

Village of Ellenville  
Board Meeting  
Monday, July 22, 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	Absent w/notice
Trustee Efrain Lopez	Present
Trustee Francisco Oliveras	Present
Trustee Patricia Steinhoff	Absent w/notice

**ALSO PRESENT**

Mary Sheeley, Village Manager  
Linda Polkoski, Village Treasurer  
Peter Berger, Village Attorney  
Brian Schug, Code Enforcement Officer  
Noreen Dechon, Village Clerk

Mayor Kaplan stated the board met earlier this evening for their neighborhood walk to view the Cape Avenue Bridge. The sidewalk is in total disrepair and the height of the rails will need to be addressed. Manager Sheeley will contact the County (since this bridge is under their purview) and request the necessary repair work be done immediately.

**APPROVAL OF  
MINUTES  
#072213-1**

Motion by Trustee Lopez, seconded by Trustee Oliveras to accept the minutes of July 8, 2013 as presented.  
All in favor - Aye - motion carried

**PETITIONERS &  
CORRESPONDENCE**

Time Warner Cable – Manager Sheeley spoke about a recent letter that was sent to subscribers about the need to purchase a converter box within the next two years.

Attorney Berger stated that the Commissioner of the Public Service Commission has signed our franchise agreement.

Cathy Van Leuven – 4 Mine Lane – inquiring about her request to purchase a portion of Village property that abuts her residence. Mayor Kaplan stated this lot could be a building lot and by cutting it in half the Village would own a lot that we would not be able to use. The Board would review her request again and get back to Ms. Van Leuven. Ms. Van Leuven also spoke about the water runoff from the mountain unto her property and Manager Sheeley will look into this matter.

Christ Ministries Baptist Church – 5 Market Street – request to close off Market Street on Friday, August 2<sup>nd</sup>, to host an event beginning at 6:00 p.m. Since this is a Friday night and the downtown area will be active, it was suggested that the Church use the “Farmer’s Market” property. The Village Clerk will contact Reverend Gunter and coordinate this event. It was also discussed that the “Farmers Market” be renamed and several ideas were discussed.

## **ENGINEER’S REPORT**

Don Fletcher and Glenn Gildaly of Barton and Loguidice were before the board tonight to discuss different water issues and also a grant application for funding for sewer planning.

Mayor Kaplan requested an action plan for our water system such as an alternate water source, Mountain Avenue pump station, easement from Honor’s Haven, activating the Center Street well and increasing the amount of water that can be stored at North Gully or the ability to inactivate this storage tank.

Also discussed was the status of the Wastewater Treatment Plant project.

## **RESOLUTION TO GO OUT TO BID-IDA LANE #072213-2**

Resolution by Trustee Lopez, seconded by Trustee Oliveras authorizing Barton & Loguidice to go out to bid for the construction of a wall on Ida Lane contingent upon USDA approval and said bids are returnable September 9, 2013.

All in favor - Aye - motion carried

**RESOLUTION  
FOR BARTON &  
LOGUIDICE TO  
APPLY FOR CONSOLIDATION  
FUNDING  
GRANT  
072213-3**

Resolution by Trustee Lopez, seconded by Trustee Oliveras authorizing Barton & Loguidice to apply for a consolidation funding grant in reference to sewer planning. The Village authorized payment of \$2,000 to Barton & Loguidice for this application.

All in favor - Aye - motion carried

**POLICE REPORT**

Chief Mattracion gave updates on his personnel's training, recent arrests and the plans for the Huckleberry Festival.

Mayor Kaplan requested more police presence at the Berme Road Park and proposed getting prices for a surveillance camera at the park to be monitored at the Police station.

**MOTION FOR  
RFP-SURVEILLANCE  
CAMERA  
#072213-4**

Motion by Trustee Lopez, seconded by Trustee Oliveras to advertise for "Request for Proposals" for a surveillance camera at the Berme Road Park.

All in favor - Aye - motion carried

**MOTION TO  
APPROVE HIRING  
OF POLICE OFFICER  
WILLIAM CARELLI  
#072213-5**

Motion by Trustee Lopez, seconded by Trustee Oliveras to approve a "contingent (upon passing the physical exam) offer" of employment to Police Officer William Carelli at a salary of \$37,029 in accordance with Police bargaining unit effective July 24, 2013 upon recommendation of Chief Philip Mattracion and Village Manager Sheeley.

All in favor - Aye - motion carried

**MANAGER'S REPORT**

Hudson Valley Production – Manager Sheeley spoke about a recent request from a film company to use our Court/Meeting room and the board approved this request.

Wastewater Treatment Plant – Cornerstone cannot do the work previously approved for lines to new plant; but will sub-contract Cross Point Solution to do the installation.

**MOTION TO  
RETAIN SERVICES  
CROSS POINT SOLUTIONS  
#072213-6**

Motion by Trustee Oliveras, seconded by Trustee Lopez to retain services of Cross Point Solutions to install the lines to the new sewer plant at a cost not to exceed the amount of \$500 which the board previously approved for Cornerstone.

All in favor - Aye - motion carried

**MOTION TO  
APPROVE PURCHASE  
OF BAFFLE-WWTP  
#072213-7**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the purchase of a baffle in the amount of \$1,500 to be used at the new Wastewater Treatment Plant as recommended by the Village Manager and Sewer Department Foreman. This expenditure will be charged to the Wastewater Treatment Plant Project.

All in favor - Aye - motion carried

**ATTORNEY'S REPORT**

Attorney Berger reviewed with board members the proposed local law to amend the Village Code pertaining to sidewalk displays.

**MOTION TO ADOPT  
LOCAL LAW #1 OF 2013  
RE: SIDEWALK DISPLAYS  
#072313-5**

Motion by Trustee Oliveras, seconded by Trustee Lopez to adopt Local Law #1 of 2013 amending the Village Code pertaining to sidewalks.

WHEREAS, the Village of Ellenville wants to add a new Paragraph (5) to the

Village Code Section 227-131, A;

NOW, THEREFORE, BE IT enacted by the Village Board of the Village of Ellenville:

Paragraph (5) shall be added to read as follows:

“(5) The exhibition or display of merchandise or materials on the exterior of any new or existing non-residential property shall require issuance of a special permit pursuant to Section 227-128. This shall include, but not be limited to displays or exhibitions of merchandise or materials for sale to the public or the operation of sidewalk cafes.” This paragraph shall apply to all existing and new commercial uses unless prior site plan approval includes the depiction of such outside activity.

Roll Call Vote:	Mayor Kaplan	Aye
	Trustee Lopez	Aye
	Trustee Oliveras	Aye

Motion passed

Mayor Kaplan requested that the board discuss the penalties that are assessed to late water/sewer payments.

#### **MOTION TO SCHEDULE**

#### **PUBLIC HEARING**

#### **RE: LATE PENALTIES**

#### **WATER/SEWER**

#### **#072213-6**

Motion by Trustee Lopez, seconded by Trustee Oliveras to schedule a Public Hearing for a new local law on September 9, 2013 at 7:15 p.m. to discuss the penalties assessed to late water/sewer payments.

All in favor - Aye - motion carried

#### **PRESENTATION**

Frank Cerullo – Wright Express (gas card program) – reviewed with board members the program and how it would eliminate the need for the Village gas pumps. This program allows Village owned vehicles to fuel up at any gas station. Mr. Cerullo stated the price of the gas is on State bid and Mayor Kaplan requested that Attorney Berger review the contract to check that the Village does not have to go out to bid.

**TREASURER'S REPORT**

Treasurer Polkoski reviewed the appropriation transfers and correction of audit record that she is recommending for approval. Also Ms. Polkoski gave board members her monthly Treasurer's Report.

Postage Machine – Proposals have been received from several vendors and Mayor Kaplan requested that this lease be tabled till the next meeting.

**BUILDING DEPARTMENT**

Building Inspector Schug reported on the lawn maintenance fines, approval of payments for the Wastewater Treatment Plant, his safety inspection at 2 Roslyn Street and an electrical estimate for repairs at the Hunt Memorial building.

In reference to the electrical estimate at the Hunt Building it was requested that Manager Sheeley contact the Chamber of Commerce and Hunt Memorial Committee to discuss this estimate.

**RESOLUTIONS****MOTION REAPPOINTING****PAUL ROSS-HPC****#072213-7**

Motion by Trustee Lopez, seconded by Trustee Oliveras reappointing Paul Ross to the Historic Preservation Committee effective July 1, 2013 with term expiring June 30, 2016.

All in favor - Aye - motion carried

**MOTION APPOINTING****JEFFREY SLADE-HPC****#072213-8**

Motion by Trustee Lopez, seconded by Trustee Oliveras appointing Jeffrey C. Slade to the Historic Preservation Commission effective July 23, 2013 with term expiring June 30, 2016.

All in favor - Aye - motion carried

**MOTION TO AMEND  
RESOLUTION-INDEMNIFICATION  
AND CONVEYANCE AGREEMENT**

**#072213-9**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the attached amended resolution in reference to the Indemnification and Conveyance agreement with Ulster County in for the Teitelbaum property, 187 Center Street, Ellenville, NY.

All in favor - Aye - motion carried

**MOTION TO APPROVE  
APPROPRIATION TRANSFERS**

**#072213-10**

Motion by Trustee Oliveras, seconded by Trustee Lopez authorizing the attached appropriation transfers upon recommendation of the Village Treasurer.

All in favor - Aye - motion carried

**MOTION APPROVE  
CORRECTION OF AUDIT  
REPORT**

**#072213-11**

Motion by Trustee Oliveras, seconded by Trustee Lopez authorizing the attached correction of the audit report dated 6/10/13 upon recommendation of the Village Treasurer.

All in favor - Aye - motion carried

**MOTION TO APPROVE  
LAWN MAINTENANCE**

**#072213-12**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the lawn maintenance charges for property owners.

All in favor - Aye - motion carried

**MOTION TO APPROVE  
EXPENDITURE TO NEWBURG  
WINWATER  
#072813-13**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the expenditure of \$7,621.50 to Newburgh Winwater for repair of manholes requisitioned by the Sewer Department and approved by the Village Manager.

All in favor - Aye - motion carried

**MOTION TO APPROVE  
EXPENDITURE TO BRINKERHOFF  
TREE SERVICE  
#072813-14**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the expenditure of \$1,200.00 to Brinkerhoff Tree Service for the removal and/or trimming of four trees requisitioned by the Street Department and approved by the Village Manger.

All in favor - Aye - motion carried

**MOTION TO APPROVE  
EXPENDITURE TO  
GOLDSTAR PRODUCTS  
072813-15**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the expenditure of \$1,699.00 to Goldstar Products for foaming line degreaser requisitioned by the Sewer Department and approved by the Village Manager.

All in favor - Aye - motion carried

**MOTION AUTHORIZING  
PAYMENT TO ALTERIS RENEWABLE  
#072813-16**

Motion by Trustee Oliveras, seconded by Trustee Lopez to authorize payment #2 for \$70,157.63 to Alteris Renewable in reference to the new Wastewater Treatment Plant upon recommendation of Barton & Loguidice.

All in favor - Aye - motion carried



**MOTION AUTHORIZING  
PAYMENT TO J&J SASS ELECTRIC  
#072813-17**

Motion by Trustee Oliveras, seconded by Trustee Lopez to authorize payment #7 to J&J Sass Electric in the amount of \$52,721.38 upon recommendation of Barton & Loguidice.

All in favor - Aye - motion carried

**MOTION AUTHORIZING  
PAYMENT TO U.W. MARX, INC.  
#072813-18**

Motion by Trustee Oliveras, seconded by Trustee Lopez to authorize payment #24 to U.W. Marx, Inc. in the amount of \$115,824.11 upon recommendation of Barton & Loguidice.

All in favor - Aye - motion carried

**MOTION AUTHORIZING  
PAYMENT TO FAMILY DANZ  
#072813-19**

Motion by Trustee Oliveras, seconded by Trustee Lopez to authorize payment #9 to Family Danz Heating & A/C in the amount of \$5,766.50 subject to release of lien upon recommendation of Barton & Loguidice.

All in favor - Aye - motion carried

**ADJOURN  
#072813-20**

Motion by Trustee Lopez, seconded by Trustee Oliveras to adjourn to Executive Session not to reconvene to public session to discuss personnel and contractual matters at 8:30 p.m.

All in favor - Aye - motion carried

Respectfully submitted, submitted,

Noreen Dechon  
Village Clerk