Schug will do a conference call to them.

**MOTION TO OPEN
PUBLIC HEARING
ON EXCAVATION &
SOIL MINING LOCAL
LAW
#110909-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to open a Public Hearing on Excavation & Soil Mining Local Law at 7:30 p.m.

All in favor - Aye - motion carried

Attorney Berger stated that on June 17, 2009 the Village Board requested a proposal of a local law in reference to excavation and soil mining. Before this local law is adopted it was necessary to be reviewed by the Village Planning Board and the Ulster County Planning Board which has been done. This local law allows excavation and soil mining under the rules and regulations of the

NYS Department of Environmental Conservation and it allows for additional rules within our municipality and also requires Planning Board approval.

Mayor Kaplan under full disclosure disqualified himself from the vote since he has been approached by Osterhoudt Construction that if and when they begin excavation and mining they will need access through his property on Main Street.

**MOTION TO CLOSE
PUBLIC HEARING
ON EXCAVATION &
SOIL MINING LOCAL
LAW
#110909-8**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to close the Public Hearing on Excavation & Soil Mining at 7:36 p.m.
All in favor - Aye - motion carried

**MOTION TO AMEND SCHEDULE
OF USE REGULATIONS
ON EXCAVATION &
SOIL MINING LOCAL
LAW
#110909-9**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger amend the schedule of the use regulations to indicate that excavations and soil mining is permitted in the R1-A zoning district and based upon the foregoing that it will be a Type I action and that a Public Hearing has been held and left opened for thirty days and has been determined that there is no significant environmental impact

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

Motion passed

**MOTION TO ADOPT
LOCAL LAW #8 OF 2009
EXCAVATION &
SOIL MINING-ARTICLE IV
OF VOE ZONING LAW
#110909-10**

Motion by Trustee Lopez, seconded by Trustee Oliveras to adopt Local Law #8 of 2009-Article IV of the Village of Ellenville Zoning Law.

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

Motion passed

**PETITIONERS \$
CORRESPONDENCE
(continued)**

Diane Van Dunk was before the board tonight to discuss the property next to her at 128 Center Street and the condition that it is in and Mayor Kaplan requested that our Housing Inspector look into this matter. Also Ms. Van Dunk spoke about the leaves in the streets and is not satisfied with our Street Department.

Hudson Health Plan – Correspondence received informing the Board that in addition to having their Health Van park in our Center Street parking lot occasionally they will have the van in the Rite Aid parking lot.

Historic Preservation Commission – Mrs. Dumond presented to board members a copy of the HPC by-laws. Mayor Kaplan requested that in the by-laws the wording “ the HPC will recommend to the Village Board the chairman of the Commission and who then will be appointed by the Mayor and Board of Trustees.”

Bluestone - Warren Street – Discussion about the sale of the bluestone that was removed on Warren Street and it was requested that the Chief have his patrols make a list of the sidewalks within the Village that have bluestone. Mayor Kaplan requested Juan Caba have his staff make a list also.

**MOTION TO TABLE
THE SALE OF THE
BLUESTONE
#110909-11**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to table the sale of the bluestone until such time the Board knows how much bluestone the Village needs to keep if it becomes necessary to replace existing bluestone.
All in favor - Aye - motion carried

Mrs. Dumond suggested that we do keep some of the bluestone to do one or two sections in the community and also on village property to construct a bluestone walkway.

POLICE DEPARTMENT

Chief Mattracion reported that Devil's Night and Halloween was quiet and no major incidents occurred. He also that the police officers recently had firearms training and a Seat Belt enforcement will be done in the near future.

**MOTION TO RESIGNATION
OF THOMAS GEELAN
#110909-12**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to accept the resignation of Thomas Geelan, part time dispatcher, with regret effective November 4, 2009.

All in favor - Aye - motion carried

Chief Mattracion introduced three candidates for part time police officers.

**MOTION TO APPOINT
PART TIME POLICE
OFFICERS
#110909-13**

Motion by Trustee Lopez and Deputy Mayor Younger to appoint Lucas Brooks, Trevor Wood and Connie Santoremono as part time police officers effective December 18, 2009. Both Deputy Mayor Younger and Trustee Lopez interviewed these candidates.

All in favor - Aye - motion carried

**MOTION TO AUTHORIZING
RFP FOR SALT BRINE
#110909-13**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village Manager to request proposals for the purchase of salt brine that will be used for pre-treatment of roads.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
BARTON & LOGUIDICE
TO BID FOR WORK ON
WWTP
#110909-14**

Resolution by Trustee Steinhoff, seconded by Trustee Oliveras that the Village of Ellenville does hereby authorize Barton & Loguidice to let bidding of the work on the Ellenville Wastewater Treatment Plan Improvement Project following approval by the NYSEFC.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
BARTON & LOGUIDICE
TO ADVERTISE FOR WORK ON
WWTP FOLLOWING AUTHORIZATION
TO BID BY THE NYSEFC
#110909-15**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing Barton & Loguidice to advertise for bids for the Ellenville Wastewater Treatment Plan Improvement Project following authorization to bid by the NYSEFC.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
THE SALE OF EXCESS
VEHICLES
#110909-16**

Motion by Trustee Oliveras, seconded by Trustee Lopez authorizing the sale of the following vehicles to employees of the Village of Ellenville after advertising their sale several times and exhausting all other avenues for possible sale:
2001 One Ton Dump Truck with Plow – Juan Caba - \$1,100.00
1991 GMC Truck – W. Young - \$50.00
1995 GMC Truck – W. Young - \$50.00
All in favor - Aye - motion carried

BUILDING DEPARTMENT

Code Enforcer Schug presented a report in reference to a recent conference he attended on Trenching & Excavation Safety and he also will be sharing this information with all departments.

Mayor Kaplan questioned if the Village of Ellenville is in compliance with the 90 day consent order from the NYS Department of Environmental Conservation and was told we were.

TREASURER'S REPORT

Tax Penalty – Treasurer Polkoski informed board members that she has completed research for tax payment extensions for person deployed by the Military and found that by resolution our Village Board can extend the tax payment deadline.

**MOTION TO EXTEND DEADLINE
FOR PAYMENT OF TAXES FOR
DEPLOYED MILITARY PERSONNEL
#110909-17**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff that by Real Property Tax §925-d, military personnel, subject to proof of deployment, the Village of Ellenville agrees that any

deadline with respect to the payment of real property tax shall be extended for a period of ninety days after the end of such deployment.

All in favor - Aye - motion carried

Long Term Bonding – Treasurer Polkoski advised the board members that the first step for selling long term bonds is to hire a financial advisor for the purposes of various required reports.

**MOTION AUTHORIZING
VILLAGE TREASURER TO
ADVERTISE FOR REQUEST
FOR PROPOSALS
#110909-18**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing the Village Treasurer to advertise for Request for Proposals to hire a financial advisor for long term bonds. Said proposals are returnable January 4, 2010 at 12:00 p.m.

All in favor - Aye - motion carried

**MOTION CANCELLING
DECEMBER 28, 2009
VILLAGE BOARD
MEETING
#110909-19**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to cancel the December 28, 2009 Village Board meeting.

All in favor - Aye - motion carried

MANAGER'S REPORT

Maple Avenue Sidewalk Project- Manager Sheeley presented a proposal from Rosewood Enterprises in reference to this project. No action was taken.

Monthly Reports – Manager Sheeley presented board members with each department's monthly report.

Policy for Purchase Orders – Manager Sheeley presented board members with a draft policy and board members will review and discuss at a later meeting.

Brownfields Area Opportunity (BOA) Grant – Barton & Loguidice submitted a proposal for grant writing services for this grant.

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to retain the services of Barton & Loguidice in the amount of \$5,500 for services of grant writing for Brownfield Area Opportunity Grant.

This motion was withdrawn by Trustee Steinhoff & Trustee Oliveras.

**MOTION TO TABLE
DISCUSSION OF
GRANT WRITING
PROPOSAL
#110909-20**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to table this discussion.

All in favor - Aye - motion carried

Town of Wawarsing – Manager Sheeley reported that the Town of Wawarsing Highway Department requested to purchase our old bulldozer for \$644.80 and in addition they have a 1987 International truck with a stainless steel plow for sale in the amount of \$2,000. This discussion will be tabled till next meeting.

Public Works Department – Manager Sheeley reported that the Public Works Department will be returning to their 7:30 a.m. to 3:00 p.m. shift within two weeks.

TRUSTEE REPORTS

Mayor Kaplan spoke about the Main Street Grant and the possibility of placing lights on the trees on Market Street and repair of the planters.

**MOTION APPROVE
THE PURCHASE OF
CHAIRS FOR THE
4TH FLOOR CONFERENCE
ROOM
#110909-21**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the purchase of 30 chairs for the fourth floor conference room in the amount of \$1,200.00

All in favor - Aye - motion carried

Mayor Kaplan requested the Clerk to contact Iris Friedman to inquire about removal of the Arts Wave and Farmers Market sign. In addition Mayor Kaplan reported that the clock in Resnick Park needs to be reset and asked for an update on Rail/Trails Grant.

**MOTION TO ADJOURN
TO EXECUTIVE SESSION
#110909-22**

Motion by Trustee Oliveras, seconded by Trustee Lopez to adjourn into Executive Session at 8:50 p.m. to discuss negotiations with Collective Bargaining Unions not to reconvene to public session.

Motion by Trustee Steinhoff, seconded by Trustee Lopez to
adjourn Executive Session at 9:30 p.m.
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk