

Village of Ellenville
Board Meeting
Monday, April 23, 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	Present
Trustee Efrain Lopez	Present
Trustee Francisco Oliveras	Absent w/notice
Trustee Patricia Steinhoff	Arrived @ 7:15 p.m.

ALSO PRESENT

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

Mayor Kaplan discussed an event that occurred during the last Board of Trustees meeting where a resident made disparaging remarks about the board and an employee. The Mayor stated that he has tried to keep board meeting informal but will not tolerate inappropriate remarks or attacks on anyone.

**MOTION NOT
ALLOWING PERSONAL
COMMENTS ABOUT
INDIVIDUALS/STAFF MEMBERS
#042312-1**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger that speakers before the Board of Trustees who make disparaging remarks about individuals will be asked to terminate their address immediately and if it is not done voluntary, they will be removed by a Police Officer.

All in favor - Aye - motion carried

Mayor Kaplan further spoke about the loss of approximately 2,000 jobs in our community and when Manager Sheeley came into office the Village was in a deficit and for the past three fiscal years there has been a surplus in our general fund. Mayor Kaplan had numerous inquired from different businesses looking to relocate into the Town and Village and he believes there will positive things happening in the near future.

**APPROVAL OF
MINUTES
#042312-2**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to approve the minutes of March 26 & April 9, 2012 as presented. All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Betty Grosfent – inquired about reimbursement for work she has had done on her property. Mayor Kaplan stated that this will be discussed in Executive Session and a decision will be made tonight.

Howard Osterhoudt on behalf of the Shawangunk Country Club requested to close the Nevele Road to local traffic only on Sunday, May 6, 2012. Mayor Kaplan requested that Mr. Osterhoudt coordinate this request with the Chief of Police.

John VanErem – spoke to board members in reference to his water/sewer bill and questioned how the public gets notification about public hearings. Also Mr. VanErem spoke about his issue with barking and/or loose dogs.

Richard Weinman – apologized for his comments that were made at the last Village Board meeting.

John VanErem – commented that the use of salt on the Village streets does a great job in keeping the roads clear.

DISCUSSION

Water Saving Measurers – Mayor Kaplan has a concern and wants the Village to be prepared in the event of a major fire. In the event of a drought or a fire the Village wants to make sure that all our hydrants are working properly. A schedule of flushing the hydrants has been established and will take place in mid-May.

81 N. Main Street – As requested by a Board member, a brief history of the bell in front of 81 N. Main Street was given and there was some discussion about moving this bell to other Village properties. Further research will be done as to a possible site that this bell might be moved to.

Taxi Licenses & Drivers Fees – Manager Sheeley stated that the fees for taxi licenses and driver's fees have not increased in sixteen years. There was discussion about increasing the taxi licenses

from \$275.00 to \$300.00 and this would need to be done by Local Law at a Public Hearing.

**MOTION TO
SCHEDULE PUBLIC
HEARING FOR LOCAL
LAW- FOR INCREASING
TAXI LICENSE FEES
#042312-2**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to schedule a Public Hearing on May 14, 2012 at 7:15 p.m. to discuss a Local Law to consider increasing the fee for a taxi license from \$275.00 to \$300.00.

All in favor - Aye - motion carried

PUBLIC HEARING

**MOTION TO
REOPEN PUBLIC
HEARING FOR 2012/2013
VILLAGE BUDGET
#042312-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to reopen the Public Hearing in connection with the 2012/2013 Village Budget at 7:40 p.m.

All in favor - Aye - motion carried

Treasurer Polkoski discussed with Board members the retirement estimates that were questioned at the last board meeting.

There was not public comment at this time.

**MOTION TO
CLOSE PUBLIC
HEARING FOR 2012/2013
VILLAGE BUDGET
#042312-3**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to close the Public Hearing in connection with the 2012/2013 Village Budget at 7:45 p.m.

All in favor - Aye - motion carried

**MOTION TO
ADOPT 2012/2013
VILLAGE BUDGET
#042312-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adopt the 2012/2013 Village Budget for the General, Water & Sewer Funds. The amount to be raised by taxes is \$3,343,873.00.

All in favor - Aye - motion carried

**MOTION TO
REOPEN PUBLIC
HEARING FOR SERVICE
LINE MODIFICATION
LOCAL LAW #2 OF 2012
#042312-5**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to reopen the Public Hearing for amending the Village Code for service line modifications at 7:46 p.m.
All in favor - Aye - motion carried

Michael Avery, Water Superintendent spoke to board members and the public in reference to a modification to the Village Code pertaining to the maintenance and responsibility of the water service line. Mr. Avery had a model of a water service line, corporation stop and curb stop and demonstrated how they worked. Mr. Avery commented that he feels the Village Code should not be changed.

**MOTION TO
CLOSE PUBLIC
HEARING FOR SERVICE
LINE MODIFICATION
LOCAL LAW #2 OF 2012
#042312-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to close Public Hearing at 7:55 p.m.
All in favor - Aye - motion carried

It was the sentiment of the Village Board after reviewing this section of the Village code to leave the law at it presently is.

POLICE

Chief Mattracion reported that the graffiti on some local buildings have been removed by the persons who were responsible for placing it there.

Chief Mattracion further reported that he has been inquiring about parking fees for violations in other communities.

Mayor Kaplan inquired if the Chief has meet with the Chamber of Commerce in reference to the Cinco de Mayo parade and Mayor Kaplan noted that the board did not do a formal vote to approve this parade.

**MOTION TO
APPROVE CINCO
DE MAYO PARADE
#042312-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to approve the request from the Chamber of Commerce to host a Cinco de Mayo parade that will take place from the Ellenville Public Library to Gaby's Restaurant subject to review and approval from the Chief of Police.
All in favor - Aye - motion carried

Chief Mattracion introduced William Carrilli a candidate for a part time police officer to the board.

**MOTION TO
APPOINT WILLIAM
CARELLI, PART TIME
POLICE OFFICER
#042312-8**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez appointing William Carelli as part time police officer at the rate of \$13.00 per hour, training rate, in accordance with the collective bargaining agreement between the Village of Ellenville and the Ellenville Police Benevolent Association, effective February 15, 2012. This appointment is recommended by Chief Mattracion, Deputy Mayor Younger, Trustee Lopez and Manager Sheeley, all of whom interviewed the candidate.
All in favor - Aye - motion carried

ENGINEERS REPORT

Don Fletcher and Don Schmalzle from Barton & Loguidice were before the board tonight to discuss the bond resolution for the Water System Improvements and HELP Fund Application.

Mayor Kaplan questioned the spreadsheet that was given to the board from the Village Treasurer in reference to Sewer Rebuild Project. This will be discussed in length later in the meeting. In the review of this report it was noted that Time Warner Cable has not paid their franchise fees and Mayor Kaplan requested that the Village Attorney contact the Attorney General's office to voice our concern.

Mayor Kaplan reviewed with Don Fletcher the engineering fees that the Village has paid to date for the new wastewater treatment plant. Mayor Kaplan stressed the importance of the Board of Trustees having up to the minute and correct figures for expenditures on this project.

Don Fletcher addressed the HELP application for a “bridge loan” of \$1,000,000 that can be borrowed for a period of five years at zero percent. This will help the Village with repairs that we have made as a result of Hurricane Irene and have been reimbursed from FEMA.

**RESOLUTION DECLARING
VOE LEAD AGENCY- REHABILITATION
AND REPLACEMENT OF VARIOUS
DRINKING WATER, ETC.**

#042312-8

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger declaring the Village of Ellenville as lead agency for the rehabilitation and replacement of various drinking water, storm water and waste water facilities as well as the Clinton Avenue bridge improvements project which were damaged as a result of Hurricane Irene and issue a Negative Declaration with respect to this project.

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

Motion passed.

**RESOLUTION DECLARING
VOE LEAD AGENCY- WATER
SYSTEM IMPROVEMENTS**

#042312-9

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger declaring the Village of Ellenville as lead agency for the water system improvements project and issues a Negative Declaration with respect to this project.

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

Motion passed.

**RESOLUTION AUTHORIZING
WATER SYSTEM IMPROVEMENT-
BOND RESOLUTION**

#042312-10

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing water system improvements in and for the Village of Ellenville, Ulster County, NY, at a maximum estimated cost of \$7,300,000 and authorizing the issuance of \$7,300,000 bonds.

Roll Call Vote:	Mayor Kaplan	Aye
	Deputy Mayor Younger	Aye

Trustee Lopez Aye
Trustee Steinhoff Aye

Motion passed.

MANAGER'S REPORT

Manager Sheeley reviewed with board members a schedule of when the fire hydrants in the Village will be checked and flushed.

Manager Sheeley further stated that in reference to the stabilization work needed to be done on Ida Lane and Roslyn Street two engineering firms have responded to our inquiry for a Request for Qualifications. In the very near future a Request for Proposal will be advertised for engineering services for the stabilization of the stream banks on Ida Lane and Roslyn Street.

Mayor Kaplan spoke about the devastating disasters that have been occurring in our country and would like to see a dedicated effort for emergency services/plans and schedule a meeting with the Town of Wawarsing to discuss these issues.

TREASURER'S REPORT

Treasurer Polkoski reported that 85% of the tax revenues have been collected. Mayor Kaplan requested that someone in the Village office review the revenues to determine if a certain line item has not been paid and if not then contact the entity.

ATTORNEY'S REPORT

Attorney Berger told the Mayor that he has reviewed the Youth Recreation Program's contract and it is the same as last year with the exception of the Village's contribution of funds reduced by 10%. Also determined was the Town of Wawarsing is the lead agency with the running of the pool.

BUILDING DEPARTMENT

Code Enforcer Schug gave a brief synopsis of the recent conference he attended and one main item that he learned was the proposed legislation requiring construction of new single family residences is required to have a fire sprinkler system.

**MOTION OPPOSING
PROPOSED LEGISLATION
FOR MANDATORY SPRINKLER
SYSTEM INSTALLATION
#042312-11**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff that a resolution be passed stating that the Village of Ellenville is opposed to the proposed legislation requiring any new single family construction to be mandated requiring the installation of a

sprinkler system in New York State. This resolution is to be sent to NYCOM, Association of Towns & Cities and Association of Mayors and Supervisors.

All in favor - Aye - motion carried

Also discussed at this conference were Green Building Construction and the use of all energy efficient products to be used during construction.

RESOLUTIONS

MOTION APPROVING PAYMENT TO FAMILY DANZ HEATING & A/C #042312-12

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving payment #2 to Family Danz Heating & A/C Inc. in the amount of \$29, 324.60 in reference to the new Wastewater Treatment Plant project upon recommendation of Barton & Loguidice and Building Inspector.

All in favor - Aye - motion carried

MOTION APPROVING PAYMENT TO U.W. MARX, INC. #042312-13

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving payment #10 to U.W. Marx, Inc. in the amount of \$570,152.31 in reference to the new Wastewater Treatment Plant project upon recommendation of Barton & Loguidice and Building Inspector.

All in favor - Aye - motion carried

MOTION APPROVING CHANGE ORDERS #7-12 #042312-14

Motion accepting change orders #7 – 12 in reference to the new Wastewater Treatment Plant project upon recommendation by Barton & Loguidice and Building Inspector (see attached).

All in favor - Aye - motion carried

MOTION APPROVING EXPENDITURE TO BRINKERHOFF TREE #042312-15

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff approving the expenditure of \$2,200.00 to Brinkerhoff Tree Services for the removal of two trees as recommended by the Village Manager and Street Department Foreman.

All in favor - Aye - motion carried

**MOTION REAFFIRMING
ATTENDANCE OF CLERK TO
JUSTICE FOR TRAINING
#042312-16**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger reaffirming the attendance of Maria Mansfield, Clerk to the Justice, to attend training on Saturday, April 21, 2012 in Albany, NY as recommended by Judge Parker.

All in favor - Aye - motion carried

**MOTION ACCEPTING
RESIGNATION OF
JOHN CONSTANTINE
#042312-17**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger accepting the resignation of John Constantine, Sewer Treatment Operator, for purpose of retirement effective October 23, 2012 with regret.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
ADVERTISING OF
ANTICIPATED VACANCY
#042312-18**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village Manager to advertise for the anticipated vacancy of the Sewer Treatment Operator.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
CORRECTION OF
AUDIT RECORD
#042312-19**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the correction of the audit record dated 4/9/12 upon recommendation by the Village Treasurer (see attached)

All in favor - Aye - motion carried

**MOTION AUTHORIZING
BUDGET AMENDMENTS
#042312-20**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the attached Budget Amendment for the 2011/12 upon recommendation by the Village Treasurer.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
APPROPRIATION TRANSFERS
#042312-21**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing the attached appropriation transfers for the General & Water Funds upon recommendation by the Village Treasurer.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
HIRING OF ERNEST FAUST
#042312-22**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to authorize the hiring of Ernest Faust, Flood Control, beginning April 1, 2012 through September 30, 2012 at a salary of \$1,074 per month.
All in favor - Aye - motion carried

**MOTION APPROVING
ANNE MARIE OGLE
TWENTY HOURS FOR
TRAINING
#042312-23**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve Anne Marie Ogle a maximum of twenty hours of training for the new Clerk to the Justice.
All in favor - Aye - motion carried

BOARD CONCERNS

Deputy Mayor Younger questioned the status of 42 Chapel Street and Code Enforcer Schug stated that he has recently heard from the owner.

Deputy Mayor Younger would also like to discuss our PILOT agreements at the next board meeting.

Trustee Steinhoff updated the board on the Summer Youth Recreation Program and spoke about the condition of the sign at 81 N. Main Street.

**MOTION TO
ENTER INTO EXECUTIVE
SESSION
#042312-24**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to enter into Executive Session at 9:15 p.m. to discuss personnel and legal matters and if necessary, return to Public Session
All in favor - Aye - motion carried

**MOTION TO
ENTER BACK TO
PUBLIC SESSION
#042312-25**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to re-enter into Public Session at 9:27 p.m.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
PAYMENT TO BETTY
GROSFENT
#042312-26**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve payment of \$1,000 to Betty Grosfent, 1 Brook Street, Ellenville, for reimbursement for damage done to her property on the condition that a General Release is signed.
All in favor - Aye - motion carried

**MOTION TO
ADJOURN
#042312-27**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to adjourn at 9:30 p.m.
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk