

Village of Ellenville  
Village Board Meeting  
Monday, May 11, 2009

Meeting called to order at 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  
Peter Berger, Village Attorney  
Philip Mattracion, Police Chief  
Noreen Dechon, Village Clerk  
Linda Polkoski, Village Treasurer  
Brian Schug, Code Enforcement Officer  
Dan Hauspurg, Economic Development Officer

**MOTION TO APPROVE  
THE MINUTES OF  
APRIL 13, 2009  
#051109-01**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to  
accept the minutes of April 27, 2009 as presented.  
All in favor - Aye - motion carried

**POLICE DEPARTMENT**

Chief Mattracion introduced Salvatore Giordano as a potential  
candidate for a part time police officer. Mr. Giordano has met with  
Deputy Mayor Younger and Trustee Lopez.

**MOTION TO APPOINT  
SALVATORE GIORDANO  
AS PART TIME POLICE  
OFFICER  
#051109-02**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger  
to appoint Salvatore Giordano as part time police officer effective  
May 13, 2009.  
All in favor - Aye - motion carried

Berme Road Park Update – Chief Mattracion reported on the recent incident that took place at the Berme Road Park. Discussion ensued about the activity that takes place at the park at night and it was requested that the Chief have his officers check this park nightly for the use of the park and give a report to the Board in two weeks. Also discussed was the installation of a camera at the park and it was requested that the Chief obtain quotes for this.

**MOTION TO  
REOPEN PUBLIC HEARING  
FOR COMPREHENSIVE  
REVIEW  
#051109-03**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to reopen the Public Hearing for Comprehensive Review at 7:15 p.m.

All in favor - Aye - motion carried

Code Enforcer Schug gave a brief overview of this plan that was developed by Peter Fairweather. This plan had been reviewed by the Village Planning Board and the Ulster County Planning Board. Mayor Kaplan read the County's comments on this plan.

No public comments at this time.

**MOTION TO  
CLOSE PUBLIC HEARING  
FOR COMPREHENSIVE  
REVIEW  
#051109-04**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to close the Public Hearing for Comprehensive Review at 7:23 p.m.

All in favor - Aye - motion carried

**MOTION TO  
ADOPT COMPREHENSIVE  
REVIEW  
#051109-05**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adopt the Comprehensive Review Plan as presented.

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

All in favor - Aye - motion carried

**MOTION TO  
SCHEDULE NEIGHBORHOOD  
WALKS  
#051109-06**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to schedule the following “neighborhood walks”:

May 26, 2009           Wintish Road  
June 8, 2009           Ellenridge Parkway  
June 22, 2009         Broadhead & Berme Road Park  
All in favor - Aye - motion carried

Utility Bills - Mayor Kaplan requested an update on the status of the electric consortium. A report will be given at the next board meeting.

**MOTION TO  
OPEN PUBLIC HEARING  
TO MODIFY AND  
AMEND ZONING LAWS  
RE: EXCAVATION &  
SOIL MINING  
#051109-07**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to open the public hearing to modify and amend zoning laws concerning Excavation & Soil Mining at 7:30 p.m.  
All in favor - Aye - motion carried

Mayor Kaplan questioned if the Ulster County Planning Board has reviewed these modifications and at the present time they have not. It was suggested that these be sent to the County Planning Board for their comments.

No public comment at this time.

**MOTION TO  
CLOSE PUBLIC HEARING  
ON MODIFYING AND  
AMENDING ZONING LAWS  
CONCERNING EXCAVATION  
AND SOIL MINING  
#051109-08**

Motion by Trustee Oliveras, seconded by Trustee Lopez to close the Public Hearing at 7:35 p.m.  
All in favor - Aye - motion carried

**MOTION TO  
APPOINT VILLAGE OF  
ELLENVILLE AS  
LEAD AGENCY FOR  
SOIL MINING  
#051109-09**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to appoint the Village of Ellenville as lead agency for the purpose of SEQRA review on soil mining.

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

Motion carried

**PETITIONERS &  
CORRESPONDENCE**

Joel Schreiber man spoke about the condition of 244 Canal Street – Code Enforcer Officer Schug reported that a notice of violation has been issued to the absentee landlord and the debris at this site seems to be from an eviction. An appearance ticket has been issued for the first Tuesday in June and if this is condition of this property is not resolved, the owner will be notified and the Village will implement a “self help”.

Matthew D. Rudikoff & Associates – The Board acknowledged receipt of correspondence from this firm.

La Café – Soul & Latin Food – On Wednesday, May 13 at 5:00 p.m. there will be a grand opening.

Time Warner Cable – Correspondence received in reference to additions/deletion and changes to their service.

Historic Preservation Committee – Marion Dumond was before the board tonight to discuss the resignation of Mary Sheeley from this committee and to appoint Paul Ross to replace Mrs. Sheeley.

**MOTION TO  
ACCEPT RESIGNATION  
OF MARY SHEELEY  
FROM HISTORIC  
PRESERVATION  
COMMITTEE  
#051109-10**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to accept the resignation of Mary Sheeley with regret effective immediately from the Historic Preservation Committee.

All in favor - Aye - motion carried

**MOTION TO  
APPOINT  
PAUL ROSS  
TO THE HISTORIC  
PRESERVATION  
COMMITTEE  
#051109-11**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to appoint Paul Ross to the Historic Preservation Committee filling Mary Sheeley's position.

All in favor - Aye - motion carried

Mrs. Dumond stated that this committee is working on a brochure and also their by-laws.

Deputy Mayor Younger questioned if Mrs. Dumond was aware of the King Kuts Lawn Service to mow the grass at the Hunt Memorial Building in lieu of placing a sign at that lawn and she was not. Code Enforcer Schug stated that to allow this would set a precedent and to erect this sign would be against our sign ordinance.

**MOTION TO  
OPEN PUBLIC HEARING  
FOR THE 2009 FLOOD  
INSURANCE MAPS FOR  
ULSTER COUNTY  
#051109-12**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to open the Public Hearing for the 2009 Flood Insurance Maps for Ulster County at 7:45 p.m.

All in favor - Aye - motion carried

Code Enforcer Schug reviewed with board members the 2009 flood insurance maps. The last time these maps were done was in 1970. Attorney Berger questioned if there was a SEQRA review done and suggested that the adoption of the local law be postponed to the next meeting.

No public comment at this time.

**MOTION TO  
CLOSE PUBLIC HEARING  
FOR THE 2009 FLOOD  
INSURANCE MAPS FOR  
ULSTER COUNTY  
#051109-13**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to close the Public Hearing for the 2009 Flood Insurance Maps for Ulster County at 7:50 p.m.

All in favor - Aye - motion carried

**DISCUSSION ITEMS**

Village Manager's Contract – Mrs. Sheeley's contract will be discussed in Executive Session but Mayor Kaplan stated that he has a general concern for all employees when they leave Village employment there is a pay out of unused vacation and sick time. Would like to see a new policy implemented for this situation.

Retro pay request – This matter will be discussed in Executive Session.

Request to waive snow and ice removal – 12 Canal Street – No action taken.

HVAC system for 4<sup>th</sup> & 5<sup>th</sup> floor of Government Center – The Village has a potential tenant for the 4<sup>th</sup> floor and Mayor Kaplan requested that proposals for the 4<sup>th</sup> & 5<sup>th</sup> floors be obtained as soon as possible. Discussion ensued about first talking to our engineers, a roof top unit and the possibility of asking Ulster BOCES if they have any VoTech classes that study HVAC. Code Enforcer Schug commented that mechanical engineers are the firms that specialize in this field.

Ellenville Government Study Committee - Mayor Kaplan commented that this committee has been in effect for a year and it was requested that a letter be sent to them requesting a report be given by the end of June.

**RESOLUTIONS**

**PLANNING BOARD  
APPOINTMENTS  
#051109-14**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to appoint Bryan Zelnik and Darlene Maizer to the Planning Board to fill vacancies of David Diaz and Elizabeth Hooper. Both

candidates were interviewed by Mayor Kaplan, Trustee Oliveras and Manager Sheeley.

All in favor - Aye - motion carried

**MOTION APPOINTING  
ROSEL BANKS AS  
MUNICIPAL I WORKER  
#051109-15**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to appoint Rosel Banks as a Municipal I worker effective May 13, 2009 with a six month probationary period in light of his continued service to the Village of Ellenville. Salary is in accordance with Local 750 salary schedule.

All in favor - Aye - motion carried

There was discussion among board members about the length of a probationary period that is given to new employees and what is in written in the collective bargaining unit contract.

**BUILDING DEPARTMENT**

Solar Panels – Government Center - Trustee Oliveras had requested Code Enforcer Schug to look into this matter but discussion took place that any requests should go through the Village Manager she is already working on this matter.

**MOTION AUTHORIZING  
BRIAN SCHUG TO ATTEND  
GREEN/SOLAR ENERGY  
CONFERENCE  
#051109-16**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras authorizing a \$30.00 expenditure for Code Enforcer Schug to attend a Green/Solar Energy Conference in September.

All in favor - Aye - motion carried

Mayor Kaplan spoke about the use of Village trucks when attending conferences. Any Village vehicle should not be taken out of town and also discussed was a conference request form that should be approved and used in the future. This will be discussed at the next board meeting.

Ellenridge – Code Enforcer Schug spoke about his efforts to get the booster station constructed. Plans had been received from the Ulster County Health Department back but they had the old date stamp on these plans.

Mayor Kaplan questioned the number of building permits issued this year and Code Enforcer Schug stated they are down slightly

from last year. Mayor Kaplan also questioned if the Building Department is finding the property owners are not maintaining their properties.

**ATTORNEY REPORT**

Cable Franchise Agreement – Attorney Berger commented that there are a small number of items that still need to be worked out.

**TREASURER’S REPORT**

Board members acknowledged receipt of the monthly audit report for April 2009.

**VILLAGE MANAGER’S REPORT**

Manager Sheeley discussed with board members a summer hour work week schedule where Village Hall would be closed on Fridays. Mrs. Sheeley stated that would impact energy costs therefore potential savings to the Village. It was the consensus of the board to try this for the month of July.

**MOTION AUTHORIZING  
THE CLOSING OF VILLAGE HALL  
ON FRIDAYS DURING THE MONTH  
OF JULY  
#051109-17**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to authorize the closing of Village hall on Friday during the month of July.

All in favor - Aye - motion carried

It was requested that this information be placed on the next water bills along with a message on our phone system.

**BOARD REPORTS**

Trustee Oliveras reported that he will not be in attendance at the next Village Board meeting.

Trustee Steinhoff gave an update of the Youth/Recreation programs. Also Trustee Steinhoff requested that an inventory be done for all Village owned equipment.

**ADJOURN TO  
EXECUTIVE SESSION  
#051109-18**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn to Executive Session to discuss personnel matters with the possibility of returning to open session at 9:00 p.m.

All in favor - Aye - motion carried



**MOTION TO  
RECONVENE TO  
PUBLIC SESSION  
#051109-19**

Motion by Trustee Steinhoff, second by Deputy Mayor Younger to reconvene to public session at 9:45 p.m.  
All in favor - Aye - motion carried

**MOTION TO  
EXECUTE MOA  
WITH LOCAL #750  
#051109-19**

Motion by Trustee Steinhoff, second by Deputy Mayor Younger to execute MOA regarding the position of Assistant Foreman in the Street Department. Position will be entitled to replacement pay.  
All in favor - Aye - motion carried

**MOTION TO  
APPROVE ONE  
YEAR CONTRACT  
WITH VILLAGE MANAGER  
#051109-20**

Motion by Trustee Steinhoff, second by Trustee Lopez to approve one-year agreement with Village Manager with the following changes: sick, vacation, personal and holiday hours will be as per the Manager's 5-hour work day.  
All in favor - Aye - motion carried

**MOTION TO  
ACCEPT BID  
FOR ELGIN SWEEPER  
#051109-20**

Motion by Deputy Mayor Younger, second by Oliveras to accept bid in the amount of \$1367 for 1997 Elgin.  
All in favor - Aye - motion carried

**ADJOURN  
#051109-21**

Motion by Deputy Mayor Younger, second by Trustee Steinhoff to adjourn at 9:52 p.m.  
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk