

Village of Ellenville
Board Meeting
Monday, September 10, 2012

The meeting was called to order 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
Brian Schug, Code Enforcer
Linda Polkoski, Village Treasurer
Noreen Dechon, Village Clerk

Mayor Kaplan began the meeting thanking staff members from all departments for all their hard work during the recent water issues. Mayor Kaplan gave an update on the water situation throughout the Village.

APPROVAL OF MINUTES

#091012-1

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving the minutes of August 13, 2012 as presented.
All in favor - Aye - motion carried

**CERTIFICATES
OF APPRECIATION &
PUBLIC SERVICE**

Mayor Kaplan presented a plaque to Joel Schreiberman thanking him for the years of dedicated service to the Village of Ellenville's Cable Commission and our community.

Mayor Kaplan also presented Certificates of Public Service to the following employees for their years of service to the Village of Ellenville:

Arnest Stone	35 years
Nordeen Pickell	25 years

Philip Mattracion	25 years
Traci Jeter	25 years
Michael Doria	25 years
Juan Caba	25 years

DISCUSSION

Reval project – Mayor Kaplan stated that in the past the Village has passed resolutions requesting that the Town of Wawarsing do a reval project for all the properties within the town and the Village would be prepared to share our cost. The current town board has moved forward and hired a firm to do an inventory of all properties at a cost of \$174,000. The Village’s share of this cost would be approximately 17-23% of the total. Mayor Kaplan spoke about the number of reasons why this project should be done. Mayor Kaplan stated that the State encourages municipalities to consolidate services and there should be grant money available. It was requested that Manager Sheeley speak to our grant writer to see if grant money is available and the possibility of splitting the cost of applying for a grant with the Town. Mayor Kaplan also requested that our grant writer look for funds available for turning the Mill Street Park into an exercise park.

**PETITIONERS &
CORRESPONDENCE**

Joel Schreibman spoke about saving money on Microsoft products and also the curb problem on Mine Lane.

**DISCUSSION
(continued)**

Tax Collection for Village– Mayor Kaplan has had discussion with Chairman Bernardo from the Ulster County Legislative requesting assistance from the County in collecting our taxes. As the discussion ensued it was requested that Attorney Berger get a list of firms that specialize in tax collections as well as tax searches and get proposals from them. This will be discussed further at the next board meeting.

Ellenville Revolving Loan Funds/Town Local Development Corporation – In the past the possibility of combining these two entities was discussed but at this time Mayor Kaplan would entertain an idea to hire person to review business opportunities for both the Town and Village. This will be discussed at our next Revolving Loan Fund meeting and also the Town of Wawarsing.

Proposed amendment to the Zoning Law – Assisted Living/Variance Criteria - Mayor Kaplan recused himself from any discussion on this amendment since his business partner represents the firm that is requesting this amendment.

Code Enforcer Schug stated that at the last Planning Board meeting, commission members requested that the Village Planner Dan Shuster draft an amendment to the zoning ordinance use table that would allow assisted living subject to a special use permit. At the present time this use is not in the Village code. Also the definitions of a “use” and “area” variances are not in the Village code and it is felt that they should be.

It was requested that Board members review this draft legislation and if they have any comments to give them to Mr. Schug so he can forward them to the Planning Board.

RUBY Group – correspondence received requesting a six month extension on six building permits and for any fees associated with this request be waived. Attorney Berger commented that the Village Board does not have the authority or discretion to waive or reduce any fees.

**PLAQUE TO BE GIVEN
TO 2011 NOONDAY
CITIZEN OF THE YEAR
#091012-2**

Noonday Citizen of the Year – Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing a plaque to be given to Gil & Debbie Davis from the Village congratulating them being the 2011 Citizen of the Year.

All in favor - Aye - motion carried

POLICE

Chief Mattracion reminded everyone of the 9/11 Ceremony that will take place on Tuesday at 6:30 p.m. in Liberty Square.

Chief Mattracion also spoke about an event that will be taking place on September 19 at ShopRite and discussed upcoming training as well as Halloween & Devils Night.

**PETITIONERS &
CORRESPONDENCE
(continued)**

Time Warner Cable – correspondence received advising of cable changes and/or deletions.

NYS DEC – Correspondence received in reference to a consent order between them and the City of New York.

Shawangunk Garden Club – A thank you letter received in reference to our donation of flowers and funds to purchase flowers.

Charles Richard – correspondence received in reference to a grass mowing charge. After a lengthy discussion the Board requested that personnel take a before and after picture of any lawns that are going to be mowed and to do the same procedure when shoveling snow. Also requested was the exact date the work took place put invoice.

Mayor Kaplan requested an update on the property owned by Gerard Mazzarelli at 172 Center Street and his dispute with a mowing charge. It was requested that the Village Manager follow up on this matter with Juan Caba.

MANAGER’S REPORT

Manager Sheeley updated board members on the North Gully project, a NYS DOT Highway Worker Permit, Ida Lane project

**MOTION AUTHORIZING
VILLAGE MANAGER TO
SIGN AGREEMENT WITH
ARC
#091012-3**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village Manager to sign an agreement with ARC in reference to Hickory Street and subject to attorney review.
All in favor - Aye - motion carried

Safe Routes Grant Application – Manager Sheeley gave to board members a proposal for the route and requested board members review.

**MOTION TO HIRE
XCIS AS A COMPUTER
CONSULTANT
#091012-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to hire XCIS as a computer consultant at \$65 per hour.
All in favor - Aye - motion carried

**MOTION TO CHANGE
NEIGHBORHOOD WALK
#091012-5**

Appraisal for parking lot – updated – Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to change the Neighborhood walk schedule parking lot behind Shadowland to September 24 at 5:30 p.m. and invite Genaro Garcia.
All in favor - Aye - motion carried

**MOTION TO HIRE
KE GREER FOR NORTH
GULLY ROAD
#091012-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to authorize KE Greer for the North Gully to \$3,200.
All in favor - Aye - motion carried

TREASURER'S REPORT

**MOTION TO RESCIND
THE APPROVAL OF A
BAN-RETIREMENT &
SOCIAL SECURITY LAW
#091012-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to rescind (#081312-19) approving a Bond Anticipation Note in the amount of \$100,000 for the cost of the change for Section 384-d of the Retirement & Social Security Law.
All in favor - Aye - motion carried

ATTORNEY'S REPORT

**MOTION TO SCHEDULE
PUBLIC HEARING-TWC
FRANCHISE AGREEMENT
#091012-8**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to schedule a Public Hearing on September 24, 2012 at 7:15 p.m. to review the Time Warner Cable franchise.
All in favor - Aye - motion carried

Attorney Berger reviewed with the board an update an easement with Osterhoudt Corporation which changes the original easement from a temporary to a permanent easement. There was discussion and it was decided to table this action until more information is obtained.

**MOTION TO TABLE
AUTHORIZATION FOR
AGREEMENT WITH
OSTERHOUDT CORP.
#091012-9**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to table the authorization to the Mayor to sign an agreement between the Village of Ellenville and Osterhoudt Corporation relating to the Hickory Street Bridge.

All in favor - Aye - motion carried

Mayor Kaplan requested Attorney Berger to review correspondence he had received from Sarah Kleinman in reference to stray cats and the possibility of licensing cats.

BUILDING DEPT

Code Enforcer Schug reported on the neighborhood walk to Kushner's Pond that occurred earlier this evening and the fact that the grate at the mouth of the pond is laying sideways and is too small. Mr. Schug will compile some specifications for a new grate and get some prices for this project.

Mayor Kaplan questioned how often does the Street Department clear the storm drains and was told that were done as needed.

**RESOLUTION UPDATING
99 YEAR AGREEMENT WITH
DOT
#091012-10**

Resolution by Trustee Steinhoff, seconded by Trustee Oliveras updating authorization of a 99 year agreement with the NYS Department of Transportation for highway work permit – PERM #1 in reference to the Hickory Street Project.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
PERM 50 AGREEMENT WITH
DOT
#091012-11**

Resolution by Deputy Mayor Younger, seconded by Trustee Lopez authorizing the Mayor to sign a PERM 50 agreement with the NYS Department of Transportation which includes the Inspection and Indemnity Agreements in reference to the Hickory Street Bridge project.

All in favor - Aye - motion carried

**MOTION APPROVING
APPROPRIATION TRANSFERS
#091012-12**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving the attached appropriation transfers in the General, Water, Sewer and Capital Funds as recommended by the Village Treasurer.

All in favor - Aye - motion carried

**MOTION APPROVING
AMENDMENTS TO
GENERAL FUND
#091012-13**

Motion by Trustee Steinhoff, seconded by Trustee Lopez approving the attached amendments in the General Fund as recommended by the Village Treasurer.

All in favor - Aye - motion carried

**MOTION APPROVING
ADJUSTMENTS FOR
SIDE & BACK YARD CHARGES
#091012-14**

Motion by Trustee Steinhoff, seconded by Trustee Lopez approving the attached adjustments for side and back yard charges in reference to the Sewer Capital Reserve project.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
CORRECTING OF AUDIT RECORD
#091012-15**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing the correction of the audit record dated 8/31/12 as recommended by the Village Treasurer.
All in favor - Aye - motion carried

**RESOLUTION AMENDING
BOND RESOLUTION
#091012-16**

Resolution by Deputy Mayor Younger, seconded by Trustee Steinhoff amending a bond resolution adopted by the Board of Trustees in connection with water system improvements to extend the maximum maturity of bonds authorized to be issued beyond five years.
All in favor - Aye - motion carried

**MOTION ACCEPTING CHANGES
TO WATER/SEWER BILLS
#091012-17**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez accepting the attached changes to water/sewer bills for the period of 1/1/12 – 3/31/12 as recommended by the Water Commission.
All in favor - Aye - motion carried

**MOTION APPROVING
EXPENDITURE TO JESCO
#091012-18**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez approving the expenditure of \$2,550.00 to JESCO Inc. for the repair of the John Deere Street Sweeper as recommended by the Village Manager and Street Department Foreman.
All in favor - Aye - motion carried

**MOTION APPROVING
EXPENDITURE TO BRINKERHOFF
#091012-19**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the expenditure of \$1,050.00 to Brinkerhoff Tree Services for the removal of four Village owned trees.
All in favor - Aye - motion carried

**MOTION APPROVING
EXPENDITURE TO BiLo
#091012-20**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the expenditure of \$2,006.44 to Bi Lo for the purchase of antifreeze, AW HYD Star 32 and 15 W 40 C14 Star as recommended by the Village Manager and Street Department Foreman.

All in favor - Aye - motion carried

**MOTION APPROVING
EXPENDITURE TO NORTHERN TOOL
#091012-21**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving the expenditure of \$2,243.19 to Northern Tool for a trash pump as recommended by the Village Manager and Sewer Department Foreman.

All in favor - Aye - motion carried

**MOTION APPROVING
APPOINTMENT OF
DR. LUKOFF-ZBA
#091012-22**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff approving the Mayor's appointment of Dr. Arthur Lukoff to the Zoning Board of Appeals as an alternate commission member effective immediately.

All in favor - Aye - motion carried

**MOTION APPROVING
APPOINTMENT OF
ELIZABETH HOOPER
#091012-23**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras approving the Mayor's appointment of Elizabeth Hooper to the Planning Board as an alternate commission member effective immediately.

All in favor - Aye - motion carried

BOARD REPORTS

Mayor Kaplan questioned the procedure for striping the parking lots after they have been paved.

Attorney Berger reviewed with the board the agreement with Osterhoudt Corporation that had been previously tabled by the board and requested that the board approve it.

**MOTION AUTHORIZING
MAYOR TO SIGN AGREEMENT
WITH OSTERHOUDT CORP.
#091012-24**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Mayor to sign an agreement between the Village of Ellenville and Osterhoudt Corporation in reference to a temporary easement relating to the Hickory Street Bridge. All in favor - Aye - motion carried

Trustee Steinhoff questioned if everyone had received a report from the Summer Youth Program.

Deputy Mayor Younger commented that the demolition of the Chapel Street home looks excellent.

**MOTION TO
ADJOURN
#091012-25**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adjourn the meeting at 9:00 p.m. All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk