

Village of Ellenville  
Village Board Meeting  
Monday, July 12, 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  
Noreen Dechon, Village Clerk  
Linda Polkoski, Village Treasurer  
Brian Schug, Code Enforcement Officer

Continuing from earlier this evening presentations were given by two insurance brokers in reference to the Village of Ellenville's municipal insurance. They were Scott Liebert, CLG Insurance and Dwight Coombe from Sprague & Killeen. Both gentlemen discussed their companies and the services that are extended to their customers as well as the insurance coverage.

Discussion took place about extending the return date for the "Request for Proposals" till tonight. Attorney Berger stated that since this is a contractual matter the board could go into Executive Session before any proposals are accepted to discuss these matters. Mr. Coombe requested additional time for his proposal since he is waiting for another company to give him a quote. Attorney Berger stated that since insurance coverage is considered a professional or technical service and is outside of the normal bidding process and can be viewed as a negotiating process therefore the Village Board has the right to extend the deadline.

**PETITIONERS &  
CORRESPONDENCE**

Kossar Place - The Village Board had recently gone to the Kossar Place neighborhood to discuss installation of new sidewalks. Since that walk a letter was sent to residents in that area inviting them to tonight's meeting for their input. Mayor Kaplan stated that the

Village has approximately \$40,000 to install some sidewalks and this project will be in three sections. Discussed was removing sidewalks on one side of the street and installing them on the other.

Area A would be Kossar Place from Clinton Avenue to the top since this seems to be the most foot traffic  
Area B Chapel, Hill and Ida Streets  
Area C Inwood and Steven Streets

Mayor Kaplan directed the Village Manager to contact the engineers for their proposals and specs to bid out the job so work could begin in the Fall. Before any final decisions are made residents will be invited to another meeting.

Anthony Zlatkin – UC Planning Board – brought information for upcoming seminars for Planning and Zoning Board members.

**EXECUTIVE  
SESSION**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adjourn into Executive Session to confer with counsel regarding the insurance RFP timelines reconvene to public session at 7:45 p.m.

All in favor - Aye - motion carried

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to return into Public Session at 8:00 p.m.

All in favor - Aye - motion carried

**MOTION TO  
ACCEPT TWO  
PROPOSALS  
FOR MUNICIPAL  
INSURANCE  
#071208-1**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the two insurance proposals that are before the board from CLG Insurance and Sprague & Killeen.

It was the consensus of the Village Board to review all materials and award the insurance proposal on July 26, 2010.

**APPROVAL OF  
MINUTES  
#071208-2**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the minutes of June 28, 2010 as presented.

All in favor - Aye - motion carried

**DISCUSSION ITEMS**

Outside Water Contracts - Mayor Kaplan stated the need to make sure we have contracts with any outside water user. It was requested that Attorney Berger draft a “outside water user” contract and have the Water Commission review and to recommend the water rates.

Smoke Free Facilities – Manager Sheeley would like the board to consider making the Village parks a “smoke free facilities”. Attorney Berger will research if this can be done by resolution or if it has to be by local law.

Pioneer Engine Company Request – The fire company is requesting the use of the Village’s parking lot for a family barbecue.

**MOTION AUTHORIZING  
THE REQUEST TO USE  
VILLAGE PARKING LOT  
#071208-3**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing the use of the municipal parking lot by the Pioneer Engine Company on July 17, 2010 from 11:00 a.m. to 9:00 p.m. subject to proof of insurance.

All in favor - Aye - motion carried

**MOTION AUTHORIZING  
THE EXPENDITURE TO  
GH MECHANICAL  
#071208-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the expenditure of \$1,756.56 to GH Mechanical Inc. for air conditioning repairs.

All in favor - Aye - motion carried

**MOTION REAPPOINTING  
MARION DUMOND TO HPC  
#071208-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger reappointing Marion Dumond to the Ellenville Historic Preservation Committee effective July 1, 2010 to June 30, 2013. Appointment is upon recommendation of Bryan Zelnik on behalf of the HPC.

All in favor - Aye - motion carried

**MOTION REAPPOINTING  
PAUL ROSS TO HPC  
#071208-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger reappointing Paul Ross to the Ellenville Historic Preservation Committee effective July 1, 2010 to June 30, 2013. Appointment is upon recommendation of Bryan Zelnik on behalf of the HPC.  
All in favor - Aye - motion carried

**MOTION ACCEPTING  
RESIGNATION OF ANN  
BOWLER FROM HPC  
#071208-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to accept the resignation of Ann Bowler, effective immediately, from the Ellenville Historic Preservation Committee with regret.  
All in favor - Aye - motion carried

**MOTION REAPPOINTING  
JUAN PAGAN TO EHA  
#071208-8**

Motion by Trustee Lopez, seconded by Trustee Oliveras reappointing Juan Pagan to the Ellenville Housing Authority effective July 15, 2010 to July 15, 2015.  
All in favor - Aye - motion carried

**ATTORNEY'S REPORT**

Update – Research on Becoming a City – Attorney Berger told board members that 1942 was the last time a Village was allowed to become a City in New York State. Attorney Berger stated that he thinks it would be almost impossible to get the State of New York to allow this to happen. Mayor Kaplan spoke about the Town of Rochester that is recently doing a re-evaluation of all their properties to make sure all properties are fairly taxes and he feels that the Village of Ellenville has tried every avenue there is to have the Town of Wawarsing to do the same thing. Therefore he feels that the State would have to consider the impact on the Village by the Town's refusal to reval in well over fifty years and how it affects homes not being able to be sold in the Village of Ellenville.

Time Warner Cable Franchise Agreement – Attorney Berger stated that we are close to finalizing this agreement and will report back at our next board meeting.

**BUILDING DEPARTMENT**

C<sub>2</sub>G Environmental Consultants and Luzon Environment – Code Enforcer Schug told board members that the new fuel management system is not working properly and C<sub>2</sub>G recommends we get a third party proposal to repair or replace.

**MOTION TO  
WRITE LUZON  
ENVIRONMENTAL  
#071208-9**

Motion by Trustee Steinhoff, seconded by Trustee Lopez upon written notice from counsel to Luzon Environmental, Inc. giving them seven days to bring the fuel management system into substantial compliance to the satisfaction of C<sub>2</sub>G. If this is not completed within seven days the Village of Ellenville will hire another contractor either replace or repair the system and reduce the amount of what we have to pay the third party from Luzon's outstanding balance.

All in favor - Aye - motion carried

Ellenridge Development – Letter received from the NYS Department of Environmental Conservation that are in the process of working with the developer on the soil erosion plan.

Attorney Berger gave an update as to a conversation he had with Moses Braver's attorney, Jerry Lenard, and his client (M. Braver) is close to having his properties foreclosed on by the bank, but there is a possibility of a new developer that is interested in purchasing this property. Mayor Kaplan said the Village will have to force the next developer into compliance with all the issues at Ellenridge and he will disclose his feelings to the residents of Ellenridge and do what we can to resolve the matter. Mayor Kaplan requested that Code Enforcer Schug invite the Ellenridge Homeowners Association to the next board meeting

Code Enforcer Schug told board members that Osterhoudt Contracting has applied for a Special Use Permit for their mining project and a escrow account will be opened in the amount of \$8,000.00.

**TREASURER'S REPORT**

Treasurer Polkoski stated that at the next board meeting she will give board members an voucher report for tonight's bills.

**VILLAGE MANAGER’S REPORT**

Manager Sheeley reported that a request from George Popp, USDA, requested that the Village of Ellenville add a line to our budget – Short Lived Assessment Replacement Line. This will be added.

Bob Mangles Park – Manager Sheeley received a request to make this park a “dog park”. This park is owned by the Town of Wawarsing and Manager Sheeley will refer this request to them.

Manager Sheeley wanted the board members to know how cooperative and helpful the Town Highway Department has been to the Village.

**TRUSTEE CONCERNS**

Trustee Steinhoff told board members that the summer recreation program has 260 children enrolled.

Mayor Kaplan told board members about a meeting that he attended today in reference to emergency planning. Art Snyder from FEMA, Town Officials, School Officials and Suzanne Rhulen, a private contractor who writes emergency plans, also were in attendance and this is the first of other meetings that will held.

**EXECUTIVE SESSION**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn into Executive Session to discuss collective bargaining agreement at 8:45 p.m. not to reconvene.

All in favor - Aye - motion carried

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to end Executive Session at 8:55 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk