

Village of Ellenville
Village Board Meeting
Monday, July 27, 2009

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

ROLL CALL

Mayor Jeffrey Kaplan	Absent w/notice
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

Deputy Mayor Younger stated that earlier this evening the Board of Trustees held a “neighborhood walk” on Phyllis Drive and the Berme Road Playground. On Phyllis Drive there were some issues that will be addressed and the Playground is still in need of some volunteers to complete the project.

**APPROVAL OF
MINUTES
#072709-01**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to approve the minutes of July 13, 2009 as presented.
All in favor - Aye - motion carried

PRESENTATION

Dwight Coombe from Sprague & Killeen Insurance Company was before the board tonight to discuss his proposal for the Village of Ellenville’s insurance for the policy period of 8/1/09 to 8/1/10. Mr. Coombe reviewed with board members the summary of the policy coverage which will be underwritten by Selective Insurance Company. The policy includes coverage for property, general liability, automobile and an umbrella for miscellaneous bringing the total premium to the amount of \$95,799.74. Mr. Coombe also

reviewed some of the past claims that resulted in the increase of the premium. Trustee Lopez questioned some of the vehicles that are listed on the policy and Manager Sheeley will review these with Mr. Coombe.

**MOTION TO
RENEW INSURANCE
POLICY WITH
SPRAGUE & KILLEEN
#072708-02**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to renew the Village of Ellenville's insurance policy for the period 8/1/09-8/1/10 with Sprague & Killeen through Selective Insurance not to exceed \$95,799.74.

All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Time Warner Cable - Correspondence received from Time Warner Cable to advise channel changes and/or deletions.

Also discussed was the Mayor's letters to the Public Service Commission in reference to Time Warner's lack of cooperation to renew the franchise agreement with the Village of Woodridge and the similar experience with the Village of Ellenville. Attorney Berger stated that two months ago a drafted proposed agreement was sent to Time Warner and to date no response has been received.

Mr. Schreibman suggested that the Village Attorney write to the Public Service Commission about Time Warner Cable's breach of contract and it was the consensus of the board to have Attorney Berger write said letter.

**MOTION TO
OPEN PUBLIC
HEARING
#072708-03**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to open the Public Hearing at 7:30 p.m. regarding the adoption of a Local Law which would require adoption of a Comprehensive Plan regulating the land use within the Village of Ellenville.

All in favor - Aye - motion carried

Attorney Berger stated that previously the Village Board discussed and adopted the Comprehensive Review and it came to his attention that the requirements for a SEQRA review have not been completed. The Village is in the process of complying with these

requirements and suggested that this public hearing be continued on August 24th when the Village's consultant will have this review completed.

**PETITIONERS &
CORRESPONDENCE
(continued)**

Ellenridge Homeowners Association – Correspondence received from Susan Picarillo representing the Ellenridge HOA requesting permission to hold a garage sale on August 1, 2009. There was discussion among board members that Village code states that garage sales may only be conducted on Memorial Day, Fourth of July and Labor Day weekends and it would not be a good practice to make exemptions. No action taken.

Ellen Selimotic – Roslyn Street – has spoken to the Village Manager in reference to flooding on her property. Board members will talk to Mrs. Selimotic on their “neighborhood walk”. Hazard Mitigation Plan – identify area have a meeting.

Thomas & Jennifer Hayes – were before the board tonight to discuss the need for a skateboard park. Discussion ensued about grant money and a meeting will be arranged between Mrs. Hayes and Manager Sheeley to discuss this issue and also what the cost of insurance would be for this project.

George Budd on behalf of the Ellenville Fire District thanked Manager Sheeley, the Police and Building Departments for their support and assistance during the recent structure fire on Maple Avenue. Manager Sheeley stated that the Fire Department did a tremendous job that night. Chief Budd also stated that the Building Department should be commended for their fire inspections and follow through to make sure landlords are in compliance with the law.

RESOLUTIONS

**MOTION TO
APPOINT ANN
BOWLER & BRYAN
ZELNIK TO THE
HISTORIC PRESERVATION
COMMITTEE
#072708-04**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to reappoint Ann Bowler and Bryan Zelnick to the Historic Preservation Committee with their terms ending June 30, 2012. All in favor - Aye - motion carried

Warren Street Project - Deputy Mayor Younger reviewed with board members the bid results for the Warren Street Sidewalk project. Trustee Lopez questioned what will happen to the bluestone that is there now and was told that any pieces that are reusable will be brought to the Street Department.

**MOTION TO
AWARD WARREN
STREET SIDEWALK
PROJECT
#072708-05**

Motion by Trustee Oliveras, seconded by Trustee Lopez to award the Warren Street sidewalk bid to Precise Landscaping, Inc. in the amount of \$65,354.50 per recommendation of Barton & Loguidice. All in favor - Aye - motion carried

POLICE DEPARTMENT

Chief Mattracion reported that his department had firearms training this past weekend and will send a letter to the prison facility thanking them for letting the Ellenville Police use their firing range.

Also Chief Mattracion reported on the current arrests made in reference to an assault and car larcenies.

**MOTION TO
RESCIND RESOLUTION
#071309-05
#072708-06**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to rescind resolution #071309-05 appointment of Arthur Hayes, part time employee.

All in favor – aye -3; abstain – 1, Trustee Lopez
Motion passed

ATTORNEY'S REPORT

Collateral Source Bill – Attorney Berger explained the purpose behind the collateral source bill and will prepare a motion for the next board agenda where trustees can decide if they want to support this bill.

Tree Removal Policy – Attorney Berger spoke about tree removal on private property and advises the Village not to do so and will draft a policy which addresses this issue.

TREASURER'S REPORT

Treasurer Polkoski requested authorization to open a bank account for the USDA Sewer Project.

**MOTION AUTHORIZING
OPENING A BANK ACCOUNT**

#072708-07

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the Village Treasurer to open a bank fund account at the Catskill Hudson Bank for the USDA Sewer Project fund.

All in favor - Aye - motion carried

Trustee Lopez requested an update on the stimulus money for the sewer project and Manager Sheeley responded that the Village is still waiting to hear about zero financing from the EFC.

Treasurer Polkoski gave board members of list of the bills audited and board members acknowledged receipt of June and July reports. Trustee Steinhoff questioned if the department heads are getting copies of these reports. Manager Sheeley stated when departments approach the 75% of the budget, spending will be frozen.

There was further discussion about the payroll schedule and Treasurer Polkoski spoke about the current Time/Attendance program that the Village currently uses and also the use of the time clock. This discussion will continue at the next board meeting when the Mayor is present.

**MOTION ACKNOWLEDGING
RECEIPT OF TREASURER'S
REPORT**

#072708-8

Motion by Trustee Steinhoff, seconded by Trustee Lopez acknowledging receipt of the Treasurer's report.

All in favor - Aye - motion carried

ATTORNEY'S REPORT

(continued)

**MOTION DIRECTING
VILLAGE ATTORNEY
TO ISSUE A COMPLAINT
AGAINST THE NEVELE GRANDE**

#072708-09

Motion by Trustee Steinhoff, seconded by Trustee Lopez directing the Village Attorney to issue a complaint against the Nevele Grande for the past due water bill.

All in favor - Aye - motion carried

BUILDING DEPARTMENT

Monthly Report – The Board acknowledged receipt of the building department’s monthly report.

Flood Maps – FEMA acknowledged receipt of our Flood Maps and the board thanked Mr. Schug for his efforts in completing this task.

**RESOLUTION ESTABLISHING
THE NATIONAL INCIDENT
MANAGEMENT SYSTEM
#072708-10**

Resolution by Trustee Lopez, seconded by Trustee Steinhoff, establishing The National Incident Management System (NIMS) as Village of Ellenville Standard for Emergency Incident Management – Emergency Management/Emergency Communications

The Village of Ellenville Board of Trustees offers the following:

WHEREAS, the National Commission of Terrorist Attacks (The 9/11 Commission) recommended adoption of a standardized Incident Command System; and

WHEREAS, the President of the United States, in Homeland Security Directive (HSPD-5) directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS) which would provide a consistent nationwide approach for Federal, State, local and tribal governments to work together more effectively and efficiently to prepare for, prevent, respond to and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management, it is critical that Federal, State, local and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards for planning, training and exercising, comprehensive resource management an designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the County's ability to utilize Federal funding to enhance local and state agency readiness, maintain first responder safety and streamline incident management training processes; and

WHEREAS, the Incident Command System component of NIMS is already an integral part of various incident management activities throughout Ulster County, including current emergency management training programs; and

WHEREAS, HSPD-5 requires Federal departments and agencies to make adoption of the NIMS by State, tribal and local organizations a condition for Federal preparedness assistance beginning in the fiscal year 2005; and

WHEREAS, the Village of Ellenville Board of Trustees has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the Village of Ellenville Board of Trustees do hereby establish the National Incident Management System (NIMS) as the County of Ulster's standard for emergency incident management; and be it

FURTHER RESOLVED, that Brian Schug will represent the Village of Ellenville for NIMS.
All in favor - Aye - motion carried

**VILLAGE MANAGER'S
REPORT**

Use of Village Equipment – Manager Sheeley spoke about adopting a new policy for the use of Village owned equipment. This policy will be on the agenda for the board to review.

**MOTION TO SCHEDULE
NEIGHBORHOOD WALK
SCHEDULE
#072708-11**

Neighborhood Walk Schedule – Motion by Trustee Lopez, seconded by Trustee Oliveras to schedule the follow neighborhood walk schedule:

August 10	Roslyn Street Pump Station
August 24	Westwood & Beechmont Ave
September 14	Church St/Kutchners Pond
September 28	Circle Avenue

All in favor - Aye - motion carried

**MOTION TO CONTINUE
VILLAGE HALL
SUMMER HOURS FOR
AUGUST
#072708-12**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to continue summer hours for Village Hall for the month of August. These hours will be Monday – Thursday from 8:00 a.m.-5:30 p.m. and closed on Fridays.

All in favor - Aye - motion carried

Circle Avenue- Manager Sheeley told board members that on Circle Avenue in order for the drainage to work correctly the road surface crown will need to be rebuilt. Manager Sheeley received an estimate of \$7,220 for this project and board members requested that other estimates be gotten before any decision is made.

Part time workers – Manager Sheeley requested authorization for her to hire a part time worker after board members interview the candidates.

**MOTION AUTHORIZING
VILLAGE MANAGER TO
HIRE PART TIME WORKERS
#072708-13**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the Village Manager to hire part time workers after board members interviews the candidates.

All in favor - Aye - motion carried

BOARD REPORTS

Trustee Steinhoff reported on the Summer Youth Program and also had a preliminary meeting with the State Auditor. Trustee Steinhoff spoke about reviewing the personnel manual and requested that a copy of this manual be given to all board members.

**ADJOURN TO
EXECUTIVE
SESSION
#072708-14**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn into Executive Session at 9:03 p.m. to discuss personnel matters not to reconvene to public session.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk

Motion by Trustee Steinhoff, seconded by Trustee Lopez to exit Executive Session at 9:11 p.m.

All in favor - Aye - motion carried

Motion by Trustee Oliveras, seconded by Trustee Lopez to adjourn at 9:12 p.m.

All in favor - Aye - motion carried