

Village of Ellenville  
Village Board Meeting  
Monday, November 28, 2011

Meeting called to order at 7:00 p.m. with the Pledge of Allegiance by Mayor Kaplan and requested a moment of silence in memory of Robert Kuhlmann.

<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, Chief of Police  
Linda Polkoski, Village Treasurer  
Brian Schug, Code Enforcer Schug  
Noreen Dechon, Village Clerk

**APPROVAL OF  
MINUTES  
#121811-1**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the minutes of November 14, 2011 as presented.

**CONTINUATION OF  
PUBLIC HEARING  
AMENDING SECTION  
171-8  
#112811-2**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to continue the Public Hearing at 7:05 p.m.

Attorney Berger reviewed with board members the additional paragraph that will be added to Section 171-8 of the Village Code as follows:

“The provisions of this Section 171-8 shall not apply to homeowners or their invitees parking in front of their properties from April 1<sup>st</sup> through October 31<sup>st</sup> to properties located upon the south side of Westwood Avenue from Linden Street to Laurel Avenue.”

**MOTION TO CLOSE  
PUBLIC HEARING  
#112811-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to close the Public Hearing at 7:10 p.m.  
All in favor - Aye - motion carried

**RESOLUTION TO  
ADOPT LOCAL LAW  
#5 OF 2011 AMENDING  
SECTION 171-8 OF  
VILLAGE CODE  
#112811-4**

Resolution by Trustee Oliveras, seconded by Trustee Steinhoff to adopt:

**LOCAL LAW NO. 5 OF 2011 FOR THE VILLAGE OF  
ELLENVILLE TO AMEND THE VILLAGE CODE PERTAINING  
TO STORAGE OF VEHICLES**

WHEREAS, the Village of Ellenville wants to amend Section 171-8 of the Village Code by adding an additional Paragraph D;

NOW, THEREFORE, BE IT enacted by the Village Board of the Village of Ellenville:

Section 171-8 D shall be added to read as follows:

“The provisions of this Section 171-8 shall not apply to homeowners or their invitees parking in front of their properties from April 1<sup>st</sup> through October 31<sup>st</sup> to properties located upon the south side of Westwood Avenue from Linden Street to Laurel Avenue.”

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

Resolution passed.

**DISCUSSION**

Time Warner Cable – The Village of Ellenville recently received correspondence from Time Warner Cable notifying us that the cable fees will be increasing for residents effective December 1<sup>st</sup>. Mayor Kaplan recollect that last year at this time an increase had taken place and if that is the case, he would like to see a letter sent to TWC objecting to this new increase.

**MOTION TO WRITE  
LETTER TO TIME WARNER  
CABLE  
#112811-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger that subject to confirmation of a cable rate increase last year, a letter be sent to Time Warner Cable stating the Village's objection to this raise.

All in favor - Aye - motion carried

**ENGINEER'S REPORT:**

Don Schmalzle and Don Fletcher from Barton & Loguidice were before the board tonight to give an update on the Wastewater Treatment Plant project and water system improvements.

Several audience members told the Mayor and Board members of water issues they are having at their residences in the Mountain Avenue area. After discussion, Mayor Kaplan stated this matter should be top priority and taken care of immediately.

Mr. Fletcher discussed with board members the three portions for the entire water system improvements project. The total to complete all three portions is \$7,300,000 of which \$2,000,000 is grant money and the remaining \$5,300,000 will be an interest free loan for a thirty year period. Priority One consists of \$5,100,000. in improvements and Priority Two includes \$700,000 in improvements. If the board decides to include Priority Three the cost would be \$1,500,000. Trustee Oliveras suggested that in Priority Three a pump station be included for water improvements at Mountain Avenue.

**MOTION AUTHORIZING  
ENGINEERING SERVICES  
TO BARTON & LOGUIDICE  
FOR WATER SYSTEM  
IMPROVEMENT PROJECTS  
#112811-6**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to authorize Barton & Loguidice for engineering services required to

work on the Village Water System Improvements Project not to exceed \$7,300,000 of which \$2,000,000 is grant money and to be included in Priority Three is a booster pump station for Mountain Avenue.

All in favor - Aye - motion carried

Mayor Kaplan requested that Barton & Loguidice inspect Ida Lane's damage from Hurricane Irene.

**PETITIONERS &  
CORRESPONDENCE**

Joel Schreiberman inquired about the status of the Time Warner Cable franchise agreement. Attorney Berger stated that negotiations were completed last February but the Village Board instructed him not to have the Mayor sign the agreement until such time that a satisfactory response is received for all overpayment claims.

Elliott Auerbach was before the board tonight to bring to the board's attention a request for a logging permit that was received by the Town of Wawarsing. If the permit is granted, the logs will be transported through the Village on Knollwood Drive.

The Village Planning Board recommended to the Town that the Village receive a \$1,000,000 maintenance bond in the event of any damage done to our roads and/or water, sewer lines. Discussed were the drainage issues, views and property boundaries. It was requested that Attorney Berger and Manager Sheeley compose a letter to the Town Planning Board with the Village's concerns and request that the Town Engineer review the impact the hauling of logs would have on our roads.

Judi Auerbach requested an update as to when work will be done on Camp Road.

Betty Grosfent, Brook Street, spoke about a culvert pipe that has caused a sink hole on her property. Mayor Kaplan will request Juan Caba to determine what needs to be there.

Judge Parker requested that the board approve a voucher to be paid to Diana Taborda, whose services were used as a Court Interpreter.

**MOTION TO APPROVE  
VOUCHER-DIANA TABORDA  
#112811-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to approve a \$75.00 payable to Diana Tabora, for serving as a one time Court Interpreter.

All in favor - Aye - motion carried

There was discussion about advertising for a substitute court interpreter in case one is needed in the future.

#### **POLICE**

Chief Mattracian requested that the Board of Trustees accept donations given for the purchase of taser guns.

#### **MOTION TO ACCEPT DONATIONS #112811-8**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept donations from Optimum Windows, Levi Hecht and Ellenville Beverage for the purchase of taser guns for the Police Department.

All in favor - Aye - motion carried

Deputy Mayor Younger requested that when the Chief has developed the policy for the use of taser guns, the board would like to review it.

#### **MANAGER'S REPORT**

Manager Sheeley reviewed with board members her request to have pipeline inspections for the wastewater lines on Cape Avenue.

#### **MOTION TO EXPENDITURE FOR PIPELINE INSPECTIONS #112811-9**

Motion to authorize the expenditure of up to \$3,600 to KPI for pipeline inspections for wastewater line; and it possible first inquire if the Town of Fallsburg would rent/borrow their sewer camera.

All in favor - Aye - motion carried

Manager Sheeley informed board members that mold has been found in the basement of the Government Center and air samples have been taken and she will report back on the findings.

#### **TREASURER'S REPORT**

Treasurer Polkoski presented the board with the Monthly Treasurer Report.

**MOTION TO APPROVE  
CORRECTION OF AUDIT  
REPORT**

**#112811-10**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the attached correction of audit record dated 11/14/11. All in favor - Aye - motion carried

**TRUSTEE REPORTS**

Trustee Steinhoff requested that the Manager contact the School District about their options for health insurance.

Trustee Steinhoff asked the Chief to contact the towing company that recently was at the scene of a traffic accident and remind them that they have to clean up the accident debris if they want to be on our call list.

Deputy Mayor Younger suggested that the Village Attorney research logging laws to bring back to the Board.

Trustee Oliveras questioned if the Government Center had air circulating throughout the building and a report for the money expended to date on the new Wastewater Treatment Plant.

Trustee Lopez questioned the status of the leak on Clinton Avenue.

**MOTION TO ADJOURN  
INTO EXECUTIVE SESSION**

**#112811-11**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to enter in Executive Session to discuss possible litigation not to reconvene to public session at 9:10 p.m. and also adjourn in memory of Robert Kuhlmann. All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk