

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

The Board of Trustees convened a workshop at 6:30 p.m. First on the agenda was a discussion with Robin Badjun and Renee Mincione from Catskill Hudson Bank to discuss a proposal to collect and process the 2011/2012 Village taxes.

This workshop was to review the preliminary 2011/2012 budget. Manager Sheeley stated that if all department requests were honored the result would be an increase of 11.4% and is sure this is unacceptable to all board members. To achieve a reduction of 1% the budget would need to be reduced by \$30,848. Manager Sheeley further stated that many of our costs are fixed or contingent on other factors such as retirement, health insurance, etc. and these cannot be changed or reduced arbitrarily. The retirement and health insurance premiums will be increased by 19%. Discussion took place as to the number of village employees and also ways to cut expenses. It was requested that Manager Sheeley investigate other health insurance options. Treasurer Polkoski stated that the reserve accounts for interest is down 37% and our assessments are also down 1 ½%. The Mayor and Board of Trustees will meet again to revisit the budget.

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

**APPROVAL OF  
MINUTES  
#032811-01**

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

All in favor - Aye - motion carried

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to accept the minutes of March 17, 2011 as presented.

All in favor - Aye - motion carried

**PETITIONERS &  
CORRESPONDENCE**

Correspondence received from Ulster County Office for the Aging seeking centenarians for celebration of aging event.

Correspondence received from Time Warner Cable in reference to cable additions and/or deletions.

Ellenville-Wawarsing Chamber of Commerce. Request for Saturday, August 13, 2011 to close streets from 6:00 a.m. to 6:00 p.m. for the Shawangunk Mountain Wild Blueberry & Huckleberry Festival. Mayor Kaplan requested that a letter be sent to the Town of Wawarsing indicating that this festival is a town wide event and request that a contribution be made to help pay half the costs incurred by the Village. If a contribution is not received maybe this festival should be rotated throughout the Town. A copy of this letter should also be sent to the Chamber of Commerce.

New York State Conference of Mayors – correspondence received in reference to property tax cap and the State budget update.

**MOTION FOR A  
RECOMMENDATION  
TO NY STATE  
#032811-2**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to make a recommendation to the State that any additional mandates passed down to municipalities should be funded by State taxpayers.

All in favor - Aye - motion carried

Joel Schreiber – inquired about the status of the Time Warner Cable franchise agreement and Attorney Berger stated that he has not received any response to his inquiries.

Seventh Day Adventist Church – A representative from this church was before the board tonight to discuss an event/parade that will be held in the Village on April 17, 2011. Chief Mattracion had met with Pastor Jordan to discuss the route of this parade and the cost that would be incurred. Discussion about the possibility of having members from the Fire Department do traffic control or to have the

Church bear the cost of the police personnel that would be needed to work this event. It was requested that the Chief, Manager Sheeley and Brian Schug discuss this matter with Pastor Jordan before the next Village board meeting.

**DISCUSSION**

Mayor Kaplan requested that board's approval for him to enter into an agreement and sign a Declaration for the New York Main Street Program with the RUPCO for reimbursement of funds for the Liberty Square Streetscape.

**MOTION AUTHORIZING  
THE MAYOR TO SIGN AN AGREEMENT  
AND DECLARATION FOR THE NY  
MAIN STREET PROGRAM  
#032811-3**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing the Mayor to sign an agreement and Declaration for the New York Main Street Program with RUPCO for funds for the reimbursement of funds.  
All in favor - Aye - motion carried

**POLICE DEPARTMENT**

Chief Mattracion & Brian Schug spoke in support of placing a "No Parking" sign in the alley on Market Street behind properties that abuts Center Street. The Village of Ellenville has a right-of-way and there has been a problem with vehicles parking there.

**MOTION FOR A  
"NO PARKING SIGN"  
#032811-4**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras that based on the recommendation from the Chief of Police and the Building Inspector that a "No Parking Sign" be installed in this alley subject to the Village Attorney's review of survey map and our attorney confirms that the Village does have a right of way.  
All in favor - Aye - motion carried

Chief Mattracion also spoke about the costs incurred for personnel during "special events" in the Village and suggested that the organization running the event take on the responsibility for these expenses. Mayor Kaplan requested that the Village Attorney contact NYCOM for any draft legislation they may have in references to fees being charged for use of public roadways.

## **ENGINEER'S REPORT**

Mayor Kaplan told board members about emergency repairs to the RBCs that will need to be done at the sewer plant. Engineer Don Fletcher said that all the estimates that have yet to be received and does not recommend at this time the drive shaft for the RBC be repaired and the board agreed with him until more research is done.

Engineers Don Fletcher, Don Schmalzle along with Glen Gildaly from Barton & Loguidice was at the meeting tonight discuss the new Wastewater Treatment Plant project. Lengthy conversation took place about the original cost of the project three years ago as well as the funding sources. Mayor Kaplan stated two stipulations that would have to be met before any approval is given for this project and they were: confirmation that the additional funds that need to be borrowed are interest free and that the engineers review the plans to look at cost reductions in the specs. Also discussed was the contingency amount of \$400,000 that was built into the project and change orders are to be approved by the Village Manager Sheeley and Code Enforcer Schug unless they feel it should be presented to the Board of Trustees. The majority of board members felt that the project needs to go forward with a new plant.

## **MANAGER'S REPORT**

### **MOTION TO ACCEPT PROPOSAL FROM CATSKILL HUDSON BANK FOR LOCKBOX SERVICE #032811-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the presentation made by Catskill Hudson Bank to have lockbox service for tax collections at no cost to the Village.  
All in favor - Aye - motion carried

Building Maintenance – Manager Sheeley presented board members with a proposal from Tougher Industries Enterprises LLC for the maintenance, inspection and monitoring of our HVAC equipment. Mayor Kaplan requested that this matter be tabled until next meeting after references are checked.

Central Hudson Lighting & Energy Management Program – Manager Sheeley told board members about a project offered through Central Hudson that reduce our lighting costs and improve efficiency.

**MOTION TO APPROVE  
CENTRAL HUDSON LIGHTING  
AND ENERGY MANAGEMENT  
PROGRAM  
#032811-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve entering into the Central Hudson Lighting and Energy Management Program to reduce lighting costs and improve efficiency. This will be at no cost to the Village under this program; but would have to assign our EPACT credits (lighting project only) to Alliance Energy to cover our share of the project cost.

All in favor - Aye - motion carried

**MOTION TO APPROVE  
SPRING CLEAN UP  
SCHEDULE  
#032811-7**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to approve the following dates for the Spring Clean Up and these are the only dates:

April 18, 2011 – May 13, 2011

All in favor - Aye - motion carried

**ATTORNEY'S REPORT**

**RESOLUTION REGARDING  
ASSIGNMENT OF EASEMENT  
BETWEEN BUTTERMILK FALLS  
AND VILLAGE OF ELLENVILLE  
#032811-8**

Resolution by Trustee Lopez, seconded by Trustee Steinhoff:

WHEREAS, the Village Board of the Village of Ellenville desires to enter into an Assignment of Easement between Buttermilk Falls Townhouses Homeowners Association, Inc., as Assignor, and the Village of Ellenville, as Assignee:

NOW, THEREFORE, that the Mayor be directed to sign the necessary documents.

All in favor - Aye - motion carried

Village Code – Section 227-28A – Attorney Berger presented to board members draft legislation adding the following to Section 227-28 A in the Village Code:

“Notwithstanding the foregoing, single bedroom apartments may be located on the ground or street level, on the same floor or the floor before any non-residential use, if the apartment is fully handi-cap accessible and the apartment does not front on the public street.

Mayor Kaplan stated this he wanted legislation to be very specific that this apartment is only a one bedroom, limited occupancy for handi-cap occupants. Attorney Berger will review and this will be discussed again in the near future.

#### **TREASURER’S REPORT**

##### **MOTION TO APPROVE ATTACHED CORRECTION OF AUDIT RECORD #032811-9**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the attached audit record of March 14, 2011.  
All in favor - Aye - motion carried

#### **BUILDING DEPARTMENT**

Kushner’s Pond - Code Enforcer Schug spoke about a problem that the Village is having with the preventive maintenance of the culvert pipe at this pond. A grate has been placed over this culvert and is constantly vandalized and Mr. Schug is recommending placing a sign “Property of Village of Ellenville.” Attorney Berger will speak to the property owner who owns this pond.

#### **RESOLUTIONS**

##### **MOTION AUTHORIZING ATTENDANCE OF CLERK TO THE JUSTICE COURT TRAINING PROGRAM #032811-10**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Clerk to the Justice Court attendance at an April 9, 2011 Judicial District Court Clerk’s Training in Albany, NY. Board members requested a short summary of the conference after it takes place.  
All in favor - Aye - motion carried

**MOTION ACCEPTING  
W/S ADJUSTMENTS PER  
WATER COMMISSION  
#032811-12**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to accept adjustments to water/sewer accounts as recommended by the Water Commission dated July 1, 2010 – December 31, 2010.  
All in favor - Aye - motion carried

**MOTION AUTHORIZING  
EXPENDITURE TO KMA  
CONSTRUCTION  
#032811-13**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the additional expenditure of \$1,500 to KMA Construction for the completion of the Records Room.  
All in favor - Aye - motion carried

**MOTION TO TABLE  
EXPENDITURE TO  
ABB INC.  
#032811-14**

Motion to table by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the expenditure of \$1,235.65 to ABB Inc. for the semi-annual calibration of flow equipment for the Sewer Plant.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
ISSUANCE OF SERIAL BONDS  
FOR CONSTRUCTION OF WWTP  
#032811-15**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the issuance of up to \$10,500,000 aggregate principal amount serial bonds to finance the costs for the acquisition, construction and reconstruction of improvements to the Village Sewer System.

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

Motion passed

**WASTEWATER TREATMENT PLANT BIDS**

**RESOLUTION AWARDING  
BID FOR CONTRACT 1D**

**#032811-16**

Motion by Trustee Lopez, seconded by Trustee Steinhoff awarding Contract 1D - Electrical Construction to J&J Sass Electric for the new Wastewater Treatment Plant in the amount of \$597,500.00.  
All in favor - 3 Aye; 1 Nay; Trustee Oliveras  
Motion passed

**RESOLUTION AWARDING  
BID FOR CONTRACT 1C**

**#032811-17**

Motion by Trustee Lopez, seconded by Trustee Steinhoff awarding Contract 1C - Mechanical Construction Family Danz for the new Wastewater Treatment Plant in the amount of \$319,730.00 .  
All in favor - 3 Aye; 1 Nay; Trustee Oliveras  
Motion passed

**RESOLUTION AWARDING  
BID FOR CONTRACT 1B**

**#032811-18**

Motion by Deputy Mayor Younger seconded by Trustee Steinhoff awarding Contract 1B - Plumbing Construction to S & O Construction Services for the new Wastewater Treatment Plant in the amount of \$113,490.00 .  
All in favor - 3 Aye; 1 Nay; Trustee Oliveras  
Motion passed

**RESOLUTION AWARDING  
BID FOR CONTRACT 1A**

**#032811-19**

Motion by Deputy Mayor Younger seconded by Trustee Steinhoff awarding Contract 1A - General Construction to U.W. Marx, Inc. for the new Wastewater Treatment Plant in the amount of \$7,570,860.00.  
All in favor - 3 Aye; 1 Nay; Trustee Oliveras  
Motion passed



**BOARD REPORTS**

Mayor Kaplan reported that the Village Board had a neighborhood walk earlier tonight on Edwards Place/Hoar Street and met James Reed who told the board he will be expanding his business with the possibility of five new jobs.

Deputy Mayor Younger questioned if the board looked at the property on Hoar Street where the resident is requesting a light pole. Mayor Kaplan responded that there are already two street lights on that block and does not feel another one is necessary. Manager Sheeley will call Central Hudson requesting that some limbs be cut back so the street light can shine more effectively.

**EXECUTIVE SESSION**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to enter into Executive Session at 9:08 p.m. to discuss land contracts and personnel matters not to reconvene to public session. All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk