

Village of Ellenville  
 Village Board Meeting  
 Monday, June 9, 2014

Meeting called to order at 7:03 p.m. with the Pledge of Allegiance by Mayor Jeffrey Kaplan.

ROLL CALL

Mayor Jeffrey Kaplan	PRESENT
Deputy Mayor Raymond Younger	PRESENT
Trustee Efrain Lopez	PRESENT
Trustee Patricia Steinhoff	PRESENT
Trustee Francisco Oliveras	Absent w/notice

ALSO PRESENT

Joseph P. Stoeckeler, Jr., Village Manager  
 Peter Berger, Village Attorney  
 Philip Mattracion, Police Chief  
 Traci Jeter, Deputy Village Clerk  
 Linda Polkoski, Village Treasurer  
 Brian Schug, Code Enforcement Officer  
 Noreen Dechon, Village Clerk – Absent w/notice

PETITIONERS AND CORRSPONDENCES

Mr. Francisco Nunuvero, from 27 Maple Avenue, was before the board tonight to discuss interest in putting up a fence on his property. Brian Schug, Code Enforcement Officer, instructed the board that the fence he would like to erect does not meet the Village's height requirements in that Mr. Nunuvero want to erect a six foot fence instead of the required four foot fence and would like to extend the length of the fence.

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to revise their next walk schedule from the Street Dept. /Berme Road Park to Maple Avenue. The Board will meet at the School and proceed to Mr. Nunuvero's property.  
 All in favor – Aye – motion carried

## SAFE ROUTES TO SCHOOL PROJECT – PUBLIC INPUT MEETING

Manager Stoeckeler discussed with the Board the \$250,000 DOT Safe Routes to School Project Grant. This project is a locally administered federal aid project sponsored by the DOT. The proposed sidewalk(s) covered by this project will be Kossar Place, Clinton Avenue, Center Street, Water Street, Canal Street and Yankee Place. Manager Stoeckeler also stated that this grant will also cover the installation of 32 handicap ramps that we currently do not have and two crossing guards. The bids for this project will be going out in about 6 weeks and the construction is anticipated to take place in the fall of 2014 with the goal of finishing by the end of this year.

Mr. Eric Smith addressed the Board tonight about the project being a safety program and he is concerned about the lack of lighting by the Seventh Day Adventist Church going south on Clinton Avenue while the children walk these streets. Mayor Kaplan instructed the Chief to check out the area.

## COURT CONSOLIDATION DISCUSSION

The Mayor opened the discussion by making sure everyone was clear on what the Village is looking at. Mayor Kaplan discussed how the State is clearly looking for consolidation of services within Municipalities and especially those that have the same functions and service. With that being said, since both courts serve the same function, the Board has decided to start with the consolidation of the two courts. The Mayor would like the public to consider this issue and the only way to do this is to have the Board vote tonight to have a permissive referendum to determine as to whether or not they want to have a village justice in addition to the town court. Mayor Kaplan said that he would be the first to sign this public referendum.

David Delahunt, from the Office of the Court of Administration, spoke on behalf of Judge Parker and Judge Levine on the dissolution of the Village Court. He is before the Board tonight urging them to look at different aspects before they decide to dissolve the village court. Mr. Delahunt stated that the village court generated around 93,000.00 in revenue last year and this total includes what went to the State, County and Village. By consolidating the courts this source of revenue will go to the

town. The Village will only get building, parking and dog violations.

Mr. Delahunt also informed the Board that the village that merged with his court has a new Mayor and now the Mayor wants to de-merge with the Town Court. Trustee Lopez asks what court he was taking about. Mr. Delahunt informed him that it was the Town of Kinderhook and the Village of Malaysia. Trustee Lopez also wanted to know why they wanted to have their court back. Mr. Delahunt believed that it was due to loss of revenue that they do not have now.

Deputy Mayor Younger asked Mr. Delahunt if he knew the process to take the court back. Mayor Kaplan thought it was a local law but Attorney Berger said it is not a local law but a resolution and the resolution is subject to a permissive referendum. Attorney Berger said that there would be a notice that a resolution was passed and then it would call for a petition. The petition then would have to be signed by 20% of the eligible electors in the prior village election.

Mr. Victor Palumbo was before the board with question concerning village taxes, the village court and taxes being raised.

Supervisor Distel was also before the Board tonight to speak about the consolidation of the two courts. He stated that there would be an immediate savings of \$35,000 – \$75,000 if the courts were consolidated. He also informed the Board that if the village decides to vote on this tonight, there is an efficiency grant available for the court consolidation and the deadline is June 16, 2014. Supervisor Distel feels that this will be a good decision and he hopes that the Board votes on this tonight.

Judge Parker was also before the Board to address some of the concerns of the court. Judge Parker stated that his budget is only \$55,000 and by consolidating the courts the Village is not really saving money. Instead of consolidating the court, Judge Parker suggested dissolving the village.

Deputy Mayor Younger was next to address the Board. Deputy Mayor Younger agreed with the Mayor and the Judge with regards to dissolving the village and or consolidating village and town services. Deputy Mayor Younger also believes that the Village needs to do it as a whole instead of piece by piece. Trustee Steinhoff was also in agreement.

The Mayor asked for a motion to eliminate the court subject to permissive referendum.

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to table this discussion.

All in favor – Aye – motion carried.

#### POLICE REPORT

Chief Mattracion discussed with the Board the lawn maintenance law. Chief Mattracion would like the village to look into changing this law to mirror the snow and sidewalk law. He states that by the time the village's employees mow these properties the grass is very high and Chief Mattracion is afraid that it might cause damage to the village's equipment due to unforeseen debris and rocks within the high grass. Mayor Kaplan informed Chief Mattracion that the Village Attorney will look into the law and Attorney Berger will look into how other communities handle this law.

Chief Mattracion also informed the board that in a couple weeks the Police Department will be doing firearms training and that the Police Department is getting ready for the 4<sup>th</sup> of July.

#### MANAGER'S REPORT

Manager Stoeckeler spoke to the board about a letter from the Department of Environmental Conservation in reference to sanitary sewer overflows. Manager Stoeckeler explained to the Board that once in a while there is a clogged in the sewer main and when sewage comes up to a manhole the Village is required to report to the DEC. When this happens, the DEC wants a couple of plans prepared. Manager Stoeckeler stated that Mike Ryman has been working on this plan along with Don Fletcher from B&L and the plan will be submitted within the sixty day time frame.

Manager Stoeckeler informed the Board that he also got in touch with B&L in regards to getting the \$24,000 I & I study grant going. Also Mike Ryman is working with Michelle on sending out notices to each restaurant requiring them to give the village notice each year when they have their grease trap serviced.

Mayor instructed Attorney Peter to contact the DEC in reference to the Sewer Use Ordinance.

Manager Stoeckeler stated that the Village received a letter from Senator Bonacic with a potential for Capital Improvement money and we need to get a letter to him by July 14, 2014.

#### BUILDING REPORT

The Board took no action on the request from Elana Kowakzik to put a 6 foot fence in her front yard.

#### MOTION GRANTING PERMISSION FOR CHRIST LUTHERAN CHURCH YARD SALE

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger granting permission for the Christ Lutheran Church to hold a yard sale on their property on July 31, August 1 & 2, 2014 subject to insurance.

All in favor – Aye – motion carried

#### MOTION ACCEPTING DONATIONS FOR PURCHASE OF FLOWERS FOR LIBERTY SQUARE

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to accept a donation of \$360.00 from Eric Cafaro (Maca Corp.), Erimar Properties, Inc. and Aroma Thyme Bistro for the purchase of flowers for Liberty Square.

All in favor – Aye – motion carried

#### MOTION REAFFIRMING AN EMERGENCY PURCHASE TO SCHMIDT'S WHOLESALE

Motion by Deputy Mayor Younger, seconded by Trustee Lopez reaffirming the emergency purchase of misc. items for Jean Street Tank and for the hire hydrant on Terrie Street from the Water Department to Schmidt's wholesale in the amount(s) of \$13,344.25.

All in favor – Aye – motion carried

#### MOTION APPROVING THE PURCHASE FROM TAM ENTERPRISES

Motion by Deputy Mayor Younger, seconded by Trustee Lopez approving the purchase of \$1,500.00 from the Sewer Department to TAM Enterprises for manhole repairs on the corner of Tut hill and Church Street in the amount of \$1,500.00.

All in favor – Aye – motion carried

MOTION AUTHORIZING APPLICATION #4  
ROSLYN STREET/IDA LANE STREAM RESTORATION  
PAYMENT TO H. OSTERHOUDT EXCAVATING

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to authorize the payment of application #4 - Roslyn Street/Ida Lane Stream Restoration voucher in the amount of \$105,984.00 to H. Osterhoudt Excavating.

All in favor – Aye – motion carried

MOTION AUTHORIZING THE HICKORY STREET  
BRIDGE OVER THE BEER KILL PAYMENT TO SULLIVAN  
COUNTY PAVING AND CONSTRUCTION, INC.

Motion by Deputy Mayor Younger, seconded by Trustee Lopez authorizing payment of the replacement of the Hickory Street Bridge over the Beer Kill voucher in the amount of \$229,109.70 to Sullivan County Paving and Construction, Inc.

All in favor – Aye – motion carried

MOTION REAFFIRMING THE EMERGENCY  
PURCHASE AND REPAIR WORK TO  
DUTCHESS OVERHEAD DOORS

Motion by Deputy Mayor Younger, seconded by Trustee Lopez reaffirming the emergency purchase and repair work to furnish and install overhead doors at the Street Department from Dutchess Overhead Doors in the amount of \$2,485.00

All in favor – Aye – motion carried

MOTION APPROVING A ONE YEAR  
CONTRACT WITH KOESTER ASSOCIATES

Motion by Deputy Mayor Younger, seconded by Trustee Lopez approving the Sewer Department to enter into a one year service contract with Koester Associates in the amount of \$2,725.00

All in favor – Aye – motion carried

MOTION TO SIGN THE OUTSIDE USER  
WATER/SEWER DISTRICT AGREEMENT(S)  
WITH THE NEVELE-R, LLLC

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to sign the outside user Water District and Sewer District agreement(s) with the Village of Ellenville and NEVELE-R, LLC  
All in favor – Aye – motion carried

MOTION TO INCREASE THE CLERK  
TYPIST POSITION IN THE BUILDING DEPARTMENT

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to increase the clerk typist's position in the Building Department from 20 hours to 25 hours per week with no benefits effective June 4, 2014 probationary subject to the clerk passing the civil service exam in the fall of 2014.  
All in favor – Aye- motion carried

MOTION TO WAIVE BUILDING PERMIT  
FEE FOR COMMUNITY ACTION

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to waive the building permit fee of \$90.00 for Community Action.  
All in favor – Aye – motion carried

MOTION REAFFIRMING THE EMERGENCY  
PURCHASE TO SCHMIDT'S WHOLESAL

Motion by Deputy Mayor Younger, seconded by Trustee Lopez reaffirming the emergency purchase from the Water Department to Schmidt's Wholesale in the amount of \$2,322.65.  
All in favor – Aye – motion carried

MOTION REAFFIRMING PAYMENTS(S)  
TO THORNTON ELECTRIC

Motion by Deputy Mayor Younger, seconded by Trustee Lopez reaffirming payment(s) from Thornton Electric for repair work done on the Village street lights in the amount(s) of \$2,939.36.  
All in favor – Aye – motion carried

MOTION TO APPROVE THE  
ATTACHED TAX CORRECTIONS

Motion by Deputy Mayor Younger, seconded by Trustee Lopez approving the tax correction for the attached tax records.  
All in favor – Aye – motion carried

BOARD REPORTS

Deputy Mayor Younger inquired about the Water and the Hickory Street Bridge projects. Manager Stoeckeler informed Deputy Mayor Younger that all projects were moving along just fine.

MOTION TO ADJOURN

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to adjourn the meeting at 9:04 p.m.  
All in favor – Aye – motion carried

Respectfully submitted,

Traci Jeter  
Deputy Village Clerk



