

Village of Ellenville
Village Board Meeting
Monday, May 24, 2010

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

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

Mayor Kaplan stated that earlier this evening the Board of Trustees walked a portion of the Rail/Trail located near the Wastewater Treatment Plant.

**APPROVAL OF
MINUTES
#052410-1**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to accept the minutes of May 10, 2010 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Correspondence received from Ellenville Chamber of Commerce requesting the closing of some Village streets along with the assistance of the Ellenville Police Department on August 21st for the Shawangunk Mountain Wild Blueberry & Huckleberry Festival. Mayor Kaplan stated while the Board is certainly happy to support this annual event, it comes at a substantial cost to Village taxpayers in the form of crowd control and cleanup costs. The estimated Police overtime is \$3,000 plus the cost associated with the Water and Street Department personnel.

As this is truly a town-wide event which just happens to take place in the Village limits, the Board request a letter be written asking them to consider making either a like-kind or monetary donation to help offset the associated costs and to waive any landfill fees for trash associated with the event. A copy of this letter to the Chamber of Commerce.

**MOTION REQUESTING
THE TOWN OF WAWARSING'S
ASSISTANCE IN THE TOWN WIDE
EVENT CALLED THE BLUEBERRY
FESTIVAL
#052410-2**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff requesting the Town of Wawarsing's assistance in the Town wide event called the Blueberry Festival either a like-kind or monetary donation to help offset the associated costs incurred by the Village of Ellenville.

All in favor - Aye - motion carried

**MOTION APPROVING
THE EWCOG REQUEST
TO CLOSE VILLAGE STREET
AND ASSISTANCE OF THE
POLICE DEPARTMENT
FOR THE BLUEBERRY
FESTIVAL
#052410-3**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the closing of the following streets during the Shawangunk Mountain Wild Blueberry & Huckleberry Festival on August 21 from 6:00 a.m.-6:00 p.m.

Canal Street from Main Street to Yankee Place

Liberty Square

Hermance Street

Maiden Lane

Market Street from Canal Street to Center Street

Church Street from Canal Street to Center Street

Ann Street from Canal Street to Center Street

All in favor - Aye - motion carried

US Census Bureau – Letter received thanking the Village of Ellenville for their use of the fourth floor in our building.

Higher Ground Entertainment – Kimberly Feinman told board members that her production company will be filming in the Village and she was requesting the use of our fourth floor along with traffic control from our Police Department. It was requested

that Ms. Feinman coordinate this filming with the Chief of Police along with the Village Manager.

Ellenville-Wawarsing Youth Commission - Minutes were acknowledged and Trustee Steinhoff gave board members an update on the Summer Program.

Town of Wawarsing – recently requested a list of all elected and appointed officials along with all employees’ salaries and Mayor Kaplan would like to request reciprocal information from the Town.

**MOTION TO REOPEN
PUBLIC HEARING ON
ADOPTION OF LOCAL
LAW #2 OF 2010
#052410-4**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to reopen the Public Hearing on the adoption of Local Law #2 of 2010 in reference to a special assessment for the new Wastewater Treatment Plant at 7:15 p.m.

All in favor - Aye - motion carried

Attorney Berger reviewed with everyone that Local Law #2 for the Village of Ellenville authorizes the establishment of a special assessment to repay expenses incurred in financing the Wastewater Treatment Plant improvements including the replacement of the existing preliminary treatment building and equipment, addition of two new pump stations, replacement of existing trickling filters with sequencing batch reactors and construction of new aerobic digesters to process biosolids.

Treasurer Polkoski reviewed a revised draft schedule for the estimated debt service and what would be assessed to each property user class each year for the next thirty eight years. Attorney Berger will have to check to see if this local law is adopted; could the rate schedule be modified after it’s adopted since at this time we do not know how much grant monies will be received or the financing rate for the loan there is the possibility that the debt service would be reduced if the Village is successful in obtaining grants for this project.

Discussion about the commercial users’ rates ensued with the inequity among commercial users and we should re-define the definitions and add additional categories.

**MOTION TO CLOSE
PUBLIC HEARING ON
ADOPTION OF LOCAL
LAW #2 OF 2010
#052410-5**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to close the Public Hearing on the adoption of Local Law #2 of 2010 at 7:30 p.m.

All in favor - Aye - motion carried

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adopt Local Law #2 of 2010 subject to allowing the authorization of changing of the rate schedule including the categories that we charge by resolution.

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

**PETITIONERS &
CORRESPONDENCE
(continued)**

Ellenridge – Representatives from the Ellenridge Homeowners Association were present tonight to inquire if the Village has received plans from Moses Braver in reference to the soil erosion and booster pump station and was told we did not. It was decided that Mayor Kaplan and Code Enforcer Schug will schedule a conference call with the NYS Department of Environmental Conservation to discuss these matters.

Joel Schreiber man – spoke about Time Warner Cable and the changes they have made in their program boxes.

POLICE DEPARTMENT

Chief Mattracion reported that the “Run Like the Wind” was a successful event as well as the Community Health Fair last weekend. Also the PAL Officer will be hosting a bicycle fair at the Nursery School and Treasurer Polkoski requested that the balance of the DARE funds be transferred into the PAL line and use those funds for helmets.

**MOTION AUTHORIZING
THE TRANSFER OF DARE FUNDS TO
THE PAL LINE
#052410-6**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the transfer of the remainder of DARE funds to the PAL fund to use for the purchase of bicycle helmets.
All in favor - Aye - motion carried

DISCUSSION ITEMS

Mayor Kaplan commented that the schedules for the Spring & Fall Clean up schedules need to be adhered to and requested that in the future there will be specific dates and to place this message on the next Water/Sewer bill.

Other items that were discussed were Circle Avenue project, maintenance program for heavy equipment, milling machine attachment along with a blacktop roller as well as the Liberty Square water fountain. Manager Sheeley addressed all these concerns.

RESOLUTIONS

**RESOLUTION AUTHORIZING
THE BIDDING TO BEGIN IN
REFERENCE TO THE WWTP
IMPROVEMENTS
#052410-7**

A resolution was made by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing the Village of Ellenville to let bidding for the Village of Ellenville Wastewater Treatment Plant Improvement Project.

WHEREAS, the Village of Ellenville has contracted with Barton & Loguidice, P.C. (B&L) to design improvements to the Village's wastewater treatment plant. B&L has completed the design of the Project and has prepared an Advertisement to Bidders to be published in the Village's office newspaper;

WHEREAS, the Village has received stimulus funding through the American Recovery and Reinvestment Act (ARRA) of 2009 through the New York State Environmental Facilities Corporation's (NYSEFC) Clean Water State Revolving Fund (CWSRF) and the Green Innovation Grant Program (GIGP) as well as additional ARRA funding through the United States Department of Agriculture (USDA);

WHEREAS, the Village intends to let bidding on the Project after receiving approval from the NYSEFC to advertise the Project for bidding;

NOW THEREFORE, be it

RESOLVED, that the Village of Ellenville does hereby conditionally authorize Barton & Loguidice to let bidding of the work on the Ellenville Wastewater Treatment Plant Improvement Project following approval to let bidding by the NYSEFC;

RESOLVED, that Barton & Loguidice will advertise bidding on the Project following authorization to bid by the NYSEFC.

Whereupon, the Resolution was put to a vote, recorded as follows:

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

Motion carried.

**MOTION ACKNOWLEDGING
RECEIPT OF THREE AUDITING
PROPOSALS
#052410-8**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to acknowledge receipt of the “request for proposal” in reference to auditing services from Knack, Pavloff & Company, Cooper, Niemann & Co. and O’Connor, Davies, Munn.
All in favor - Aye - motion carried

**MOTION ACCEPTING
RESIGNATION OF
COMMISSIONER PATRICK
NILO
#052410-9**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff accepting the resignation of Patrick Nilo, Commissioner, from the Planning Board with regret effective immediately.
All in favor - Aye - motion carried

It was requested that Mr. Nilo be invited to the next board meeting so a plaque can be presented to him for his many years of service.

**MOTION ACCEPTING
RESIGNATION OF
COMMISSIONER CAROLYN
SHORTER
#052410-10**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger accepting the resignation of Carolyn Shorter, Alternate Member, from the Planning Board with regret effective immediately.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
THE POSTING FOR A
COMMISSIONER & ALTERNATE
COMMISSIONER
#052410-11**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to post the vacancy of planning board commissioner and alternate commissioner with a returnable date of June 10, 2010.
All in favor – Aye – motion passed.

ATTORNEY’S REPORT

Attorney Berger reviewed with Board members a draft of a local law in reference to the towing of vehicles that are parked overnight in the municipal parking lots. Different issues discussed were changing the minimum amount of notice given to vehicles before they are to be towed and hours vehicles are not authorized to park in the lots. Attorney Berger will fine tune the wording and this will be discussed at the next board meeting.

Rite-Aid Assessment – Attorney Berger reviewed with board members correspondence he had received from Michael Sommer in reference to Rite Aid’s assessment grievance and what he feels is a fair market value assessment.

**MOTION AUTHORIZING
THE SETTLEMENT WITH
RITE AID
#052410-12**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the settlement of the tax certiorari matter using a fair market value of \$600,000. In addition the 2009 appeal will be dropped and the 2010 assessment would be reduced from \$54,400 to \$38,280,
All in favor - Aye - motion carried

BUILDING DEPARTMENT

Mayor Kaplan requested that on each agenda that the “Five Worst Properties” and “Five Most Improved Properties” in the Village be posted.

Code Enforcer Schug informed board members about a situation on Glenwood Drive where the owner of a vacant lot has parked a recreation vehicle and has been living there. Tickets will be issued daily and will keep the board updated on the situation.

Karl Henkle, Fire Inspector, presented the board with a letter in reference to his contract. This matter will be discussed in Executive Session and be resolved in the near future.

Code Enforcer Schug spoke about the lack of posting/advertising for the part time code enforcer position and it was suggested that an “Anticipated” Vacancy be done.

TREASURER’S REPORT

Requested that the board members that have not returned their Related Parties forms they need to do so immediately.

MANAGER’S REPORT

Manager Sheeley reviewed with board members the list of unpaid water/sewer bills that will be releived to there tax bills and that somehow we have to have the ability to terminate their service after 90 days delinquent.

Manager Sheeley requested the Board of Trustees to authorize payment of \$3,500 for pool supplies.

**MOTION AUTHORIZING
THE EXPENDITURE
OF \$3,500.00 FOR POOL
SUPPLIES
#052410-13**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the expenditure of \$3,519 to Ace Hardware for pool supplies.

All in favor - Aye - motion carried

Mayor Kaplan requested Manager Sheeley to coordinate a meeting with the Town of Wawarsing officials to coordinate a meeting with our Treasurer and the Town Treasurer to discuss outstanding invoices.

Mayor Kaplan commented that earlier this evening the Board met at the Rail/Trail down by the Wastewater Treatment Plant and how

nice that area is and requested that a letter be sent to the Rondout Valley Trail Association and the Town of Wawarsing about expanding this to a bike and hiking trail and to urge them to continue to their efforts to make this a reality.

Trustee Lopez spoke about the need for a street light on Hoar Street. Trustee Lopez also questioned the grass at 2 Phyllis Drive.

**ADJOURN INTO
EXECUTIVE
SESSION
#052410-14**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn into Executive Session to discuss personnel matters not to reconvene to public session at 8:50 p.m.
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk