

Village of Ellenville
Village Board Meeting
Monday, November 14, 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	Arrived at 7:55 pm
Trustee Patricia Steinhoff	Present

ALSO PRESENT

Peter Berger, Village Attorney
Philip Mattracion, Chief of Police
Linda Polkoski, Village Treasurer
Noreen Dechon, Village Clerk

**APPROVAL OF
MINUTES
#111411-1**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the minutes of October 24, 2011 as presented.
All in favor - Aye - motion carried

DISCUSSION

Correspondence received from Supervisor Distel in reference to a \$5,000 contribution the Town of Wawarsing will be making to the Hunt Memorial Preservation with the condition that if the Village of Ellenville ever sells the building the Town will be reimbursed. After discussion about the condition placed on the Town's contribution, no action was taken.

Mayor Kaplan told board members that he had written to the Army Corps of Engineers and the NYS Department of Environmental Conservation requesting that they come to the Village to inspect the damage that has occurred on the beds and banks of the Sandburg Creek as well as other creeks in the Village. Mayor Kaplan further stated that the Town of Wawarsing does have equipment that can do work in the creek beds and he will be going to their next meeting requesting their assistance.

Tax Agreements – A list of six delinquent taxpayers was given to the board for their authorization to enter into a tax agreement with them.

**MOTION AUTHORIZING
TAX AGREEMENTS
#111411-2**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the tax agreements presented as recommended by the Village Attorney and Village Treasurer and said agreements to be executed on behalf of the Village.

All in favor - Aye - motion carried

Mayor Kaplan requested that at next meeting a sample of the agreement along with the names of property owners that have been approved for a tax agreement. Also it should be made clear that if a property owner has defaulted on a tax agreement in the past, this should be considered before entering into a new agreement.

**MOTION TO OPEN
A PUBLIC HEARING
RE: AMENDING SECTION
#171-8
#111411-3**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to open the Public Hearing at 7:15 p.m. in reference to amending Section 171-8 of the Village Code by adding an additional paragraph.

All in favor - Aye - motion carried

If agreeable to the Board, the following paragraph would be added to Section 171-8:

“The provisions of this Section 171-8 shall not apply from April 1st through October 31st to properties located upon the south side of Westwood Avenue from Linden Street to Laurel Terrace.”

The Board requested that Attorney Berger amend this paragraph to include that parking will only be permitted by the property owner and their invitees in front of their homes.

**MOTION TO ADJOURN
A PUBLIC HEARING
RE: AMENDING SECTION
#171-8
#111411-4**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to adjourn the Public Hearing at 7:21 p.m.

All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Correspondence received from Time Warner Cable informing the Village of Ellenville that their rates will be raised by \$1.00 for basic service and \$3.00 for extended service. It was requested that the Clerk find out when the last increase took place.

**MOTION TO OPEN
PUBLIC HEARING
RE: IDA LANE
TRAFFIC SAFETY
#111411-5**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to open a Public Hearing in reference to Ida Lane traffic safety at 7:25 p.m.
All in favor - Aye - motion carried

The purpose of this Public Hearing was to discuss the concerns about the condition of the road in the Ida Lane area. This road was damaged by Tropical Storm Irene resulting in the shoulder of the road washing away as well as the sides of the creek bank.

Residents that spoke about their concerns and suggestions were: Laura Sojka, Harriett McKissic, Michael Pilesi and Edward Kossar.

Discussion about closing the road or making the road a one way street and input was given by the residents and it was the consensus of all present to make Stephen Street a one way road and to place permanent barriers along the banks as well as lights. As previously stated, the Mayor has petitioned the Army Corps of Engineers as well as NYS Department of Environmental Conservation to inspect the damage caused by hurricane.

Deputy Mayor Younger requested that Town of Wawarsing be contacted to see if they could help the Village in this matter.

**MOTION TO OPEN
PUBLIC HEARING
RE: IDA LANE
TRAFFIC SAFETY
#111411-6**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to close the Public Hearing at 7:45 p.m.
All in favor - Aye - motion carried

**MOTION TO OPEN
PUBLIC HEARING
RE: IDA LANE
TRAFFIC SAFETY
#111411-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to make Stephen Street a one way street from Ida Lane towards Hill Street
Since this is an emergency situation, the Village Code will not need to be changed.

All in favor - Aye - motion carried

**MOTION TO REQUEST
STREET DEPT PLACE
BARRICADES ON
STEPHEN STREET
#111411-8**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to request the Street Department place barricades on the north side of Stephen between the creek and Stephen to safeguard the public and vehicles.

All in favor - Aye - motion carried

**MOTION TO OPEN
PUBLIC HEARING
RE: AMENDING
SECTION 222-11 (d)
ARREARS OF WATER
RENTALS
#111411-9**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to open Public Hearing at 7:45 p.m. to amend Section 222-11 (d) – arrears of water rentals.

All in favor - Aye - motion carried

**MOTION TO ADJOURN
PUBLIC HEARING
RE: AMENDING
SECTION 222-11 (d)
ARREARS OF WATER
RENTALS
#111411-10**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to adjourn Public Hearing at 7:45 p.m. to amend Section 222-11 (d) – arrears of water rentals.

All in favor - Aye - motion carried

Mrs. Gloria Stephens spoke about the condition of the condemned house on Chapel Street and Mayor Kaplan requested that the Chief of Police and Street Department Foreman look into the security of this property.

**MOTION TO REOPEN
PUBLIC HEARING
RE: AMENDING
SECTION 222-11 (d)
ARREARS OF WATER
RENTALS
#111411-11**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to reopen Public Hearing at 7:47 p.m. to amend Section 222-11 (d) – arrears of water rentals.

All in favor - Aye - motion carried

The Water Commission has recommended to the Village Board to change the Village code from 90 days arrears for termination of service to:

“ If the water rentals are in arrears for 60 days or more from the date of billing, the Water Commission may...”

**MOTION TO CLOSE
PUBLIC HEARING
RE: AMENDING
SECTION 222-11 (d)
ARREARS OF WATER
RENTALS
#111411-12**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to close Public Hearing at 7:50 p.m. to amend Section 222-11 (d) – arrears of water rentals.

All in favor - Aye - motion carried

**RESOLUTION TO ADOPT
LOCAL LAW #4 OF 2011
RE: AMENDING
SECTION 222-11 (d)
ARREARS OF WATER
RENTALS
#111411-13**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adopt Local Law #4 of 2011 amending Section 222-11 (d) – Arrears of Water Rentals

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

Motion passed.

Sewer Capital Assessments – The Water Commission is recommending to the Village Board three amendments to our sewer capital assessments which schedule is attached.

Trustee Oliveras arrived at 7:50 p.m.

**MOTION TO AFFIRM
RECOMMENDATIONS
OF WATER COMMISSION
#111411-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to affirm the recommendations of the Water Commission for three categories for the sewer capital assessment. Schedule is attached. All in favor - Aye - motion carried

**MOTION TO APPOINT
PATRICIA SEGAL TO
THE ELLENVILLE
HOUSING AUTHORITY
#111411-16**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to appoint Patricia Segal to the Ellenville Housing Authority effective immediately with term expiring July 15, 2013. All in favor - Aye - motion carried

ENGINEER'S REPORT

Don Schmalzle, Barton & Loguidice was before the board tonight to discuss the removal of contaminated soil at the Wastewater Treatment Plant.

**MOTION TO RETAIN
U.W. MARX TO REMOVE
CONTAMINATED SOIL
#111411-17**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger that upon recommendation of our engineers, the Village of Ellenville retain U.W. Marx at a price to be determined by weight at approximately \$1,745 per ton for the removal of contaminated soil at the Wastewater Treatment Plant. All in favor - Aye - motion carried

**MOTION APPROVING
PAYMENT #5 TO
U.W. MARX FOR NEW
WWTP
#111411-18**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving payment #5 to U.W. Marx, Inc. in the amount of \$526,411.06 in reference to the new Wastewater Treatment Plant Project upon recommendation of Barton & Loguidice. All in favor - Aye - motion carried

Trustee Oliveras requested an exact dollar amount of all costs expended to date for the new Wastewater Treatment Plant.

Mayor Kaplan stated that the Board's concerns about the banks and creeks in the Village and requested that Mr. Schmalzle inquire if there is any funding available to remedy these problems.

POLICE DEPARTMENT

Chief Mattracion presented to board members the October activity report and reported that firearm training took place recently.

Chief Mattracion told board members about the resignation of Officer Christopher Spylios.

**MOTION TO ACCEPT
RESIGNATION OF
CHRISTOPHER SPYLIOS
#111411-19**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the resignation of Officer Christopher Spylios effective November 13, 2011.

All in favor - Aye - motion carried

Deputy Mayor Younger questioned the Chief if he was aware of Supervisor Distel's letter in reference to the possible closing of the State Police barracks.

TREASURER'S REPORT

**BOND RESOLUTION
#111411-20**

Resolution by Trustee Oliveras, seconded by Trustee Steinhoff authorizing the issuance of up to \$1,000,000 aggregate principal amount serial bonds of the Village of Ellenville, County of Ulster, State of New York, pursuant to the local finance law, to finance the costs of construction or reconstruction of or addition to a water supply or distribution system in and for the Village.

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

Resolution passed

**MOTION TO APPROVE
EXPENDITURE TO
LUZON ENVIRONMENTAL
#111411-21**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the expenditure of \$1,195.00 to Luzon Environmental

Services to replace printer on the OEL8000II console (tank monitor) at Government Center.
All in favor - Aye - motion carried

**MOTION TO APPROVE
EXPENDITURE TO FLEETPRIDE
#111411-22**

Motion by Trustee Lopez, seconded by Trustee Steinhoff approving the expenditure of \$1,436.90 to FleetPride for two (2) manual crank tarp assembly for the Street Department upon recommendation of the Street Department Foreman.
All in favor - Aye - motion carried

**MOTION TO APPROVE
ATTENDANCE OF BRIAN
SCHUG TO TRI COUNTY
CHAPTE NYSBOC
#111411-23**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing Brian Schug's attendance at Tri County Chapter of NYSBOC on November 16, 2011 at a cost of \$30.00.
All in favor - Aye - motion carried

BOARD REPORTS

Deputy Mayor Younger questioned the status of Time Warner Cable franchise agreement.

Trustee Oliveras questioned the status of the water leaks on Clinton Avenue and Elm Street. Trustee Oliveras also reported a large tree stump on Circle Avenue/

Trustee Steinhoff spoke about notifying residents before any road paving is done in front of their properties.

Mayor Kaplan congratulated Deputy Mayor Younger and Trustee Oliveras on their re-election and looks forward to working with them for the next four years.

Mayor Kaplan reported that he sent a letter to Central Hudson Gas & Electric about burying the electric lines in the Village.

Trustee Steinhoff would like to see the board to work on our Emergency Plan before the winter begins.

Deputy Mayor Younger questioned the status of purchasing a generator for the school district.

ADJOURN

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras
to adjourn at 8:40 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk