

Village of Ellenville  
Village Board Meeting  
Monday, December 13, 2010

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**

Peter Berger, Village Attorney  
Linda Polkoski, Village Treasurer  
Brian Schug, Code Enforcement Officer  
Philip Mattracion, Chief of Police  
Noreen Dechon, Village Clerk

**APPROVAL OF  
MINUTES  
#121310-1**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to accept the minutes of November 22, 2010 as presented.  
All in favor - Aye - motion carried

**ITEMS FOR  
DISCUSSION**

Ellenville Regional Hospital and the Institute for Family Health have formed a collaborative alliance (Ellenville, New York Technology & Broadband Alliance) that is a voluntary joining of a limited number of community anchor institutions that will come together for the purpose to seek funding for a wireless infrastructure grant. Mr. Steven Kelley, of Ellenville Regional Hospital has requested that the Village of Ellenville join their alliance.

**MOTION TO JOIN  
ELLENVILLE, NY  
TECHNOLOGY &  
BROADBAD ALLIANCE  
#121310-2**

Motion by Trustee Steinhoff, seconded by Trustee Lopez for the Village of Ellenville to join an alliance with the Ellenville, New

York Technology & Broadband Alliance for the purpose of seeking funding from various Federal funding sources for wireless infrastructure grant.

All in favor - Aye - motion carried

Ellen Selimotic – Mrs. Selimotic was before the board tonight to discuss flooding on the lower end of Roslyn Street after a heavy rain. Mrs. Selimotic describes what happens on her street and is requesting the Village to find a solution to her problem. Mayor Kaplan stated that he has requested the Village engineers to look for grant money for a study as to how to resolve this situation.

**MOTION TO  
OPEN PUBLIC  
HEARING LOCAL  
LAW #3 OF 2010  
#121310-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to open the Public Hearing for Local Law #3 of 2010 at 7:16 p.m.

All in favor - Aye - motion carried

The Village of Ellenville Police Chief and the Village of Ellenville Street Department have determined that Maiden Lane, between Maple Avenue and Canal Street is not wide enough to accommodate parking on both sides of the street during the portions of the year when public school is in session and the street may accumulate snowfall or fallen leaves.

**MOTION TO  
CLOSE PUBLIC  
HEARING LOCAL  
LAW #3 OF 2010  
#121310-4**

Motion by Trustee Oliveras, seconded by Trustee Lopez to close the public hearing at 7:20 p.m.

All in favor - Aye - motion carried

**RESOLUTION TO  
ADOPT LOCAL  
LAW #3 OF 2010  
#121310-5**

Deputy Mayor Younger, seconded by Trustee Steinhoff – NOW, THEREFORE, BE IT resolved by the Village Board of the Village of Ellenville that the Code of the Village of Ellenville be amended to add §217-56 as follows:

No person shall park a vehicle on the west side of Maiden Lane (between Maple Avenue and Canal Street) from 7:00 a.m. to 5:00

p.m. Monday through Friday, between September 1<sup>st</sup> and June 30<sup>th</sup> annually when school is in session.

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

Resolution passed

**PETITIONERS &  
CORRESPONDENCE**

Time Warner Cable – Correspondence received in reference to channel changes, additions and/or deletions.

Karen Osterhoudt – Letter of appreciation received from Mrs. Osterhoudt in reference to Officers W. Young and P. Brooks as well as George Budd in reference to their outstanding efforts during a medical emergency involving her father.

NYCOM – A sample resolution on Property Tax Cap is being sent to all municipals in reference to this matter.

**RESOLUTION FOR  
A PROPERTY TAX CAP  
THAT MUST INCLUDE  
MANDATORY RELIEF  
#121310-6**

Deputy Mayor Younger, seconded by Trustee Steinhoff:

WHEREAS the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers, do not allow

local officials to reasonably control the costs such contracts impose on property taxes; and

WHEREAS as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees;

NOW, THEREFORE BE IT RESOLVED by the Village of Ellenville that the Governor of the State of New York and the members of the New York State Senate and New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, State Majority and Minority Leaders, Assembly Speaker and Minority Leader, Senator John Bonacic, Member of Assembly Kevin Cahill and the New York State Conference of Mayors.

All in favor - Aye - motion carried

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

Manager Sheeley updated board members on the Liberty Square project. A placement of a trash receptacle and one more section of a crosswalk will be done in the near future. Also all plantings in the area were completed since the weather was cooperative. Mayor Kaplan spoke about the parking near the Post Office and the need to resolve some of the issues with this section. The possibility of parking in the rear of the Hunt Memorial was discussed and it was requested that Manager Sheeley obtain three estimates to build a sidewalk leading to this site.

**MOTION TO  
REOPEN PUBLIC  
HEARING  
RE: TWC FRANCHISE  
RENEWAL  
#121210-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to reopen the Public Hearing from the previous board meeting in reference to the renewal of the Time Warner Cable Franchise Agreement at 7:35 p.m.

All in favor - Aye - motion carried

Brenda Parks, Time Warner Cable, was at the Public Hearing tonight to answer a question that was raised at the last meeting in reference to the Real Property Tax section in the franchise agreement. Ms. Parks assured the board that the confusion over a stipulation in the new agreement that appeared to give Time Warner a tax credit for franchise fees paid by its customer in fact does not give the company tax credits for property it owns. The credit is actually related to taxes paid on various rights of way through which cable lines run.

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to adjourn the Public Hearing until January 10, 2011 at 7:15 p.m.

All in favor - Aye - motion carried

**MANAGER'S REPORT  
(CONTINUED)**

Manager Sheeley requested authorization to have an audit done for the Playground account as mandated by the Office of Parks, Recreation and Historic Preservation.

**MOTION TO AUTHORIZE  
AN AUDIT FOR PLAYGROUND  
FUND  
#121310-8**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to authorize the Mayor to sign an agreement with the accounting firm of Cooper, Niemann & Co, LLP to audit the playground account in the amount of \$2,000.00.

All in favor - Aye - motion carried

**POLICE DEPARTMENT**

Chief Mattracion also spoke about the parking situation in Liberty Square and Trustee Lopez questioned the reason for a "15 minute parking" sign in front of the T-West bar. The second matter will be looked into by the Chief.

Chief Mattracion is also warning residents about a “chimney scam” that has been brought to his department’s attention.

Chief Mattracion told board members that an arrest has been made on an assault on a homeless man.

Chief Mattracion spoke about the need to appoint an officer for 89 days due to the fact that the majority of his part time police officers are over the limit for their yearly hours.

**MOTION TO  
APPOINT DAVID  
MENDOZA FOR  
89 DAYS-40 HOURS  
PER WEEK  
#121310-9**

Motion by Trustee Lopez, seconded by Trustee Steinhoff appointing David Mendoza, Police Officer for an 89 day appointment effective December 15, 2010. This appointment is for 40 hours per week.

All in favor - Aye - motion carried

**TREASURER’S REPORT**

Treasurer Polkoski presented to board members cash report for the general fund. We are awaiting reimbursement for the Beckley Bridge project from the State. Also the water fund revenues are lagging and we have had several major water line breaks. Treasurer Polkoski stated that tax collection is at 87%.

**MOTION TO AUTHORIZE  
THE PURCHASE OF  
A 2011 TRUCK FOR  
SEWER DEPARTMENT  
#121310-10**

Motion by Trustee Lopez, seconded by Trustee Steinhoff authorizing the purchase of a 2011 truck for the Sewer Department from Van Bortel Ford in the amount of \$36,766.67.

All in favor - Aye - motion carried

**MOTION TO AUTHORIZE  
THE EXPENDITURE TO  
ROBERT GREEN TRUCK  
#121310-11**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the expenditure of \$1,319.90 to Robert Green Truck Division for the purchase of two gear box for sanders.

All in favor - Aye - motion carried

**MOTION ACCEPTING  
A LGRM GRANT  
#121310-12**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger accepting a Local Government Records Management Grant in the amount of \$16,479.00 from New York State.  
All in favor - Aye - motion carried

**MOTION TO AUTHORIZE  
EXPENDITURE TO  
KOESTER ASSOCIATES  
#121310-13**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger authorizing the expenditure of \$5,000.00 to Koester Associates for the removing and replacing gear box RBC #3.  
All in favor - Aye - motion carried

**TRUSTEE REPORTS**

Trustee Steinhoff reported that the Ellenville/Wawarsing Youth Commission met recently with the Town Board.

Trustee Lopez questioned the status of a street light on Hoar Street.

Mayor Kaplan spoke about the lights that are not working on Market Street and wished there could have been street lights installed at Liberty Square.

**MOTION TO BEGIN  
AUDIT MEETINGS  
AT 6:30 P.M.  
#121310-14**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to begin Village Board audit meetings at 6:30 p.m.  
All in favor - Aye - motion carried

**EXECUTIVE SESSION  
#121310-15**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adjourn into Executive Session at 8:30 p.m. to discuss collective bargaining and not to reconvene to Public Session.  
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk