

Village of Ellenville
Village Board Meeting
Monday, December 22, 2008

Meeting called to order at with the Pledge of Allegiance by Mayor Jeffrey Kaplan at 7:10 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

Elliott Auerbach, Village Manager
Linda Polkoski, Village Treasurer
Brian Schug, Code Enforcement Officer
Attorney Philip Cataldi
Dan Hauspurg, Economic Development Officer
Noreen Dechon, Village Clerk

Mayor Kaplan wished everyone in attendance “happy holidays” and stated that the Board of Trustees have been in discussion as to how to fill the position of Village Manager since Elliott Auerbach’s recent election to County Comptroller. Since the board does not want to make any decisions on three weeks notice, they have found someone in our community who has the experience with the Village, County and finance level and have requested Mary Sheeley to take the position of a temporary part time Village Manager while the board continues their search to fill the position in the most efficient and economical way.

**MOTION TO
APPOINT MARY
SHEELEY AS
PART TIME TEMPORARY
ADMINISTRATOR
#122208-01**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to appoint Mary Sheeley as part time temporary administrator effective immediately with the starting salary of \$30,000.00. All in favor - Aye - motion carried

**PRESENTATION
OF A PLAQUE TO
MARION DUMOND**

Mayor Kaplan presented a plaque in appreciation for her work with the Hunt Memorial building.

**PRESENTATION
OF A PLAQUE TO
ELLIOTT AUERBACH**

Mayor Kaplan presented a plaque in appreciation for his work and years of service to our community.

**APPROVAL OF
MINUTES
#122208-03**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the minutes of December 8, 2008 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Joel Schreiberman – suggested that we enter into an agreement with Computel Consultants to see if the Village of Ellenville has been underpaid in our franchise fees with Time Warner Cable.

**MOTION TO ENTER
INTO AN AGREEMENT
WITH COMPUTEL
CONSULTANTS
#122208-04**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to enter into an agreement with Computel Consultants to review our franchise fee payments with Time Warner Cable at no cost to the Village with the understanding that if they do secure a refund, they are paid a one time 50% fee of any additional funds secured.
All in favor - Aye - motion carried

**MOTION TO
OPEN PUBLIC
HEARING AMENDING
SECTION 100-6**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to open the public hearing at 7:15 p.m. on amending Section 100-6 the False Alarms local law to reduce the maximum fine for causing a false alarm.

All in favor - Aye - motion carried

Mayor Kaplan stated that the board has reviewed the fines set for a false alarm and with the Chief of Police's recommendation and

input from business owners, have decided to lower the maximum fine from \$250 to \$50.

**MOTION TO
CLOSE PUBLIC
HEARING
AMENDING
SECTION 100-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to close the Public Hearing at 7:21 p.m.
All in favor - Aye - motion carried

**MOTION TO AMEND
SECTION 100-6
LOCAL LAW #5 OF 2008
#122208-05**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to amend Local Law #5 of 2008 reducing the fine for a false alarm from \$250 to \$50.

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

Motion passed

Sanitation Law-Mayor Kaplan spoke about a home on Park Street that is in horrendous condition and would like the Village Attorney to contact either the NYS Comptrollers Office or NYCOM to ask for their opinion as to what options the Village court has if the homeowner ignores our summons regarding the courts rights to issue an arrest warrant.

**PETITIONERS &
CORRESPONDENCE
(continued)**

CLG Program Grant-Correspondence received advising Village of Ellenville will be awarded \$6,000 for the Ellenville Historic Resource Survey and Condition Assessments” project.

NYS Emergency Management Office – Correspondence received informing the Village of Ellenville that a payment of \$18,500 has been processed for the severe storm and inland and coastal flooding of April, 2007.

DISCUSSION ITEMS

Veteran’s Tax Exemption – As requested, research was done to find out the number of veteran’s tax exemptions there are. A list was presented to the board.

Emergency Temporary Housing – Ulster County inquired if the Village of Ellenville had designated emergency temporary housing and they will be notified that the Ellenville School District is our site.

Shared Services Incentive Grant Program – Ulster County as lead applicant has requested municipalities that are interested in introducing AVLS into a shared system of vehicle operations pass a resolution to partner with them.

**RESOLUTION TO
PARTNER WITH
ULSTER COUNTY
INTO A SHARED
MUNICIPAL SERVICES
GRANT PROGRAM
#122208-06**

Resolution by Trustee Lopez, seconded by Deputy Mayor Younger

WHEREAS, Ulster County hosts a sophisticated Information Service Department that facilitates the Management and dissemination of public information and services to develop and orchestrate innovative and cost-effective telecommunications and information technology solutions to be shared by other Ulster County Municipalities; and LGE funding, if awarded, is intended to support the purchase and installation of an Automatic Vehicle Location System(AVL) on County and other municipal-owned highway, emergency and safety-related department vehicles. Proposed projects to be overseen by the County Information Services Department.

WHEREAS, Research and analysis of AVL benefit-cost assessment information shows that the proposed Countywide, shared-inter-municipal AVL program will result in the following outcomes: Reduction in the numbers of required equipment and vehicles; Reduction in the number of requires sub and salt stations; Reduction of overtime and outsourcing.

WHEREAS, Village of Ellenville as a co-applicant, after due consideration, has determined that it is desirable and in the public interest to support Ulster County in the submittal of an application under the 2008-2009 Local Government Efficiency Grant Program to be titled the *Ulster County Automatic Vehicle Locator Program*.

IT IS HEREBY RESOLVED THAT: The municipality of Village of Ellenville, as a Co-applicant, is on support of Ulster County's

Automatic Vehicle Locator Program and as a co-applicant, ensures government representation in the planning of the program's proposed implementation.

All in favor - Aye - motion carried

Comprehensive Plan/Generic Environmental Impact Statement – Peter Fairweather gave the Village the procedure for the adoption of the Comprehensive Plan and Generic Environmental Impact Statement. Board members would like to review the final draft before taking any further action.

**MOTION TO
TABLE ADOPTION
OF COMPREHENSIVE
PLAN/GEIS
#122208-07**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to table the adoption of the Comprehensive Plan and Generic Environmental.

All in favor - Aye - motion carried

POLICE

Chief Mattracion addressed the recent snowstorms and enforcement of keeping the sidewalks free from snow and ice.

Chief Mattracion reviewed his monthly activity report and in a meeting in January he will give a yearly report.

Chief Mattracion requested the Board of Trustees adopt a \$6,240 grant from the Traffic Enforcement Committee.

**MOTION TO
ACCEPT TRAFFIC
ENFORCEMENT
GRANT
#122208-08**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to accept a Traffic Enforcement Grant in the amount of \$6,240.

All in favor - Aye - motion carried

**MOTION TO APPOINT
BRANDON STRAUB
PART TIME POLICE
DISPATCHER
#122208-09**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to appoint Brandon Straub as part time police dispatcher effective Wednesday, December 24, 2008 upon the recommendation of Chief Mattracion and Trustee Lopez.

All in favor - Aye - motion carried

**MOTION TO APPOINT
ANTHONY YAONNOE
PART TIME POLICE
POLICE OFFICER
#122208-10**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to appoint Anthony Yaonnoe as part time police officer effective Wednesday, December 24, 2008 upon the recommendation of Chief Mattracion and Trustee Lopez.

All in favor - Aye - motion carried

Chief Mattracion asked all citizens to drive responsibly over the holidays, to wear their seatbelts and have a safe and happy season.

There was also discussion about the Street Department having trouble plowing the roads during a snowstorm with cars parked impeding their efforts. Mayor Kaplan requested that the Street Department call the Police Department with that car's license plate number and if possible call the owner, if not contact him and he will give permission to tow in a case of emergency.

**PROPOSAL FROM
BARTON & LOGUIDICE
FOR ENGINEERING & PROJECT
FACILITATION SERVICES
WASTEWATER TREATMENT
IMPROVEMENTS**

Glenn Gidaly and Richard Straut from Barton & Loguidice were before the board tonight to discuss assisting the Village of Ellenville with its progression the Wastewater Treatment Plant Improvements. The three main task orders are:

1. Securing affordable grant and loan financing for the Wastewater Treatment Plant Improvements project
2. Design of Wastewater Treatment Plant Improvements and
3. Phase 1 of an infiltration and inflow investigation of the sanitary sewer system.

Discussion ensued about green technology, payments for engineering services in the next fiscal year, affordable financing and our readiness to go out to bid now so we might be eligible for Federal funding. Also discussed was that our plant is over 25 years old and a new plant would increase the capacity with the reduction of infiltration. Mayor Kaplan has a concern about going too far with the expenditure of money and the funding does not come through.

Mr. Straut discussed the design phase fee schedule for the wastewater treatment plant and at this time he is requesting 25% of the design milestone. This amount would be \$72,800 and would cover:

- Federal Economic Stimulus funding pursuit
- Clean Water State Revolving Fund applications
- USDA Applications (pre-eligibility and full application packages)
- NYSERDA Applications
- Governors Fund Application
- Congressional earmark
- SEQRA Process/Environmental Report
- Pre-demolition asbestos survey
- Soil borings and subsurface conditions analysis
- Survey and base mapping
- DRAFT Basis of Design Report
- Basic site layout

There was discussion about a Bond Anticipation Note borrowing for this project and in addition a Bond Anticipate Note for the permanent bonding of the government center and to include the HVAC for the 4th and 5th floors.

**MOTION TO
AUTHORIZE
BARTON & LOGUIDICE
TO PROCEED WITH PHASE 1
OF WASTEWATER TREATMENT
PLANT IMPROVEMENTS
#122208-11**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to authorize Barton & Loguidice to proceed with Phase 1 of the Wastewater Treatment Plant improvements subject to implementation of the bonding put in place at the January 12, 2009 meeting.

All in favor - Aye - motion carried

ECONOMIC DEVELOPMENT

Dan Hauspurg, Economic Development Officer, told board members that a few applications have been received for the Main Street Grant, Phase II and he has spoken to RUPCO requesting that they extend the target zone. Mayor Kaplan requested Mrs. Sheeley to work with Mr. Hauspurg on this project.

**RESOLUTION
ACCEPTING RESIGNATION
OF CHARLES J. DECHON
AS ELLENVILLE HOUSING
AUTHORITY COMMISSIONER
#122208-12**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to accept the resignation of Charles J. Dechon as Ellenville Housing Commissioner effective December 31, 2008.

All in favor - Aye - motion carried

**MOTION TO ADVERTISE
FOR THE OPENING ON
THE ELLENVILLE HOUSING
AUTHORITY BOARD
#122208-13**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to advertise for the unexpired term of Charles J. Dechon for the Ellenville Housing Commissioner.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
THE PURCHASE OF A “CONFINED
SPACE SYSTEM” FROM CG
INDUSTRIAL SAFETY INC
#122208-14**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the purchase of a “confined space system” from CG Industrial Safety Inc. not to exceed \$2,075.00.

All in favor - Aye - motion carried

**RESOLUTION ACCEPTING
A GRANT FROM THE
JUSTICE COURT ASSISTANCE
PROGRAM
#122208-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept a grant awarded to the Village of Ellenville from the Justice Court Assistance Program in the amount of \$8,521.01.

All in favor - Aye - motion carried

BUILDING DEPARTMENT

**MOTION TO ADVERTISE
FOR REQUEST FOR PROPOSAL FOR
FUEL TANK MODIFICATION
#122208-16**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to authorize the re-advertising of a Request for Proposal for the fuel tank modifications with a return date of February 11, 2009.

All in favor - Aye - motion carried

19 Park Street – Mayor Kaplan received a complaint from a neighbor of this property where the household garbage has been thrown in the backyard for at least six months and he requested our

Building Inspector to implement our “self help provision” of the Village code.

**MOTION TO AUTHORIZE
A SELF HELP PROVISION FOLLOWING
TEN DAY NOTICE
#122208-17**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to authorize the building inspector to implement the “self help provision” of our Village code after a ten day notice has been served.

ATTORNEY’S REPORT

Antenna Farms – Attorney Cataldi has meet with the Village Assessor, Michael Sommer, and he will request income statements from the antenna owners and adjust their assessments accordingly.

YMCA Contract – Attorney Cataldi told board members that the Town of Wawarsing has agreed to amend the contract where they will be paying 50% for the maintenance of the school pool. Any maintenance costs over the amount of \$3,000 will need their prior approval.

81 N. Main Street – The Mayor and Village Manager along with Attorney Cataldi have meet with prospective buyers for 81 N. Main Street and they are in the process of negotiation.

TREASURER’S REPORT

Mayor Kaplan requested that while the Treasurer is doing her monthly reports that recommendation could be made to the board in terms of reducing costs, etc. Trustee Steinhoff requested that the board receive a print out for any line items that are over budget. Treasurer Polkoski commented that all departments are doing a good job trying to save money. Also it was requested that any grant programs that are reimbursable be noted on the monthly report.

**MOTION TO OBTAIN
BOND DOCUMENTS &
ADVERTISE FOR BORROWING
#122208-18**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff subject to conversation with bond counsel, authorization to obtain bond documents and to advertise up to \$7,200,000 borrowing and to apply for borrowing exemption.
All in favor - Aye - motion carried

MANAGER'S REPORT

Berne Road Environmental Study- Manager Auerbach reminded board members that we have not received the final draft of this study and Mayor Kaplan requested Mr. Schug to contact Barton & Loguidice.

Pedestrian Walkway Grant – Documentation was given to Village Attorney for review.

Snowstorms – If snow in the business district will need to be removed which will incur overtime pay.

Youth Court – A request to purchase a new laptop not to exceed \$700 was made and it was questioned if we had received the Town of Wawarsing's share and after the Treasurer looks into this matter, it will be discussed at the next board meeting.

Investment Firm Report - Mayor Kaplan and Village Manager Auerbach met with our investment firm for the “mountain money” and investment is doing fine.

Manager Auerbach stated that it has been an honor to serve the Village of Ellenville and he will continue to advocate for the Village from afar. Mayor Kaplan thanked Manager Auerbach for all his work and Trustee Lopez wished him the best.

**MOTION ALLOWING
STREET DEPARTMENT TO
USE COMP TIME ON
DECEMBER 26, 2008
#122208-19**

Motion by Trustee Lopez, seconded by Trustee Oliveras authorizing the Street Department to use compensatory time on December 26, 2008. In the event that it is necessary for them to come to work on that day, they will be paid their regular salary from the hours of 6:00 a.m.-2:00 p.m.
All in favor - Aye - motion carried

It was requested that Trustee Lopez relay to the staff of the Street department that the board appreciates their efforts during the last storm.

Trustee Lopez had a concern with the residents that are pushing the snow from their driveways unto the streets. It was requested that the Village Manager send a letter to the Police Department to follow up on these violations.

Trustee Lopez questioned the status of the radios for the trucks in our departments.

**MOTION TO POST
THE POSITION OF
WASTEWATER TREATMENT
OPERATOR
#122208-20**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to post the position of Wastewater Treatment Operator.

All in favor - Aye - motion carried

**MOTION TO ADJOURN
TO EXECUTIVE SESSION
#122008-21**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to return to Executive Session at 8:45 p.m. to discuss personnel and not to reconvene.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk

