

Village of Ellenville  
Board Meeting  
Monday, April 9, 2012

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

<b>ROLL CALL</b>	Mayor Jeffrey Kaplan	Present
	Deputy Mayor Raymond Younger	Present
	Trustee Efrain Lopez	Present
	Trustee Francisco Oliveras	Present
	Trustee Patricia Steinhoff	Present

**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 stated the Village Board had a workshop earlier this evening with the Town of Wawarsing board to discuss the possibility of combining services between the Town and Village.

Also earlier this evening the Trustees did a walk at the Street Department facilities and discussed different energy saving projects that need to be done there.

**PETITIONERS &  
CORRESPONDENCE**

Time Warner Cable – Correspondence received in reference to internal restructuring involving the cable franchise in our community.

Empower Ellenville – requesting permission to host a Voter Registration on Saturday, May 26, 2012 in Liberty Square.

**MOTION GRANTING  
PERMISSION TO HOST  
A VOTER REGISTRATION  
TO EMPOWER ELLENVILLE  
#040912-1**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras granting permission to Empower Ellenville to host a Voter Registration Festival on Saturday, May 26, 2012 from 10:00 am – 4:30 p.m. in Liberty Square subject to applicants meeting with the Chief of Police before the event takes place.

All in favor - Aye - motion carried

Judge Matthew Parker was before the board tonight to discuss the appointment of a new Clerk to the Justice. Judge Parker reported that several people have been interviewed and he is recommending Maria Mansfield to this position.

**MOTION TO APPOINT  
CLERK TO THE JUSTICE  
#040912-2**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to appoint Maria Mansfield as Clerk to the Justice effective April 10, 2012 at a yearly salary of \$23,062.00.

All in favor - Aye - motion carried

**MOTION TO APPROVE  
ANNE MARIE OGLE FOR PER DIEM  
TRAINING  
#040912-3**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to approve Anne Marie Ogle, at a per diem rate for training purposes to the new Clerk to the Justice.

All in favor - Aye - motion carried

Michael Moschetta, Scoresby Fire Department and Steve Grundt, Ellenville Fire District were before the board tonight requesting permission to host an event to recruit volunteers to their organizations. This event will take place on April 21 & 22, 2012 from 8:00 am – 4:00 pm. Chief Mattracion stated that he has spoken to both gentlemen and they have made the necessary arrangements for traffic control.

**MOTION TO AUTHORIZE  
RECRUITMENT DAY TO  
ELLENVILLE FIRE DISTRICT  
#040912-4**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the Ellenville Fire District to close a portion of Liberty Street from Route 209 to the end of Scoresby property on April 21 & 22, 2012 from the hours of 8:00 am – 4:00 p.m. The Fire District will be hosting an event for the recruitment of volunteers.

All in favor - Aye - motion carried

Mayor Kaplan on behalf of the Village Board thanked the Fire District for all their efforts over the past weekend.

Dan Mangieri spoke about his recent water/sewer bill and discussed the rising rates and his inability to pay these amounts.

Betty Grosfent – Questioned the status of a bill that she submitted to the Village Board in regards to repairs made at her property. Attorney Berger will look into this matter and contact Mrs. Grosfent.

Rick Weinman – Discussed his water/sewer bill, abandoned cars, litter and his dissatisfaction with the Village Manger and Village Board.

**MOTION TO OPEN  
PUBLIC HEARING  
RE: 2012/2013 BUDGET  
#040912-5**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to open the Public Hearing for the 2012/2013 Village Budget at 7:15 p.m. All in favor - Aye - motion carried

Different line items were reviewed and the following motions were made:

Motion by Trustee Lopez, seconded by Trustee Steinhoff to amend the Judicial salary budget line to \$49,500. All in favor - Aye - motion carried

Motion by Trustee Lopez, seconded by Trustee Steinhoff to reduce the engineering budget line to \$20,000. All in favor - Aye - motion carried

There was discussion in reference to reducing the Police Salary line to \$1,050,000 and increase the retirement line to \$165,705. Mayor Kaplan requested that the Village Manager and Treasurer meet before the next board meeting and review these changes.

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to reduce the Street Snow Removal line to \$50,000. All in favor – Aye – motion carried.

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to add \$500 to the Arts Initiative Line. All in favor – Aye – motion carried

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to add \$250 to the Farmer’s Market Line. All in favor – Aye – motion carried

Elliott Auerbach inquired about the tax levy cap, our Debt Service and employee benefits.

**MOTION TO ADJOURN  
PUBLIC HEARING  
RE: 2012/2013 BUDGET  
#040912-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adjourn the Public Hearing to April 23, 2012 at 7:45 p.m.  
All in favor - Aye - motion carried

**MOTION TO REOPEN  
PUBLIC HEARING  
SERVICE LINE  
MODIFICATION  
#040912-7**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to reopen the Public Hearing in reference to Service Line Modification, Local Law #2 of 2012 at 7:45 p.m.  
All in favor – Aye – motion carried

Attorney Berger reviewed with board members the proposed amendment to the Village code in reference to water service lines.

Discussion ensued about the steps that are taken at this time when there is a break in the service line and also the subject of Village personnel going on to private property to make repairs. It was requested that Michael Avery, Water Department Superintendent, attend our next Village Board meeting to discuss this matter.

**MOTION TO ADJOURN  
PUBLIC HEARING  
RE: SERVICE LINE  
MODIFICATIONS  
#040912-8**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adjourn the Public Hearing to the next meeting in reference to service line modifications, Local Law #2 of 2012.  
All in favor - Aye - motion carried

Motion by Trustee Lopez, seconded by Trustee Oliveras to vote in opposition to Local Law #2 of 2012 not to amend the Village Code in reference to Service Line modifications.

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

Motion failed

**DISCUSSION**

Mayor Kaplan requested to discuss the Sewer Capital Assessment on vacant properties. In some cases, these vacant properties are residents' backyards and he is proposing that if a property owner has a lot that is adjoining their residence that they not be charged a separate fee.

**MOTION TO SUSPEND  
COLLECTION OF  
SEWER CAPITAL ASSESSMENT  
FEES ON VACANT LOTS  
#040912-9**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger that the Village suspend collection of sewer capital assessment fees on vacant lots effective April 1, 2012 going forward until such further information is obtained.

All in favor - Aye - motion carried

**POLICE DEPARTMENT**

Chief Mattracion discussed with board members the establishment of a safe room in the Government Center and also the installation of a deadbolt lock in the Court/Meeting Room as well as the Processing Room on the second floor.

**MOTION TO INSTALL  
DEADBOLT LOCKS ON  
CERTAIN DOORS IN THE  
GOVERNMENT CENTER  
#040912-10**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to replace the lock on the Court/Meeting Room and the Processing Room on the second floor with a deadbolt locks.

All in favor - Aye - motion carried

Chief Mattracion reported that in-service training for his personnel has been completed.

**MANAGER'S REPORT**

**MOTION AUTHORIZING  
T. VAN LEUVEN TO ATTEND  
NYRWA CONFERENCE  
#040912-11**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to authorize Thomas VanLeuven to attend a conference for New York Rural Water Association class on May 21 – 24, 2012. The cost of the conference is \$385.00 plus hotel accommodations in the amount of \$357.00.

All in favor - Aye - motion carried

**MOTION TO AUTHORIZE  
SALE OF JOHN DEERE  
TRACTOR  
#040912-12**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to authorize the sale of the John Deere Tractor to Thomas Gil in the amount of \$1,011.00.

All in favor - Aye - motion carried

**TREASURER'S REPORT**

Payment of Village taxes in two payments – Treasurer Polkoski reviewed with board members the option that Village residents could pay their Village taxes in two payments. Attorney Berger and UC Comptroller Auerbach discussed how this is done in other municipalities.

**MOTION TO ACCEPT  
VILLAGE TAX PAYMENTS  
IN TWO INSTALLMENTS  
#040912-13**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept payment of Village taxes in two installments provided that the first installment is received no later than July 1<sup>st</sup> of the installment year. Penalty and interest will be assessed at 5% after July 1<sup>st</sup> and an additional 1% each month thereafter on the unpaid balance.

All in favor - Aye - motion carried

**BUILDING DEPARTMENT**

48-50 Chapel Street – Code Enforcer Schug stated that he has put this property owner on “Notice of Dangerous Building” on April 3, 2012 and Mr. Selesky has 6-10 days to appeal this notice. Mayor Kaplan requested that Attorney Berger check State law to see what options the Village has for collecting money expended if the demolition costs are incurred by the Village. Deputy Mayor Younger stated that they letter does not state that the property owner is responsible for the demolition fees if in fact the Village takes down the building and since it is unclear another letter will be sent to Mr. Selesky.

**RESOLUTIONS**

**RESOLUTION FOR  
SHARED MUNICIPAL  
SERVICES  
#040912-14**

Resolution by Deputy Mayor Younger, seconded by Trustee Oliveras  
As the Village of Ellenville is seeking methods to lower property taxes and increase the efficiency services to local taxpayers; and  
As shared municipal services and/or consolidation of municipal departments can be a method to lower costs; and  
As the NYS Department of State administers as Local Government Efficiency Program that offers grants to support municipal government efficiency efforts;

Be it Resolved that:

The Village of Ellenville, Applicant, has authorized Mayor Jeffrey Kaplan and Village Manager Mary Sheeley to submit a grant request, in conjunction with the Town of Wawarsing, Co-Applicant, to the Department of State, requesting grant funds under the Local Government Efficiency Program, for the 2011-2012 program year.

This project, entitled, "Village of Ellenville and Town of Wawarsing Shared Highway Services" requests of a total of \$35,000, for the purpose of a Study to explore means/methods by which the Village Department of Public Works and the Town Highway Department, may be able to share services and equipment and/or consolidate services so as to result in tax savings for Village/Town residents.

By way of this Resolution, the Village Board authorizes Mayor Kaplan to sign any/all documents related to this project, as the Village will serve as Applicant.

Furthermore, the Village understands that there is a 10% Local Share for this project and the Village and Town are committed to the local share through in-kind services and/or cash with each contributing 50 % of the local share match. The total local share is \$3,500 with each community providing \$1,750 through in-kind services and/or cash.

All in favor - Aye - motion carried

**RESOLUTION FOR  
HOME RULE REQUEST  
#040912-14**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger:

Whereas, the Village of Ellenville has been notified that certain members of the Ellenville Police Department are not currently enrolled in NYS Retirement Section 384-d; and

Whereas, this error was strictly a clerical error with no involvement on the part of the employees themselves; and

Whereas, the Village of Ellenville desires to rectify this situation and restore these employees to their rightfully retirement system; and

Whereas, the Village of Ellenville has requested assistance from NYS Assemblyman Kevin Cahill and NYS Senator John Bonacic to craft State legislation to correct this error; and

Whereas, the New York State Legislature requires a home rule request from the Village of Ellenville in order to enact such legislation;

Now, therefore, the Village of Ellenville does hereby request special legislation assistance from both the New York State Assembly and the New York State Senate allowing the effected employees to be moved into Section 384-d of the New York State and Local Police Retirement System.

All in favor - Aye - motion carried

**EXECUTIVE SESSION**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to enter into Executive Session to discuss legal and personnel matters not to reconvene to public session at 9:00 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk