

Village of Ellenville
Village Board Meeting
Monday, February 14, 2011

AUDIT

Auditing of the monthly bills began at 6:30 p.m.

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	Absent w/notice

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
#21411-1**

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

**PETITIONERS &
CORRESPONDENCE**

The following property owners were before the board tonight to discuss a Snow and Ice Removal charge that has been assessed to their properties.

St. John's Memorial Church – 40 Market Street – submitted a bill from the person that plows and shovels their property;

Irena Elbaum – Property manager – 8 Park Street – also submitted a bill from the person that plows and shovels their property;

Ann Turner – 285 Canal Street – stated that the reason for the snow on her sidewalk is a result of the State plows.

Valerie Tumminello – 274 Canal St – away on vacation and did not make arrangements for shoveling.

Samuel Colon – 194 Center – stated that he had shoveled.

Mayor Kaplan questioned if the property owners had been notified before any shoveling or removal of snow and ice had been done and requested that Board members consider a change to our law in reference to this matter. Mayor Kaplan stated that the City of Kingston gives out a courtesy card to property owners notifying them that shoveling will take place. Mayor Kaplan requested that our staff notify the property owner either by mail or by knocking on their door before we do any snow/ice removal.

**MOTION TO
NOTIFY RESIDENTS
BEFORE ANY SHOVELING
IS DONE
#21411-2**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras that at least eight hours notice should be given to someone before a sidewalk is shoveled unless that sidewalk previously has twice been shoveled by Village staff in the past following notice to property owner.

All in favor - Aye - motion carried

**MOTION TO
DRAFT A LETTER
TO NYS DEPT OF
TRANSPORTATION
#21411-3**

Motion by Trustee Lopez, seconded by Trustee Oliveras to draft a letter to the NYS Department of Transportation that in response to numerous complaints from frustrated residents that after shoveling the State plow puts snow and ice on their sidewalks and we would appreciate that when the snow plow goes through Ellenville that they slow down.

All in favor - Aye - motion carried

POLICE DEPARTMENT

Chief Mattracion has met with the Pastor from the Seventh Day Adventist Church in reference to them having a parade in Ellenville. There was discussion about the Church having to pay for the manpower that we be necessary for this event. This will be discussed further at the next board meeting.

Mayor Kaplan told the Chief that the Town of Wawarsing requested to use our trailer for the Youth Commission and to have the Town contact the Chief to discuss this matter.

**MOTION TO
OPEN PUBLIC
HEARING
LOCAL LAW #1
OF 2011 IN REFERENCE
TO RESIDENCY FOR
VILLAGE TREASURER &
CLERK TO THE JUSTICE COURT
#21411-4**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to open the Public Hearing at 7:35 p.m. in reference to Local Law #1 of 2011 in reference to residency for Village Treasurer and Clerk to the Justice Court.

All in favor - Aye - motion carried

Attorney Berger reviewed this Local Law with Board members and as a result the following motion was made:

**MOTION TO
CLOSE PUBLIC
HEARING
LOCAL LAW #1
OF 2011
#21411-5**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to close the Public Hearing at 7:43 p.m. in reference to Local Law #1 of 2011 in reference to residency for Village Treasurer and Clerk to the Justice Court.

All in favor - Aye - motion carried

**MOTION TO
ADOPT
LOCAL LAW #1
OF 2011 IN REFERENCE
TO RESIDENCY FOR
VILLAGE TREASURER &
CLERK TO THE JUSTICE COURT
#21411-6**

Motion by Trustee Lopez, seconded by Trustee Oliveras to adopt Local Law No. 1 of 2011:

In the Village of Ellenville, in the County of Ulster the provisions of Section 3 of the New York State Public Officers Law requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he or she shall be chosen or

within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of Treasurer or Clerk to Justice Court of the Village of Ellenville provided that such person resides in the county in which such village is location or an adjoining county within the State of New York.

Roll Call Vote:

Mayor Kaplan	Aye
Deputy Mayor Younger	Aye
Trustee Lopez	Aye
Trustee Oliveras	Aye

Motion carried.

**MOTION TO
WAIVE FEES
FOR SNOW STORMS
1/7/11 & 1/12/11
#21411-7**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to waive any fees or charges incurred during the 1/7/11 and 1/12/11 storms for the following:

St. John's Memorial Church – 40 Market Street
Joel Karpen – 8 Park Street
Ann Turner – 285 Canal Street
Valerie Tumminello – 274 Canal Street
Samuel Colon – 194 Center Street
All in favor - Aye - motion carried

ENGINEER'S REPORT

Don Schmalzle and Don Fletcher, Barton & Loguidice, were at tonight's meeting to discuss the Department of Labor's decision in reference to bidding of the new Wastewater Treatment Plant Project. The bid for General Contracting of this project will need to be re-bid.

Trustee Lopez is against spending \$10,000,000 for a new sewer plant. Mayor Kaplan spoke about the source of funding that will be received and the repayment schedule.

**MOTION TO
REJECT ALL
BIDS FOR THE GENERAL
CONTRACTING FOR
NEW WWTP
#21411-8**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to reject all previous General Contractor bids received in reference to the new Wastewater Treatment Plant Project.
All in favor - Aye - motion carried

**MOTION TO GO OUT
TO BID FOR GENERAL
CONTRACTING FOR
NEW WWTP
#21411-9**

Motion to go out for bid for the General Contracting for the sewer plant with bids returnable on March 14, 2011 at 12 noon.
All in favor - Aye - motion carried

**JOINT MEETING
WITH TOWN OF WAWARSING**

Mayor Kaplan reviewed with board members a joint meeting that he and Trustee Oliveras attended earlier today with the Town Supervisor and Councilpersons in reference to the Joint Youth Agreement.

The Village Board has made a commitment to reduce our contribution each year by 10%. Also discussed was an understanding to split costs and expenses to maintain the school pool 50/50 with an appropriate credit for in kind services. A list of anticipated repairs that will need to be done in the Spring following a walk through at the pool. This list will be distributed to the Town and the Village. Mayor Kaplan has concerns about the Town overriding the youth board and has requested the Town follow the Youth Board's recommendations for hiring personnel.

ATTORNEY'S REPORT

Wood burning stoves - Code Enforcer Schug stated that the NYS Department of Environmental Conservation published new regulations in reference to this matter and requested that board members review these.

Time Warner Cable Franchise Renewal Agreement - Attorney Berger's position is that we could sign the agreement but the Village has been waiting for a response in reference to our claim that was forwarded to them in September, 2010. It was the

consensus of the board not to sign the agreement until we receive a final answer to our request.

MANAGER'S REPORT

CDBG application for 2011 – Manager Sheeley stated that she has met with Glen Gildaly in reference to this application and his opinion is that we do not have a viable application.

Budget Workshop – A budget workshop has been scheduled for March 28, 2011 at 6:30 p.m.

Insurance Consultant Contract – Manager Sheeley gave to board members a contract to assist and advice the Village in selecting bids for insurance quotes.

**MOTION TO HIRE
INSURANCE CONSULTANT
#21411-10**

Motion by Trustee Oliveras, seconded by Trustee Lopez authorize the Manager to enter into an agreement with Marshall & Sterling at a rate of \$85.00 per hour with a maximum of 60 hours to review existing insurance policies, prepare specifications for bids, assist and advise the Village in selecting insurance bids subject to the Manager getting references from other municipalities that they used this service.

All in favor - Aye - motion carried

TREASURER'S REPORT

Trustee Retirement – Treasurer Polkoski stated that NYS law requires that Trustee Lopez submit a log of time worked in his capacity as Trustee for one month. Future elected officials will be required to submit a three month log of time worked.

**MOTION ACKNOWLEDGE
& ACCEPT UNPAID TAX
LIST
#21411-11**

Motion by Trustee Oliveras, seconded by Trustee Lopez to acknowledge receipt of unpaid Village taxes as presented.

All in favor - Aye - motion carried

**MOTION NOT TO
PUBLISH UNPAID
TAXES THAT HAVE
AN INSTALLMENT
AGREEMENT
#21411-12**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger not to publish in the newspaper any unpaid taxes that currently are on an installment payment plan.
All in favor - Aye - motion carried

BUILDING DEPARTMENT

**MOTION ACKNOWLEDGE
SNOW & ICE REMOVAL
LIST FOR 1/18 & 1/21/11
#21411-13**

Motion by Trustee Lopez, seconded by Trustee Oliveras to acknowledge receipt of the snow and ice removal list for January 18 & 21, 2011 list.
All in favor - Aye - motion carried

RESOLUTIONS

**MOTION TO
SCHEDULE A DATE
FOR GRIEVANCE NIGHT
#21411-14**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to schedule the Board of Assessment Review on February 22, 2011 between the hours of 4:00 p.m. and 8:00 p.m.
All in favor - Aye - motion carried

**MOTION TO
ACKNOWLEDGE
EMERGENCY REQUISITION
#21411-15**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to acknowledge the emergency requisition for H. Osterhoudt Excavating in the amount of \$1,975.00 for repair to a manhole frame and cover.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
PURCHASE OF FOUR SNOW
TIRES
#21411-16**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger authorizing the purchase of four (4) snow tires for the Dump trucks 6 & 7 in the amount of \$1,092.00.
All in favor – Aye – motion carried

**RESOLUTION AUTHORIZING
THE BILLING OF SNOW/ICE
REMOVAL
#21411-17**

Resolution by Trustee Oliveras, seconded by Deputy Mayor Younger authorizing the billing of snow and ice removal for the storms of January 7 & 12, 2011 subject to the ones already exempted.

All in favor - Aye - motion carried

**MOTION ACCEPTING
RESIGNATION OF
ANTHONY ZALTKIN,
UC PLANNING BOARD
#21411-18**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras accepting, with regret, the resignation of Anthony Zaltkin as the Village of Ellenville's representative to the Ulster County Planning Board.

All in favor - Aye - motion carried

**MOTION APPOINTING
ELIZABETH HOOPER,
UC PLANNING BOARD
#21411-19**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger appointing Elizabeth Hooper as the Village of Ellenville's representative to the Ulster County Planning Board.

All in favor - Aye - motion carried

**MOTION AWARDING CONTRACT
TO GOLDEN INDUSTRIAL PARK
#21411-20**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to award contract to Golden Industrial Park Inc. in the amount of \$6050.00 for work on the 5th floor relative to the NYS Archives Grant.(Golden was the lowest of 2 bids received).

All in favor – Aye – motion carried

**MOTION AWARDING CONTRACT
TO KRAFTWERKS
#21411-21**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to award contract for shelving to Kraftwerks in the amount of \$10,613.04 relative to the NYS Archives Grant. (Kraftwerks was the lowest bidder).

All in favor - Aye - motion carried

**MOTION TO ACCEPT
RECOMMENDATIONS
FROM WATER COMMISSION
#21411-22**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to accept recommendations from the Water Commission dated January 27, 2011.

All in favor - Aye - motion carried

ADJOURN

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

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk