

Village of Ellenville  
Board Meeting  
Monday  
February 24, 2020

The meeting was called to order with the Pledge of Allegiance by Mayor Kaplan at 6:00 p.m.

**ROLL CALL**

Mayor Jeffrey Kaplan	Present
Deputy Mayor Raymond Younger	Present
Trustee Michael Moschetta	Present
Trustee Francisco Oliveras	Present
Trustee Patricia Steinhoff	Present

**ALSO PRESENT**

Michael Warren, Village Manager  
Daniel Tucker, Village Treasurer  
Abigail Osgood, Village Attorney  
Michelle Booth, Deputy Clerk  
Brian Schug, Building Inspector

**MOTION TO OPEN  
PUBLIC HEARING**

Motion was made by Trustee Moschetta and seconded by Deputy Mayor Younger to open the public hearing at 6:05 pm for Local Law #2 of 2020 to discuss amending Chapter 227 of the Village of Ellenville Code pertaining to short term lodging facilities. All in favor-aye-motion carried.

The Mayor stated that this topic is popular right now all over the country. This is a great way to get people to stay in the community.

Village Attorney Osgood reviewed some of the key points of the proposed changes of Chapter 227. The Mayor opened the floor for public comment.

Karen Osterhoudt of Napanoch also owns a business in the Village along with a couple of rentals. She has owns a Victorian house on Warren Street that she feels would make a beautiful Airbnb Mrs. Osterhoudt is concerned about the permanent residence being a qualification, 90 nights in a calendar year and one rental contract for example only one apt of possibly three apartments maybe used for the short term rentals.

Dr. Paul Lonstein residence of 6 Diane Drive is concerned of the short term rental in his neighborhood. He states that he doesn't have a problem with Airbnb's; he knows that some properties in his neighborhood have deed restrictions. His concerns are that the garbage cans are left out; the driveway has not been plowed. He wants to know if the short term rentals are going to be required to have fire code inspections. Are the owners going to be required to carry extra insurance? Building Inspector Schug stated that they will have to follow Ulster County's Local Law #5 that will be part of our provision. The Mayor would like the Village Attorney to provide the Board and the public with the County's Law. Dr. Lonstein is also concerned about the road. There were multiple coach buses and were off the edge of the road, who is going to be responsible to fix the ruts and road edges? Another concern is that most of the issues happen on the weekend. Who is going to address these issues on the weekend? Building Inspector Schug stated that he is called all hours of the night including weekends. On the Kosher Reserve website, the house at 10 Diane Drive and is listed to have 1 king bed, 6 queen beds, 24 twin beds and 2 cribs.

Paul Valinsky from 9 Diane Drive he is next door neighbors to the house in question. His biggest concern is the buses. The buses are idling for 90 minutes at a time. Some weekends there are 11 cars parked there. Right now it is the middle of winter and its quiet, what is going to happen during the summer when the kids are running around.

Robin Lonstein 10 Diane Drive is also concerned about the buses and a lot of traffic on the road. There is not adequate parking. Two full coach buses an enormous amount of people.

The Mayor would like the building inspector to contact the Board of Health to see what the requirements are if food is being served.

Levi Hecht from Westwood Avenue is in favor of Airbnb's his concern is limiting the number of people. Between his wife and kids, they are more than six people and when a family goes on vacation, they usually bring parents and other family members.

Mrs. Bracaha Friedman the owner of 10 Diane Drive does not feel that she has had a warm welcome into Ellenville. There is a 2 million dollar insurance policy on the property. She apologizes for the one time that the driveway was not plowed. Mrs. Friedman has a very large family and it consists of over 40 people. She feels that this is personal and doesn't deserve this.

Mayor Kaplan assured Mrs. Friedman that nobody can stop you from bringing your family up if it is 30 or 40 people. When you start renting and advertising and renting your house, that is clearly a big distinction when you have 30 people in a single family residence you are opening up a business. This is just something you just don't do in a small community. Mrs. Friedman does agree about the buses.

Mr. Eli Friedman owner of 10 Diane Drive has 7 siblings and they have 7-13 children a piece and his wife has a large family. The Mayor does not want the religious car pulled. This is definitely not about religion.

Maggie Schant owner of an Airbnb outside of the Village she is concerned about section 3 part A. She feels this would be restrictive to people that are looking to buy a vacation home. She has a limit of five people to her Airbnb. She also feels that the 90 day rule might also be a problem. The Board appreciated her input and comments. Deputy Mayor Younger asked if she resided on the property. Ms. Schant said there are multiple dwellings on one property and she lives right next door.

Pricilla Donnelly from Claire Court wanted to know if there was a sound ordinance. She can hear the kids screeching in the pool from the Resnick Property.

Richard Travers owner of 81 North Main Street and he building is approved for 3 apartments on the 2<sup>nd</sup> floor. The limit to one contract limits him. The rules are not quite comprehensive for the rules to exist.

Anna Mott from Wawarsing who's family member from Gardiner is having the same trouble. She is concerned about 90 day restriction and permanent residency.

Jerry Maier 8 Burlison Avenue is questioning districts. Is it going to matter what someone does in a commercial versus a residential zoned property.

Mayor Kaplan will leave the public hearing open until the next meeting, March 9<sup>th</sup>. Dan Schuster the Villager Planner will be at the next meeting.

**MOTION TO ADJOURN  
THE PUBLIC HEARING  
UNTIL MARCH, 9, 2020**

Motion was made by Trustee Steinhoff and seconded by Trustee Oliveras to adjourn the public hearing for local law #2 of 2020 pertaining to short term rentals until March 9, 2020 all in favor-aye-motion carried

**CONTINUANCE OF  
PUBLIC HEARING OF  
LOCAL LAW #1  
OF 2020 PERTAINING  
TO MOVIES AND FILMING**

Motion was made by Trustee Steinhoff and seconded by Trustee Moschetta to open the public hearing to further discuss Local Law #1 of 2020 pertaining to movies and filming. All in favor-aye-motion carried.

**MOTION TO CLOSE THE PUBLIC  
HEARING PERTAINING TO LOCAL  
LAW #1 OF 2020 PERTAINING TO  
MOVIES AND FILMING**

Motion was made by Trustee Steinhoff and seconded by Trustee Moschetta to close the public hearing to further discuss Local Law #1 of 2020 pertaining to movies and filming. All in favor-aye-motion carried.

**MOTION TO APPROVE LOCAL  
LAW #1 OF 2020 PERTAINING  
TO MOVIES AND FILMING**

Motion was made by Trustee Steinhoff and seconded by Trustee Moschetta to approve Local Law #1 of 2020 pertaining to movies and filming.

Roll Call:

Mayor Kaplan-aye  
Deputy Mayor Younger-aye  
Trustee Steinhoff-aye  
Trustee Oliveras-aye  
Trustee Moschetta-aye

Motion Carried

**APPROVAL OF MINUTES**

Motion was made by Trustee Oliveras and seconded by Trustee Steinhoff to approve the minutes from January 27, 2020 with corrections. All in favor-aye-motion carried.

After the Mayor had a discussion with the Village Attorney, the Village Judge was elected in November 2018. His term ends in 2022 not 2023.

**PETITIONERS AND CORRESPONDENCES**

1. Debbie Bissett from Phyllis Drive brought her friend Hiro Oquendo who states he was brutally beaten in the Village. The Mayor would like the Village Manager to take down the information and will have the Police Chief look into the incident.
2. Wayne Lonstein is here regarding a possible asbestos and water runoff problem from the fire. Mr. Lonstein is asking what tests have been done. Building Inspector Schug is not aware of any testing that has been done. The fire is under the Department of Labor's jurisdiction. The tenants from the blue trailer were also present; they are also stating that they never received notice from the Building Department about their residence being condemned. The Building Inspector stated that the residence in question was condemned and posted the night of the fire. The Mayor stated that the debris from the fire was picked up a lot quicker than other debris sites.

Building Inspector Schug feels that he was mistreated by Wayne Lonstein. The Mayor wanted to note that the DEC and the Department of Labor were in control of all cleanup of this site. The Mayor also stated that laws are very restrictive of cleanups of these sites since 9/11. The Village is in receipt of Mr. Lonsteins letter, which was forwarded to the insurance company. The Village has not received any results of environmental testing that has been performed on the site.

**Manager's Report**

Manager Warren explained to the Board the resolutions/purchases that the Sewer Department is looking to get approved.

NY Leak detection they have identified two major leaks and four minor leaks. One of the leaks was losing 80,000 a day. The tanks immediately went up and doubled our reserve.

There is a resolution on the agenda tonight for the golf carts.

The Manager and the Treasurer started working on the budget.

The Mayor stated that Honors Haven will not be having golf this season, which is good news for the Village as far as gaining memberships and leagues. An email will be sent out this week with the pricing and packages that will include a package the restaurant.

The Mayor would like to work on getting some financial help from the Town for celebrations and the parks, since two of the three major parks are in the Town.

**Treasurer's Report:**

Treasurer Tucker hopes to have a draft budget by the next meeting.

Treasurer Tucker is also still looking for the reimbursement that we may have received from the Town two years ago for the Blueberry Festival. The Mayor would like to get a rough cost over to the Town for the Blueberry Festival this year.

**Attorney's Report:**

Attorney Osgood put together the information for local law #3 of 2020 Termination of the Village Court System. The Mayor would like to schedule the public hearing for March 23, 2020.

The Village only has one property for the 2016 tax sale. We can just take title to the property, no need for an Auction.

**Resolutions:**

**MOTION TO SCHEDULE A PUBLIC HEARING  
ON MARCH 23, 2020 FOR LOCAL LAW #3 OF 2020  
PERTAINING TO TERMINATION OF THE  
VILLAGE COURT SYSTEM**

Motion was made by Trustee Steinhoff and seconded by Trustee Moschetta to schedule a public hearing on March 23, 2020 for local law #3 of 2020 pertaining to Termination of the Village Court System. All in favor-aye-motion carried

**MOTION TO APPROVE THE EXPENDITURE  
OF \$12,600.00 TO CALGON CARBON  
EXPENDITURE WAS APPROVED AT THE  
MEETING OF JANUARY 27<sup>TH</sup> SUBJECT TO  
BEING PAID WITHIN THE THREE YEARS  
AND PER CALGON CARBON PAYMENT  
MUST BE PAID IN FULL AT THE TIME OF SERVICE**

Motion was made by Trustee Oliveras and seconded by Trustee Steinhoff to approve payment in full to Calgon Carbon to be paid at the time of service. All in favor-aye-motion carried.

**MOTION TO APPROVE THE EXPENDITURE  
OF \$15,000.00 TO FAIRFIELD SERVICE CO.  
EXPENDITURE WAS APPROVED AT THE  
MEETING OF JANUARY 27<sup>TH</sup> SUBJECT TO  
BEING PAID WITHIN THE FIVE YEARS  
AND PER FAIRFIELD SERVICE CO.  
PAYMENT MUST BE PAID IN FULL  
AT THE TIME OF SERVICE.**

Motion was made by Trustee Moschetta and seconded by Trustee Steinhoff to approve payment in full to Fairfield Service Company in the amount of \$15,000 to be paid at the time of service. All in favor-aye-motion carried.

**MOTION TO AUTHORIZE THE  
EXPENDITURE OF \$7,033.78 TO  
DUKE'S ROOT CONTROL, INC.  
FOR KILLING ROOTS IN SEWER  
LINES AND MANHOLES UPON  
RECOMMENDATION OF THE  
SEWER DEPARTMENT FOREMAN.**

Motion was made by Trustee Steinhoff and seconded by Trustee Oliveras to approve the expenditure of \$7,033.78 to Duke's Root Control, Inc. upon recommendation of the Sewer Department Foreman. All in favor-aye-motion carried.

**MOTION TO RE-AFFIRM THE  
EMERGENCY EXPENDITURE  
OF \$6,031.00 TO SIEWERT  
EQUIPMENT FOR REPAIR  
WORK AT THE ROSLYN  
STREET PUMP STATION  
UPON RECOMMENDATION  
OF THE SEWER DEPARTMENT FOREMAN**

Motion was made by Deputy Mayor Younger and seconded by Trustee Steinhoff to re-affirm the emergency expenditure of \$6,031.00 to Siewert Equipment for repair work at the Roslyn Street pump station upon recommendation of the Sewer Department Foreman. All in favor-aye-motion carried.

**MOTION AUTHORIZING JUDGE  
PARKER TO ATTEND CORE  
A AND CORE B CONFERENCE  
IN ALBANY, NY ON MARCH 9, 2020  
IN THE AMOUNT OF \$115.00 UPON  
RECOMMENDATION OF JUDGE PARKER**

Motion was made by Trustee Steinhoff and seconded by Deputy Mayor Younger to approve Judge Parker to attend Core A and Core B Conference in Albany, NY on March 9, 2020 in the amount of \$115.00 upon recommendation of Judge Parker. All in favor-aye-motion carried.

**MOTION AUTHORIZING THE  
EXPENDITURE OF \$3,900.00  
TO MB AND SONS CONSTRUCTION, INC.  
FOR INSTALLING ELECTRIC TO THE POLE BARN  
AT THE STREET DEPARTMENT UPON  
RECOMMENDATION OF THE VILLAGE MANAGER**

Motion was made by Trustee Moschetta and seconded by Trustee Steinhoff to approve the expenditure of \$3,900.00 to MB and Sons Construction, Inc. for installing electric to the pole barn at the Street Department upon recommendation of the Village Manager. All in favor-aye-motion carried.

**MOTION TO RESCIND THE APPOINTMENT  
OF KEITH YORK TO THE ZONING BOARD  
OF APPEALS AND RE-AFFIRM HIS'  
APPOINTMENT AS AN ALTERNATE TO THE PLANNING  
BOARD UPON RECOMMENDATION  
OF THE VILLAGE ATTORNEY**

Motion was made by Trustee Steinhoff and seconded by Trustee Moschetta to rescind the appointment of Keith York to the Zoning Board of Appeals and re-affirm his' appointment as an alternate to the Planning Board upon recommendation of the Village Attorney. All in favor-aye-motion carried.

**MOTION TO RE-AFFIRM  
THE EXPENDITURE OF  
\$1,574.00 TO SPRINGBROOK  
FOR UTILITY BUILDING  
SUPPORT UPON RECOMMENDATION  
OF THE VILLAGE MANGER**

Motion was made by Trustee Steinhoff and seconded by Deputy Mayor Younger to re-affirm the expenditure of \$1,574.00 to Springbrook for Utility Building support upon recommendation of the Village Manger. All in favor-aye-motion carried.

**MOTION TO AUTHORIZE THE  
EXPENDITURE OF \$2,142.00  
TO BARTON AND LOGUIDICE  
FOR ENGINEERING SERVICES ON  
THE HYDRANT, VALVE AND MAIN  
IMPROVEMENT CDBG  
IMPROVEMENT PROJECT UPON  
RECOMMENDATION OF THE VILLAGE TREASURER**

Motion was made by Deputy Mayor Younger and seconded by Trustee Steinhoff to authorize the expenditure of \$2,142.00 to Barton and Loguidice for engineering services on the hydrant, valve and main improvement CDBG improvement project upon recommendation of the Village Treasurer. All in favor-aye-motion carried.

**MOTION TO RE-AFFIRM  
THE EXPENDITURE OF  
\$24,800.00 TO HUDSON  
HILLS CONTRACTORS  
FOR THE INSTALLATION  
OF TEN ADA RAMPS/SIDEWALKS  
UPON RECOMMENDATION  
OF THE STREET DEPARTMENT  
FOREMAN**

Motion was made by Trustee Oliveras and seconded by Trustee Moschetta to re-affirm the expenditure of \$24,800.00 to Hudson Hills Contractors for the installation of ten ADA ramps/sidewalks upon recommendation of the Street Department Foreman. All in favor-aye-motion carried (this expenditure will be reimbursed through CHIPS).

**MOTION TO AUTHORIZE  
THE EXPENDITURE OF  
1,407.21 PER MONTH FOR  
TWENTY GOLF CARTS AND  
ONE HAULER 800X AT  
AN ANNUAL PRICE OF \$16,886.52  
UPON RECOMMENDATION  
OF THE VILLAGE MANAGER**

Motion was made by Trustee Oliveras and seconded by Trustee Steinhoff to authorize the expenditure of \$1,407.21 per month for twenty golf carts and one hauler 800X at an annual price of \$16,886.52 upon recommendation of the Village Manager. All in favor-aye-motion carried.

**MOTION TO AUTHORIZE THE VILLAGE CLERK  
TO ADVERTISE FOR THE FOLLOWING POSITIONS:  
ZONING BOARD OF APPEALS MEMBER  
ALTERNATE ZONING BOARD OF APPEALS  
MEMBER ACTING VILLAGE JUSTICE RETURNABLE  
AT THE MARCH 23, 2020 MEETING**

Motion was made by Trustee Oliveras and seconded by Trustee Steinhoff to authorize the Village Clerk to advertise for the following positions: Zoning Board of Appeals member, Alternate Zoning Board of Appeals member and Acting Village Justice. All in favor-aye-motion carried.

**MOTION AUTHORIZING ERIC CAFARO,  
MARK STEINHOFF, TONYA ALLEN,  
CARL ROSENSTOCK, PAUL TENNENBAUM  
AND ARTHUR LUKOFF TO ATTEND THE NY  
PLANNING FEDERATION CONFERENCE  
AT THE SAGAMORE HOTEL IN BOLTON  
LANDING, NY ON APRIL 19<sup>TH</sup> - 21<sup>ST</sup> AT A  
COST OF \$230.00 PER PERSON PLUS LODGING,  
MEALS AND MILEAGE UPON RECOMMENDATION  
OF THE CODE ENFORCEMENT OFFICER**

Motion was made by Trustee Moschetta and seconded by Trustee Steinhoff to authorize Eric Cafaro, Mark Steinhoff, Tonya Allen, Carl Rosenstock, Paul Tennenbaum and Arthur Lukoff to attend the NY Planning Federation Conference at the Sagamore Hotel in Bolton Landing, NY on April 19<sup>th</sup> - 21<sup>st</sup> at a cost of \$230.00 per person plus lodging, meals and mileage upon recommendation of the Code Enforcement Officer. All in favor-aye-motion carried.

The Mayor would like a phone call made to the members to make sure they are going before the reservations are made.

**MOTION TO CHANGE THE START TIME OF THE  
MARCH 23, 2020 MEETING TO START AT 5:00PM  
ULSTER COUNTY EXECUTIVE PATRICK RYAN WILL  
BE IN ATTENDANCE**

Motion was made by Trustee Oliveras and seconded by Trustee Steinhoff to change the meeting time of the March 23, 2020 meeting to 5:00pm. All in favor-aye-motion carried.

**Board Reports:**

The Mayor would like to talk about renting the 5<sup>th</sup> floor of the Government Center as an incubator. Have a secretary and meeting space.

Trustee Moschetta wants to recognize Paul Crafts hard work on the skate park. Have the Village of Ellenville Facebook page be more specific on the reason why there was no skating. Also we need to still address the drainage issues on the 3<sup>rd</sup> hole. As the liaisons for the Town, the Town is asking for things on paper that the Village would like addressed.

A joint meeting with the Town needs be scheduled for a couple of item of discussion.

**Motion to adjourn**

Motion was made by Trustee Steinhoff and seconded by Deputy Mayor Younger to adjourn the meeting at 8:23 pm. All in favor-aye-motion carried.

Respectfully submitted by:  
Michelle Booth  
Deputy Clerk