

Village of Ellenville
Board Meeting
Monday, November 13, 2013

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
Linda Polkoski, Village Treasurer
Peter Berger, Village Attorney
Philip Mattracion, Chief of Police
Noreen Dechon, Village Clerk

Mayor Kaplan requested a Moment of Silence for the recent passing of Dennis Warner. Mayor Kaplan talked about the passing of Dennis Warner and reflected upon Dennis' impact on the community. Whether it was addressing a group on the steps of the Hunt, solemnizing the events of 9/11, or speaking to us as Dennis in the Morning, Dennis Warner had a deep, profound impact on the area and the valley and people he so deeply loved. Not to mention the impact he had on the many students he mentored during his tenure as a High School teacher in Ellenville.

A motion by Trustee Steinhoff, seconded by Trustee Lopez:

“That the Village Board, subject to some review and consideration, change the name of Liberty Square to Dennis Warner Square because of his impact on and importance to the community, and in particular in the Liberty Square area where he had led so many community gatherings.”
All in favor - Aye - motion carried

It was requested that the Village Clerk reach contact the Historic Preservation Commission to determine the history of Liberty Square, how and why it was so named, and exactly what impact a name change might

have. The Village Board is cognizant of the impact of such a change and is carefully weighing whether such a change is warranted.

Mayor Kaplan also congratulated Trustees Lopez and Steinhoff on their recent re-election to the Village Board and thanked them for their past and continuing work for the Village.

Mayor Kaplan reported that he recently sent a letter to the new Town of Wawarsing Supervisor elect as well as the Council elect congratulating them as well as emphasizing that they keep in mind that the Village of Ellenville is part of the Town of Wawarsing.

**APPROVAL OF
MINUTES**

#111313-1

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to accept the minutes of October 28, 2013 as presented.

All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

RUPCO – sent a letter indicating their need for additional parking spaces at Buttermilk Falls townhouses. They are requesting to lease parking spaces on the Village’s vacant lot across the street.

**MOTION TO LEASE
VACANT PARCEL
TO RUPCO**

#111313-2

Motion by Trustee Steinhoff, seconded by Trustee Lopez subject to attorney review that the Village has the right to lease the vacant property located on Berme Road and Center Street, that the Village lease parking spaces to RUPCO at a rate of \$750.00 per year with the understanding they are to maintain the property, obtain insurance naming the Village as additional insured.

All in favor - Aye - motion carried

Ellenville Head Start – A thank you letter was received from the Ellenville Head Start program for the Village’s work on the repair of their parking lot. They also wanted to thank Brian Schug for always having their best interest in mind.

Supervisor Scott Carlsen told board members that the Town Board recently signed a contract to continue the work on re-evaluating properties in the Town of Wawarsing now that the inventory has been

completed. Mayor Kaplan thanked Supervisor Carlsen for all the work under his administration for the last two years in making the Village feel welcomed as part of the Town.

Nevele Grande – Mayor Kaplan reported that the Nevele has approached the Village in reference to renting the fifth floor. The Nevele is prepared to rehabilitate the fifth floor to include bathrooms and HVAC system. The Nevele has proposed a five year lease agreement in which will include a build out; they are asking the Village to contribute to the build out the first year’s rent which would be approximately \$25,000. The build out would cost significantly more than the \$25,000 based upon the fact that they want to turn this space into a real prime area and an impressive place. The Nevele will also have to pay the taxes that are assessed to this space.

**MOTION AUTHORIZING
THE MAYOR SIGN A RENTAL
LEASE WITH THE NEVELE
#111313-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the Mayor to sign a five year lease with the Nevele. After the build out is completed, the Nevele has a one time option to cancel the lease upon with a sixty day notice in the event they do not receive their gaming license from New York State. The first year’s lease payment will be used towards the renovation of the fifth floor, and then the Village will receive \$25,000 each year for the length of the lease.
All in favor - Aye - motion carried

**MOTION TO
CONTINUE PUBLIC
HEARING-MODIFYING
VILLAGE CODE PERTAINING
TO PENALTIES-W/S CHARGES
#111313-4**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to continue the Public Hearing in reference to modifying the Village Code pertaining to penalties for water and sewer charges at 7:25 p.m.
All in favor - Aye - motion carried

Attorney Berger reviewed with Board members the proposed modifications to the Village Code in reference to reducing the late penalties for water/sewer charges. Also proposed is placing the name of the water/sewer accounts in the property owners name not a tenant. Mayor Kaplan along with other board members commented this change

would affect many landlords and requested that the Village Clerk notify all property owners of this proposed amendment and if they would like to comment they should attend the December 9, 2013 board meeting. In addition this notice should be placed in the local newspaper.

**MOTION TO
ADJOURN PUBLIC
HEARING-MODIFYING
VILLAGE CODE PERTAINING
TO PENALTIES-W/S CHARGES
#111313-5**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn the Public Hearing until December 9, 2013 to modify the Village Code pertaining to penalties for water/sewer charges. This notice will be sent to all property owners and published in the local newspaper.
All in favor - Aye - motion carried

**MOTION TO OPEN
PUBLIC HEARING –
MODIFYING RESIDENCY
REQUIREMENTS FOR
VILLAGE MANAGER
#111313-6**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to open the Public Hearing at 7:30 p.m. modifying the Village Code pertaining to residency requirements for the Office of Village Manager.
All in favor - Aye - motion carried

Attorney Berger reviewed with Board members that Village Law states the appointment of Village officials are limited to Village residents but New York State statute allows the appointment of officials can be expanded to residents outside of the Village but reside within the County.

Mayor Kaplan and board members gave their opinions about this change and the reason for this modification.

**MOTION TO CLOSE
PUBLIC HEARING –
MODIFYING RESIDENCY
REQUIREMENTS FOR
VILLAGE MANAGER
#111313-7**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to close the Public Hearing at 7:35 p.m.

All in favor - Aye - motion carried

**MOTION TO ADOPT
LOCAL LAW #2 OF 2013
MODIFYING RESIDENCY
REQUIREMENT FOR
VILLAGE MANAGER
#111313-8**

Motion by Trustee Oliveras, seconded by Trustee Lopez to adopt Local Law #2 of 2013 modifying the Village Code pertaining to residency requirements for the Office of Village Manager.

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

Motion passed

**RESOLUTION APPOINTING
JOSEPH P. STOECKELER, JR.
AS VILLAGE MANAGER
#111313-9**

Resolution by Deputy Mayor Younger, seconded by Trustee Lopez appointing Joseph P. Stoeckeler, Jr. as Village Manager upon the retirement of Mary F. Sheeley from that position, at a rate of \$33.88 per hour, 25 hours per week effective December 2, 2013.

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

Motion passed

Mayor Kaplan and other board members thanked Manager Sheeley for all the work and accomplishments she had done during the past five years. All agreed it was a pleasure to work with her.

POLICE REPORT

Chief Mattracion also spoke about working with Manager Sheeley and looks forward to working with Manager Stoeckeler.

Chief Mattracion reported the ribbon cutting ceremony that recently took place for the prescription disposal box located in the Police Department.

Police personnel have recently completed firearms training, review of new polices and the Taser training will take place on November 23rd.

Also discussed were the recent flu shots given out in the building, the PAL program toy chest, the issue of trucks using “jake brakes” and NYSDOT traffic study on Route 52.

MANAGER’S REPORT

Manager Sheeley spoke about Delinquent Tax Liens/Petition of Notice of Foreclosure agreement that the Village had with Philip Cataldi will be terminated. Manager Sheeley gave an update of the work done to date and Mayor Kaplan requested Treasurer Polkoski prepare a list of the Deliquen Tax properties for the next board meeting.

Donation of Trees – Mrs. Cecilia Tso has offered the donation of six trees and if we accept them Manager Sheeley would have them planted near the playground.

MOTION TO ACCEPT GIFT OF SIX TREES #111313-10

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the acceptance of a gift of six trees from Cecilia Tso.

All in favor - Aye - motion carried

Bids – Roslyn Street Pump Station & Ida Lane Restoration Project – Manager Sheeley stated that the bids received were higher than originally estimated and spoke about the funding the Village would be eligible for.

MOTION TO ACCEPT BIDS SUBMITTED-ROSLYN ST & IDA LANE RESTORATION #111313-11

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger accepting the five bids submitted in reference to the Roslyn Street Pump Station and Ida Lane Restoration Project.

All in favor - Aye - motion carried

**MOTION TO
AWARD BID
TO H. OSTERHOUDT FOR
ROSLYN ST &
IDA LANE RESTORATION
#111313-12**

Motion to award the bid for the Roslyn Street Pump Station and Ida Lane Restoration Project, the lowest responsible bidder H. Osterhoudt Corporation upon recommendation of Barton & Loguidice in the amount of \$484,967.00.

All in favor - Aye - motion carried

Trustee Lopez spoke about the homes on Center and Steven Streets that need to have work done on their stream beds and banks.

**MOTION TO
HIRE JENNIFER
CATALDI, PART TIME
CLERK/TYPIST
#111313-13**

Motion by Trustee Lopez, seconded by Trustee Oliveras to hire Jennifer Cataldi as Part Time Building Department Clerk/Typist effective November 13, 2013 at an hourly rate of \$10.55 upon recommendation of the Village Manager and Building Inspector.

All in favor - Aye - motion carried

**MOTION TO APPOINT
ROBIN BADJUN-ELLENVILLE
REVOLVING LOAN
#111313-14**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving the appointment of Robin Badjun, Manager of the Ellenville Branch of the Catskill Hudson Bank as a Member of the Ellenville Revolving Loan Fund.

All in favor - Aye - motion carried

**MOTION REAFFIRMING
APPOINTMENTS TO
ELLENVILLE REVOLVING
LOAN
#111313-15**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff reaffirming appointments of Willie Stedner, Frances Wolfe, Alan Loucks, Ron Matthews, Julius Collins and Carl Rosenstock to the Ellenville Revolving Loan Fund.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
MANAGER TO SIGN
AGREEMENT WITH
HUDSON VALLEY
SAFETY ASSOCIATES
#111313-16**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village Manager to sign an agreement with Hudson Valley Safety Associates in the amount of \$1,000.00 for Confined Space Training for Trenching/Excavation session.

All in favor - Aye - motion carried

**MOTION RETAINING
SERVICES OF BARTON &
LOGUIDICE-HUNT MEMORIAL
BUILDING ELECTRIC SPECS
#111313-17**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing retaining the services of Barton & Loguidice for electrical specifications in reference to the Hunt Memorial Building.

All in favor - Aye - motion carried

Campwood Lane – Manager Sheeley requested the Town Highway Department to help the Village in reference to Campwoods Lane and a meeting will be scheduled in the near future.

**MOTION TO
APPOINT ERIC
CAFARO TO
UC PLANNING
BOARD
#111313-18**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to appoint Eric Cafaro as our representative on the Ulster County Planning Board effective immediately.
All in favor - Aye - motion carried

**MOTION TO
ACCEPT RESIGNATION
OF KRISTEN HOLOHAN
#111313-19**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the resignation of Kristen Holohan, Part Time Deputy Treasurer.
All in favor - Aye - motion carried

**MOTION TO
AMEND IDA LANE
PROJECT AGREEMENT
#111313-20**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to approve the amendment for the Ida Lane agreement to increase funding.
All in favor - Aye - motion carried

TREASURER'S REPORT

Treasurer Polkoski gave board members a copy of the Treasurer's Report and requested approval for three payments in reference to the Wastewater Treatment Plant project.

**MOTION APPROVING
PAYMENT TO FAMILY DANZ
#111313-21**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving payment #11 to Family Danz in the amount of \$107,459.28 in reference to the new Wastewater Treatment Plant upon recommendation of the Village Engineers.
All in favor - Aye - motion carried

**MOTION APPROVING
PAYMENT TO UW MARX
#111313-22**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving payment #27 to U. W. Marx, Inc. in the amount of \$83,695.97 in reference to the new Wastewater Treatment Plant upon recommendation of the Village Engineers.
All in favor - Aye - motion carried

**MOTION APPROVING
PAYMENT TO UW MARX
#111313-23**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving payment #28 to U. W. Marx, Inc. in the amount of \$8,285.40 in reference to the new Wastewater Treatment Plant upon recommendation of the Village Engineers.
All in favor - Aye - motion carried

ATTORNEY'S REPORT

Attorney Berger requested a motion for the sale of two portions of the parking lot at 90 Center Street. This lot has been sub-divided into three lots and one of the lots is being sold to Simon's Upholstery and lot number two is being sold to GAMEX with the Village retaining the third lot.

**MOTION AUTHORIZING
CONTRACT OF SALE-
90 CENTER STREET
#111313-24**

Motion by Trustee Steinhoff, seconded by Trustee Lopez:

WHEREAS, the Village Board of the Village of Ellenville desires to enter into a Contract of Sale between the Village of Ellenville and Simon's Upholstery, LLC; for the amount of \$23,700 and

WHEREAS, the Contract of Sale is for the conveyance of a portion of the premises located at 90 Center Street, in the Village of Ellenville;

NOW, THEREFORE, the Village Mayor Kaplan of the Village of Ellenville is authorized to execute the Contract of Sale conveying premises to Simon's Upholstery, LLC.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
CONTRACT OF SALE-
90 CENTER STREET
#111313-25**

Motion by Trustee Steinhoff, seconded by Trustee Lopez with the modification that GAMEX will maintain the lot:

WHEREAS, the Village Board of the Village of Ellenville desires to enter into a Contract of Sale between the Village of Ellenville and GAMEX, LLC; for the amount of \$30,000 and

WHEREAS, the Contract of Sale is for the conveyance of a portion of the premises located at 90 Center Street, in the Village of Ellenville;

NOW, THEREFORE, the Village Mayor Kaplan of the Village of Ellenville is authorized to execute the Contract of Sale conveying premises to GAMEX, LLC.

All in favor - Aye - motion carried

**MOTION TO
EXTEND LEASE
TO GENERAL SPORTWEAR
#111313-26**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to extend the lease of the third floor of the Government Center to General Sportwear for a one year period.

All in favor - Aye - motion carried

Attorney Berger reported that he has the signed easement from Honor's Haven.

BUILDING DEPARTMENT

Building Inspector Schug updated the board in reference to the following projects: Auto Zone, Gabby's Restaurant, Simon's Upholstery, Dollar General, the Chapel Street property and the Walter Dexter property. Mr. Schug also updated the Board on the work that is being done at the Street Department, Government Center roof project, Tougher Industries doing the maintenance on our boilers. Mayor Kaplan spoke about the Krieger sign located in Liberty Square and requested that Mr. Schug follow up on this.

TRUSTEE REPORTS

Trustee Steinhoff reported that Sam Bugna recently met today with the Boys & Girls Club.

Manager Sheeley told board members that the Department of Public Works contract is at impasse.

ADJOURN

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn at 8:55 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk