

Village of Ellenville
Board Meeting
Monday, February 27, 2012

The meeting was called to order with the Pledge of Allegiance by Mayor Jeffrey Kaplan at 7:00 p.m.

ROLL CALL

Mayor Jeffrey Kaplan	Present
Deputy Mayor Raymond Younger	Absent w/notice
Trustee Efrain Lopez	Present
Trustee Francisco Oliveras	Present
Trustee Patricia Steinhoff	Present

ALSO PRESENT

Mary Sheeley, Village Manager
Linda Polkoski, Village Treasurer
Philip Mattracion, Police Chief
Peter Berger, Village Attorney
Brian Schug, Code Enforcer Schug
Noreen Dechon, Village Clerk

**APPROVAL OF
MINUTES
#022712-1**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to accept the minutes of February 13, 2012 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Councilman Terry Houck and Cable Commission Member Joel Schreibman were before the board tonight to discuss whether the Village of Ellenville had any interest in joining the Town of Wawarsing to publicize board meetings on Channel 23. The Town is in the process of buying the equipment needed but the Village would be responsible for installing the equipment in our building. The cost to the Village would be for the Coordinator at a yearly stipend of \$2,400.00. Mayor Kaplan requested that the Village Manager include this figure in the initial budget and on our next water/sewer bill we will ask the residents to either call or write to see if they would be interested in the Board meetings being televised.

Angelo Montvalvo – Mr. Montvalvo commented that the Citgo gas station on Route 209 has drug paraphelia being sold by their cash register and feels this is inappropriate since children go into this store.. Mayor Kaplan requested that Chief Mattracion ask Citgo to

move these items to the back of the store. Mr. Montvalvo also spoke about the increase of dog feces in his neighborhood and Mayor Kaplan suggested that the fine for this offense be increased. On the next water/sewer bill we will notify residents that there will be a significant fine if residents are found not “curbing their dog.”

Ellen Selimotic – a petition has been received from Mrs. Selimotic requesting that the Village submit an application for a flood mitigation grant. Manager Sheeley responded that our grant writer has applied for said grant and Mayor Kaplan requested that a thank you letter be sent to Mrs. Selimotic for her research and we have turned this information over to our grant writer.

MGMD – Correspondence received in reference to a credit that was given by the Water Commission for a water leak at his property. Property owner is requesting the Village Board review this matter for further relief. The Village Board will turn this matter back to Water Commission for their review again.

POLICE DEPARTMENT

Mayor Kaplan inquired about the average fine for a parking ticket and requested that Chief Mattracion review past recommendations for fines that had been suggested and set mandatory fines for the Village Board to review. Chief Mattracion spoke about new courtroom security that has been instituted and will be looking for a grant for security cameras.

MANAGER’S REPORT

Manager Sheeley spoke to board members about a need to modify the Village Code (§222-17) in reference to service line repair. The way the code is written at the present time the Village is responsible for all repairs to the service line to the curb box even if it is on private property. This is very costly to the Village and Mayor Kaplan suggested that we not go on private property and the code should be modified that the Village is responsible to the edge of the pavement (street.)

MOTION TO SCHEDULE A PUBLIC HEARING MODIFYING VILLAGE CODE

§222-17
#022712-2

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to schedule a Public Hearing on March 26, 2012 at 7:15 p.m. for the purpose of considering a modification of §222-17 of the Village Code. This law would make the property owner responsible for their service line on their property from the end of their pavement. All in favor - Aye (4); Nay (1); Trustee Lopez- motion carried

Water Rates – This will be discussed at next meeting but Mayor Kaplan requested that the Village Treasurer calculate what revenues would be gained if we raised the minimum charge for the first 5,000 gallons by various amounts.

TREASURER’S REPORT

Treasurer Polkoski gave board members a revenue and expense control report. Also reviewed were the construction amounts for the new wastewater treatment plant.

ATTORNEY’S REPORT

Timber Law Harvesting Modifications – Attorney Berger and Board members reviewed the modifications that are to be included in this legislation. These modifications are a number of maximum trees that a property owner is allowed to remove within a twelve month period as well as the diameter of the trees without having to apply for a permit and that the Planning Board should recommend to the Village Board the dollar amount of the bond required if harvesting is to take place.

T Mobile Contract – Attorney Berger reviewed with board members some of the changes that were made with the T Mobile Contract and requested that a resolution be made authorizing the Mayor to sign this agreement. Mayor Kaplan requested that a section be added in reference to the Village consenting to any sublet of the antenna.

**RESOLUTION REGARDING
ROOF TOP LEASE WITH OPTION
#022712-3**

Resolution by Trustee Steinhoff, seconded by Trustee Lopez; WHEREAS, the Village Board of the Village of Ellenville desires to enter into a Roof Top Lease with Option between T-Mobile Northeast LLC, as Tenant, and the Village of Ellenville, as Landlord; and

WHEREAS, a Lease has been prepared and reviewed by the Village of Ellenville and T-Mobile Northeast LLC:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be authorized to sign the necessary documents.

This Resolution shall take effect immediately upon its adoption.
All in favor - Aye - motion carried

Mayor Kaplan told board members about a recent study that he has reviewed concluding no causal relationship between cell phone antennas and brain cancer.

BUILDING DEPARTMENT

Frequency of issuance of Certificates of Rental Safety - Mayor Kaplan spoke about a recent issue that took place with the number of residents in an apartment. Code Enforcer Schug responded that at the time of Certificate of Rental Safety is issued there is a maximum number of occupants placed on the certificate allowed in the residence. If this is not complied with, the Certificate of Rental Safety is evoked.

RESOLUTIONS

**MOTION TO ACCEPTING
LIST OF SNOW & ICE**

#022712-4

Motion by Trustee Steinhoff, seconded by Trustee Lopez to accept the list of snow and ice charges presented at the February 13, 2012. All in favor - Aye - motion carried

**RESOLUTION APPROVING
STIPULATION OF SETTLEMENT
WITH VANESSA NIXON**

#022712-5

Resolution by Trustee Steinhoff, seconded by Trustee Oliveras:
Be it hereby resolved that the Village Board hereby approves the Stipulation of Settlement between the Village of Ellenville and Vanessa Nixon dated February 13, 2012 and authorizes the Village Manager to execute the Settlement on behalf of the Board. Said stipulation shall be attached to this Resolution and maintained on file with the Village Clerk.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
ATTENDANCE TO
CEO CONFERENCE**

#022712-6

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the attendance of Brian Schug and Nordeen Pickell at the Hudson Valley CEO 25th Educational Conference on April 18, 19 & 20, 2012 at the Mid Hudson Civic Center at a cost of \$285.00 each.

All in favor - Aye - motion carried

**MOTION APPOINTING
CHAIRMAN OF PLANNING
BOARD
#022712-7**

Motion by Trustee Lopez, seconded by Trustee Oliveras approving the appointment of Mark Steinhoff as Chairman of the Village of Ellenville's Planning Board effective immediately.

Trustee Steinhoff disclosed that Mark Steinhoff is her husband.

All in favor - Aye - motion carried

**MOTION APPOINTING
CARL ROSENSTOCK TO
PLANNING BOARD
#022712-8**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the appointment of Carl Rosenstock as a Commissioner of the Village of Ellenville Planning Board effective immediately with term expiring 7/15/14.

All in favor - Aye - motion carried

**MOTION AWARDING
BID FOR STREET DEPT
TRUCK TO ARKEL MOTORS
#022712-9**

Motion by Trustee Oliveras, seconded by Trustee Lopez awarding the bid for the purchase of a 2011 Dump Truck from Arkel Motors, New Windsor, NY for the Street Department in the amount of \$126,943.00 upon recommendation of the Village Manager and Street Department Superintendent.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
RECOMMENDATIONS FROM
WATER COMMISSION
#022712-10**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the recommendation from the Water Commission in reference to Optimum Windows. The recommendation is for an agreement with Optimum Windows in the amount of \$12,500.00 for water usage not billed in the past.

All in favor - Aye - motion carried

**MOTION APPROVING
APPROPRIATION GENERAL
FUND TRANSFER
#022712-11**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the attached appropriation transfer in the General Fund as recommended by the Village Treasurer.
All in favor - Aye - motion carried

**MOTION APPROVING
APPROPRIATION WATER
FUND TRANSFER
#022712-12**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the attached appropriation transfer in the Water Fund as recommended by the Village Treasurer.
All in favor - Aye - motion carried

**MOTION APPROVING
APPROPRIATION SEWER
FUND TRANSFER
#022712-13**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the attached appropriation transfer in the Sewer Fund as recommended by the Village Treasurer.
All in favor - Aye - motion carried

**MOTION APPROVING
CORRECTION OF
AUDIT REPORT
#022712-14**

Motion by Trustee Lopez, seconded by Trustee Oliveras authorizing the attached correction of audit report dated February 13, 2012 as recommended by the Village Treasurer.
All in favor - Aye - motion carried

**MOTION APPROVING
WATER COMMISSION
ADJUSTMENTS
#022712-15**

Motion by Trustee Oliveras, seconded by Trustee Lopez accepting the recommendations from the Water Commission for adjustments made to the billing of water/sewer bills.
All in favor - Aye - motion carried

**RESOLUTION SUPPORTING
EFFORT BY NEVELE INVESTORS
TO RENOVATE AND REVITALIZE
FORMER NEVELE GRANDE
#022712-16**

Resolution by Trustee Steinhoff, seconded by Trustee Oliveras, – WHEREAS, the Village of Ellenville recognizes the importance of a vibrant resort industry to the economic health of the Village; and WHEREAS, Nevele Investors LLC have put forth a plan to revitalize and renovate the former Nevele Grande; and WHEREAS, the plan was deemed viable by the Honorable Judge Mary Work, who approved the contract for purchase of the Nevele Grande;
WHEREAS, Nevele Investors LLC has stated that such plan is contingent upon there being a constitutional amendment to allow non-Indian gaming in New York State;
NOW, THEREFORE, the Village Board of the Village of Ellenville does hereby fully support the effort by Nevele Investors LLC to renovate and revitalize the said former Nevele Grande property and supports their efforts to do so.
All in favor - Aye - motion carried

**MOTION CHANGING
THE SCOPE OF RBEG
GRANT
#022712-17**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras acknowledging that the RBEG grant (\$99,000.00) originally applied for requesting funds for a geothermal project at the Government Center be rescinded and to change the scope of the agreement to HVAC systems for the tenants of the Government Center.
All in favor - Aye - motion carried

Trustee Steinhoff suggested that we explore prices for employees' health insurance.

Mayor Kaplan spoke about the need for businesses to occupy vacant buildings in the Village. He further stated that the Village Board is committed to having new businesses in the Village and if necessary changing the Village code redefining a commercial zone use.

Trustee Steinhoff reported that work needs to be done at the Softball field and the Village Manager will look into this matter.

ADJOURN

Motion by Trustee Lopez, seconded by Trustee Oliveras to adjourn the meeting at 8:46 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk