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Village of Ellenville  
Village Board Meeting  
Monday, December 14, 2009

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

<b>ROLL CALL</b>	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  
Philip Mattracion, Police Chief  
Noreen Dechon, Village Clerk  
Linda Polkoski, Village Treasurer  
Brian Schug, Code Enforcement Officer

Mayor Kaplan reported that earlier this evening Dr. LaMar Hasbrouck, Director of Ulster County Health Department, to give an update for the H1N1 virus and his plans for the future of a healthy Ulster County.

**PRESENTATION**

Mayor Kaplan and board members presented a Certificate of Recognition and congratulations to A.J. Borriello for his recent naming as the Daily Freeman's Football Player of the Year.

Mayor Kaplan requested the Board's approval to invite the Guiliano family and present them with a Certificate of Merit for all their community works especially during the holiday season. The board approved this request unanimously.

**ORGANIZATIONAL**

Mayor Kaplan appointed Trustee Younger as Deputy Mayor

**MAYORAL APPOINTMENT  
WITH BOARD OF TRUSTEES  
APPROVAL**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to approve the mayoral appointments as follows:  
Village Clerk Noreen Dechon

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Deputy Village Clerk	Traci Jeter
Village Treasurer	Linda Polkoski
Receiver of Taxes	Linda Polkoski
Deputy Receiver of Taxes	Traci Jeter
Registrar of Vital Statistics	Noreen Dechon
Deputy Registrar of Vital Statistics	Traci Jeter
Acting Village Justice	Harvey Levine
Court Clerk	Theresa Minuck

All in favor - Aye - motion carried

**MAYORAL BOARD  
LIAISON APPOINTMENTS**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to approve the mayoral board liaison as follows:

Hunt Memorial Preservation Cmtee	Mary Sheeley
Cable TV	Raymond Younger
Parks & Recreation	Francisco Oliveras
Youth & Recreation	Patricia Steinhoff
Police Department	Jeff Kaplan & Efrain Lopez
Street Department	Efrain Lopez
Water/Sewer Department	Francisco Oliveras
Municipal Buildings	Raymond Younger
Village Inter-municipal Committee	Jeff Kaplan & P. Steinhoff
Code Enforcement Department	Jeff Kaplan & R. Younger
Attorney	Collier & Berger
Arts	Patricia Steinhoff
Farmers Market	Jeff Kaplan

All in favor - Aye - motion carried

**MAYORAL DESIGNATION  
WITH BOARD OF TRUSTEES  
APPROVAL**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the following designations:

Official Newspaper	Shawangunk Journal
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**MAYORAL APPOINTMENT  
WITH BOARD OF TRUSTEES  
APPROVAL**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to approve the following depositories recommended by the Mayor:

Provident Bank  
Catskill Hudson Bank  
M & T Bank  
Orange Trust  
Chase Bank  
All in favor - Aye - motion carried

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**APPROVAL OF  
MINUTES  
#121409-01**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to approve the minutes of November 23, 2009 as presented.  
All in favor - Aye - motion carried

**PETITIONERS &  
CORRESPONDENCE**

Joel Schreibman – questioned the status of the Time Warner Franchise agreement and Attorney Berger responded that he has written to Brenda Parks and Kate Hope and is waiting for a response.

**MOTION AUTHORIZING  
CLERK TO WRITE A  
LETTER TO PUBLIC  
SERVICE COMMISSION  
#121409-02**

Motion by Trustee Steinhoff, seconded by Trustee Lopez requesting that the Village Clerk write a letter to Kate Hope, Public Service Commission, indicating the Village's disappointment with the lack of progress with the franchise renewal despite the efforts of the Village Attorney.  
All in favor - Aye - motion carried

Treasurer Polkoski spoke about the Utility Tax for Direct TV and Mayor Kaplan requested that the Village Attorney check if they are subject to our utility tax.

Also Mayor Kaplan requested that the Village Clerk ask Michael Sommer, Assessor, for an update on the utility tax on the antennae farms.

Time Warner Cable – Correspondence indicating the additions/deletions of channels.

Ulster County Legislative – Correspondence thanking the Village for their use of our meeting room recently.

**MOTION TO CLOSE  
LIBERTY SQUARE ON  
12/19/09  
#121409-03**

Motion by Trustee Steinhoff, seconded by Trustee Lopez approving the request from the Chamber of Commerce to close Liberty Square on December 19, 2009 from 4:00 p.m.-6:00 p.m. for their "Holiday Sing."

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All in favor - Aye - motion carried

NYS Office of Real Property Services – Michael Sommer received a letter notifying the Village of Ellenville that the Board of Real Property Services has determined the Residential Assessment Ratio. No action required.

**MOTION TO  
TABLE APPOINTMENT  
OF CANDIDATE  
FOR THE HOUSING  
AUTHORITY  
#121409-04**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to table the appointment for a candidate for the Ellenville Housing Board.

All in favor - Aye - motion carried

**MOTION TO  
TABLE APPOINTMENT  
OF CANDIDATE  
ULSTER COUNTY  
PLANNING BOARD  
#121409-05**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to table the appointment for a candidate for the Ulster County Planning Board.

All in favor - Aye - motion carried

Historic Preservation By-Laws – The Village Board acknowledged receipt of the revised by-laws.

Proposals for Historic Resources Survey – Mrs. Marion Dumond reviewed with board members the two proposals received in reference to a Historic Resource Survey. Mrs. Dumond stated that her board met earlier this evening to review the proposals and selected Larson Fisher Associates if the Village Board concurs.

**MOTION TO AWARD  
LARSON FISHER ASSOCIATES  
FOR A HISTORIC RESOURCES  
SURVEY  
#121409-06**

Motion by Trustee Oliveras, seconded by Trustee Lopez to award Larson Fisher Associates the task of performing a Historic Resources Survey at a cost of \$10,000 after a recommendation for the Office of Parks & Recreation and also the clarity of the description of the match by the Village.

All in favor - Aye - motion carried

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**SCHEDULE A PUBLIC  
HEARING-KINGSTON/  
ULSTER EMPIRE ZONE  
#121409-07**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to schedule a Public Hearing on January 11, 2010 at 7:15 p.m. for the purpose of discussing the Village's withdrawal from the Kingston/Ulster Empire Zone.  
All in favor - Aye - motion carried

**POLICE DEPARTMENT**

Chief Mattracion reported on the snow removal from sidewalks after the first storm.

Chief Mattracion also spoke about the P.A.L. toy drive and the possibility of coordinating the different organizations in the area that have toy drives.

**RESOLUTIONS**

**RESOLUTION AUTHORIZING  
MAY TO SIGN CHECKS IN THE  
ABSENCE OF VILLAGE TREASURER  
#121409-08**

Resolution by Deputy Mayor Younger, seconded by Trustee Lopez authorizing the Mayor to sign checks in the absence of the Village Treasurer.  
All in favor - Aye - motion carried

**MOTION TO SCHEDULE  
A SPECIAL MEETING  
#121409-09**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to schedule a special meeting on Friday, December 18, 2009 at 12:00 to accept the bid on the photovoltaic lights for the Wastewater Treatment Plant.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
A BOND ANTICIPATION NOTE  
#121409-10**

Resolution by Trustee Steinhoff, seconded by Trustee Oliveras authorizing a Bond Anticipation Note (BAN) for \$1,200,000 for the Beckley Drive Bridge project for interim financing. Funds to be reimbursed pursuant to various grants received by the Village.  
Roll Call Vote:

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Mayor Kaplan	Aye
Deputy Mayor Younger	Aye
Trustee Lopez	Aye
Trustee Oliveras	Aye
Trustee Steinhoff	Aye

**RESOLUTION ESTABLISHING  
A RESERVE FUND FOR FUTURE  
SEWER REPAIRS & REPLACEMENT  
#121409-11**

Resolution by Trustee Steinhoff, seconded by Trustee Lopez to establish a reserve fund for future sewer repairs and replacement.

Roll Call Vote:

Mayor Kaplan	Aye
Deputy Mayor Younger	Aye
Trustee Lopez	Aye
Trustee Oliveras	Aye
Trustee Steinhoff	Aye

**RESOLUTION AUTHORIZING  
A BOND ANTICIPATION NOTE  
#121409-12**

Resolution by Deputy Mayor Younger, seconded by Trustee Oliveras authorizing a Bond Anticipation Note (BAN) for \$300,000 for interim financing for the new Wastewater Treatment Plant project.

Roll Call Vote:

Mayor Kaplan	Aye
Deputy Mayor Younger	Aye
Trustee Lopez	Aye
Trustee Oliveras	Aye
Trustee Steinhoff	Aye

**RESOLUTION AUTHORIZING  
MANAGER TO SIGN A THREE  
YEAR AGREEMENT WITH  
EVERGREEN DISPOSAL  
#121409-13**

Resolution by Trustee Lopez, seconded by Trustee Oliveras amending motion #020909-13 which authorized the Village Manager to sign an agreement with Evergreen Disposal. This agreement is for three years effective January 1, 2009.

All in favor - Aye - motion carried

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**RESOLUTION AFFIRMING  
VILLAGE POLICY REGARDING  
PAYMENT OF ACCRUED/ACCUMULATED  
COMPENSATION TIME  
#121409-14**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger affirming Village policy regarding payment of accrued/accumulated compensatory time for all non-union employees.

All in favor - Aye - motion carried

**RESOLUTION CORRECTING  
VILLAGE PERSONNEL MANUAL  
#121409-15**

Resolution by Deputy Mayor Younger, seconded by Trustee Lopez to correct the Village Personal Manual to remove Village Election Day as a holiday.

All in favor - Aye - motion carried

**RESOLUTION TABLING  
PURCHASE ORDER FORM  
APPROVAL  
#121409-16**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger to table accepting the form to use when submitting purchase orders when quotes are required.

All in favor - Aye - motion carried

**RESOLUTION AMENDING  
WATER & SEWER RATE  
SCHEDULE EFFECTIVE  
1/1/10  
#121409-17**

Resolution by Trustee Lopez, seconded by Trustee Steinhoff to change the water and sewer rate schedule effective 1/1/10 as follows:

Water residential minimum would go from \$19 to \$21 for the first 5,000 gallons and from \$3.00 to \$5.00 for all usage above 5,000 gallons.

Commercial water minimum would go from \$39 to \$41 for the first 5,000 gallons and from \$3.50 to \$5.50 for all usage over 5,000 gallons.

Residential sewer minimum would go from \$33 to \$35 for the first 5,000 gallons and from 5,000 gallons – 30,000 the rate would go to \$5.00 to \$7.00 and over 30,000 gallons the rate would go from \$5.50 to \$7.50 per thousand.

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Commercial sewer minimum would go from \$68 to \$70 for the first 5,000 gallons, for usage from 5,000 gallons to 25,000 the rate would go from \$5.50 to &. \$7.50 per thousand and over 25,000 gallons would go from \$6.50 to \$8.50.

All in favor - Aye - motion carried

**RESOLUTION TABLING  
ESTABLISHMENT OF  
WORK WEEK FOR  
VILLAGE OFFICIALS  
#121409-18**

Resolution by Deputy Mayor Younger, seconded Trustee Steinhoff to table the establishing work week for Village officials.

All in favor - Aye - motion carried

**ATTORNEY'S  
REPORT**

Attorney Berger stated that the Board will need to schedule a Public Hearing in reference to a Local Law for a Public Referendum regarding the Mountain Reserve Fund.

**MOTION DETERMINING  
THAT THE WITHDRAWAL  
OF FUNDS WILL NOT  
HAVE A SIGNIFICANT  
IMPACT ON THE ENVIRONMENT  
#121409-19**

Motion by Trustee Steinhoff, seconded by Trustee Lopez determining that the action of withdrawal of funds from the Special Reserve Fund will not have a significant effect on the environment and also the Village of Ellenville declares itself lead agency.

All in favor - Aye - motion carried

**MOTION TO SCHEDULE  
A PUBLIC HEARING IN  
REFERENCE TO LOCAL LAW  
#1 OF 2010  
#121409-20**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to schedule a Public Hearing on January 11, 2010 at 7:30 p.m. in reference to Local Law #1 of 2010 for a public referendum regarding the Special Reserve Fund.

All in favor - Aye - motion carried

**BUILDING DEPARTMENT**

Code Enforcer Schug reported that on December 11<sup>th</sup> he had contact with Ellen ridge's attorney and they have taken some initial



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steps to control the erosion, repair the cul de sac and to install the water booster station.

**VILLAGE MANAGER'S  
REPORT**

Manager Sheeley presented to the board the monthly reports from each department.

Manager Sheeley spoke about amending the personnel manual for non-union employees hours from 40 hours to 37 ½ hours.

**MOTION TO TABLE  
AMENDMENT OF HOURS  
FOR NON-UNION EMPLOYEES  
##121409-21**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to table this amendment to the next meeting.  
All in favor - Aye - motion carried

**MOTION AMENDING  
POLICY FOR GIFTS TO  
EMPLOYEES  
##121409-22**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to amend our policy for gifts to employees from \$25 to no more than \$50.  
All in favor - Aye - motion carried

Playground Fund – Manager Sheeley reported that the Village has paid \$29,000 in bills for the Playground and it was requested that a letter be sent to the committee advising them of their deficit and would appreciate that they honor the commitment.

De-Icing – Mayor Kaplan stated that the de-icing is having a positive impact in the Village and Manager Sheeley has the authority to direct the Street Department when to use the de-icing and brine.

**MOTION AWARDING  
BID TO REED SYSTEMS  
ENVIROBRINE LIQUID &  
ANTI ICING LIQUID  
##121409-23**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to award the bid for Reed Systems, Inc. for Envirobrine Liquid & Anti Icing Liquid and Anti Icing Solution as follows as long as it is the same price as last year.

Item 1= 32% Envirobrine Delivered at Tank \$0.79 per gallon

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Item 2 = 25% Anti Icing Solution with corrosion inhibitor  
delivered to a tank in accordance with the specification

\$0.65 per gallon

All in favor - Aye - motion carried

**TRUSTEE REPORTS**

Trustee Steinhoff reported that she and Trustee Oliveras met with Glen Gildaly in reference to grants and preliminary sketches will be ready for the January 11<sup>th</sup> meeting. Trustee Steinhoff spoke about the YMCA contract and this will be ready for the Mayor's signature shortly.

Trustee Lopez requested a Village code book and also spoke about the need for new sidewalks around Kossar Place.

**ADJOURN**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn in Executive Session at 8:30 p.m. to discuss litigation not to reconvene to public session.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk