

Village of Ellenville
Board Meeting
Monday, June 9, 2008

The meeting was called to order with the Pledge of Allegiance by Mayor Jeffrey Kaplan at 7:00 p.m. who requested a moment of silence in memory of Former Mayor Jerome Elkin.

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

Philip Cataldi, Village Attorney	
Elliott Auerbach, Village Manager	Absent w/notice
Philip Matracion, Chief of Police	
Brian Schug, Building Inspector	
Noreen Dechon, Village Clerk	

Mayor Kaplan expressed the Board's appreciation to the American Legion, Cook Taylor Post No. 111, for their donation of a new flag pole to the Government Center. A dedication ceremony was held earlier this evening. It had been recommended that the flag be lowered at half mast in memory of Mayor Elkin but we have since learned that flags are not to be placed at half mast unless the President of the United States or Governor of New York directs that a flag be lowered. The appropriate way to honor the memory of a local dignitary is to take a black strip approximately the size of a stripe on a flag and fly it with the flag, which was done for Mayor Elkin.

**APPROVAL OF
MINUTES**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to accept the minutes of May 27, 2008 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Sam Bugna – Ellenville Wawarsing Youth Commission was before the board tonight requesting the use of the "Canal Street Ticket Office" on Berme Road. Ms. Bugna informed board members that after August there will not be any space at the school to be used by the Youth Commission. Mayor Kaplan requested that Attorney

Cataldi prepare a short lease for the use of the building with the YMCA with the provision that either side can terminate this lease on a 45 day notice.

Mrs. Bugna informed board members that as of today 198 children are registered for the summer program and there is a wait list for any additional children.

**MOTION TO GRANT
APPROVAL FOR THE
YOUTH COMMISSION
TO USE THE "TICKET
OFFICE"
#060908-01**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing a one year lease between the Village of Ellenville and the Ellenville Wawarsing Youth Commission to use the Canal Street Ticket Office subject to a 45 day termination notice by either side and minor repairs will be done by the tenant and no major repairs will take place without authorization by the Village Board.

All in favor - Aye - motion carried

Mayor Kaplan questioned Mrs. Bugna about any program that young adults would be able to either mow or shovel for senior citizens. Trustee Steinhoff stated that the YMCA does have a Young Business Leadership Program and Mrs. Bugna will look into coordinating this matter.

Hosanna Assembly of God – Rev. Morales was before the board tonight to discuss the possibility of his Church hosting carnival activities on the Church property on Friday, June 20, 2008. Mayor Kaplan informed Reverend Morales that this is the night before the Fireman's Parade and Chief Police also stated that this weekend would not be a good time to hold a carnival. It was requested that Reverend Morales pick another date and coordinate this with the Police Chief and for the Chief to contact the Shadowland Theater with that date and then Reverend Morales return to the Village Board for their approval.

Christ Lutheran Church – Letter received requesting permission to hold a yard sale on their Church grounds on July 10, 11 & 12, 2008.

**MOTION TO GRANT
APPROVAL TO FOR A
YARD SALE ON THE
CHRIST LUTHERAN
CHURCH
#060908-02**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff granting permission to the Christ Lutheran Church to hold a yard sale on the church grounds on July 10, 11 & 12, 2008.

All in favor - Aye - motion carried

T.A.P. Enterprises - Letter received requesting permission to hold a one day Tool and General Merchandise Sale at Scoresby Hook, Hook and Ladder Co. #1 on July 19, 2008. The Village Board of Trustees acknowledged receipt of this letter.

Time Warner Cable – The Village Board acknowledged receipt of a check in the amount of \$14, 126.84 from Time Warner Cable pursuant to their franchise agreement.

Chamber of Commerce – Request of use of the Hunt Memorial porch and electricity for “Music in the Square”.

**MOTION TO GRANT
APPROVAL FOR THE USE
OF THE HUNT MEMORIAL
GROUNDS
#060908-03**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to grant approval to the Chamber of Commerce for use of the Hunt Memorial grounds on July 12, 19 and 26, 2008 subject to consent by the Hunt Memorial Committee which we strongly urge.

All in favor - Aye - motion carried

Joel Schriebman – was before the board tonight about him obtaining a copy of a local franchise agreement and Mayor Kaplan requested that Mr. Schriebman highlight the major differences. Mr. Schriebman also spoke about his contact with the Superintendent of Schools in reference to Channel 20.

Michael Jeter – Thanked the Village Board for sending him to school recently and he gave a brief synopsis of this seminar. Mayor Kaplan stated that he has recently met with the Village engineers to discuss the maintenance operational cost of Village Hall. It was recommended that we should contract with a plumber and electrician for routine maintenance. Mayor Kaplan requested that Mr. Jeter be involved in this process.

NAACP – Deputy Mayor Younger on their behalf requested permission to hold their annual health living walk on June 28, 2008 on the grounds of the Hunt Memorial Building.

**MOTION TO GRANT
APPROVAL FOR THE USE
OF THE HUNT MEMORIAL
GROUNDS BY THE
NAACP
#060908-04**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to grant approval to the NAACP for use of the Hunt Memorial grounds on June 28, 2008 FROM 9:00 a.m. – 11:00 a.m. subject to consent by the Hunt Memorial Committee and review of the route with the Chief of Police.

All in favor – 4; Deputy Mayor Younger – Abstain - motion carried

Deputy Mayor Younger has contacted the Office of the Aging and will be requesting that they can bring a “van” for this morning.

Ulster County Habitat for Humanity – Inspector Schug told board members that the Ulster County Habitat for Humanity submitted their building plans and he requested authorization to waive the \$594.00 permit fees since this was a vacant piece of land and now will be now be placed on the tax rolls.

**MOTION TO WAIVE THE
BUILDING PERMIT FEE
FOR ULSTER COUNTY HABITAT
FOR HUMANITY
#060908-05**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to waive the \$594.00 building permit fees for the Ulster County Habitat for Humanity since this is taken a vacant piece of land and putting a house on it by a non-profit organization and then placing it on the tax rolls.

All in favor - Aye - motion carried

POLICE DEPARTMENT

Chief Mattracion reviewed with Board members an update on the Fireman’s Parade that will be held on June 21, 2008. Chief Mattracion stated that residents in the Green Acres section of the Village will be notified of the events that will be taken place in the neighborhood.

Chief Mattracion also spoke about the 4th of July parade and their upcoming events.

Chief Mattracion also spoke about last week's group of juveniles that were having difference of opinions and the Police Department and the school handled this in a quick and rapid response. Mayor Kaplan asked about the potential of gangs in Ellenville and Chief Mattracion stated that we do not have any organized gangs in the Village. Mayor Kaplan thanked the Chief for his pro-active response to any problems in the Village.

Trustee Lopez questioned if the police are watching the Village Motel and also Mayor Kaplan requested that an officer be assigned to the Shadowland Theater when the show ends at night.

**RESOLUTION OF THE
VILLAGE BOARD OF ELLENVILLE
IN SUPPORT OF WESTERN MOHEGAN
TRIBE AND NATION GAMING CASINO
#060908-06**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger:

WHEREAS, on January 5, 2001 the Western Mohegan Tribe and Nation purchased the former Tamarack Hotel located on Route 209 in Greenfield Park, Town of Wawarsing, County of Ulster, New York, and

WHEREAS, the Tribe and its designated developer seek to construct a recreational facility consisting of a 2000-4000 room hotel(s), 200,000-300,000 square feet of casino class III gaming, multiple restaurants, retail space, a 3000 seat show theater, and other ancillary facilities and,

WHEREAS, said recreational facility will represent major full time direct and indirect local employment as well as substantial increased direct and indirect local economic output and,

WHEREAS, the Tribe and its designated developer represent that revenue sharing shall be allocated annually at twenty (20%) per cent on net earning on all slot machines, of which two (2%) per cent shall be paid to the Town of Wawarsing, one (1%) to the Village of Ellenville, one million (\$1,000,000) dollars to the Ellenville Hospital, and one million (\$1,000,000) dollars to the local school district (net earnings is defined as gross income from gaming operations only, less gaming taxes assessed by all entities and less all gaming payouts) and,

WHEREAS, the Village of Ellenville has been experiencing severe economic difficulties including job loss.

RESOLVED, that the Village Board of Ellenville welcomes the efforts of the Tribe and its designated developer to build said recreational facility and it is

FURTHER RESOLVED that the Village Board of Ellenville urgently requests the New York State Government to recognize the Tribe and its Ulster County reservation, and to promptly enter into a compact with the Tribe for the development of said recreational facility.

All in favor - Aye - motion carried

**MOTION FOR THE
APPROVAL AND ENDORSEMENT
OF GRANT APPLICATION
FOR SAM'S POINT PRESERVE ROAD
RESTORATION PROJECT
#060908-06**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez:

WHEREAS, the Nature Conservancy is applying to the New York State of Parks Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at Sam's Point located within the territorial jurisdiction of the Board; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved by this august body that the Village Board of the Village of Ellenville does approve and endorse the application for a grant under the Environmental Protection funds for a park project known as "Sam's Point Preserve Restoration Project" and located within this community.

All in favor - Aye - motion carried

**MOTION TO APPOINT
AN INTERVIEW COMMITTEE
TO INTERVIEW MUNICIPAL
WORK I CANDIDTATES
#060908-07**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to appoint an interview committee comprised of Deputy Mayor Younger, Trustee Lopez and the Manager Auerbach to interview Municipal Work I candidates.

All in favor - Aye - motion carried

**MOTION TO
SCHEDULE A WORKSHOP
MEETING WITH UCDC
#060908-08**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to schedule a workshop meeting with the Ulster County Development Corporation on July 28, 2008 at 6:00 p.m. to discuss “Ulster Tomorrow”.
All in favor - Aye - motion carried

BUILDING DEPARTMENT

Inspector Schug reminded board members of a joint workshop meeting this Wednesday, June 11, 2008 at 6:00 p.m. with the Planning Board and Historic Preservation Committee.

Inspector Schug told board members of a request from Dolores Peluso to attend NYCOM training.

**MOTION TO
AUTHORIZING
DOLORES PELUSO
TO ATTEND WORKSHOP
MEETING
#060908-09**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing Dolores Peluso to attend a NYCOM training “Planning and Zoning Summer School 2008” at a cost of \$60.00.
All in favor - Aye - motion carried

Ellenridge Escrow – Inspector Schug informed board members that since his letter sent on December 10, 2007 in reference to the booster pump station no work has been done. Mayor Kaplan requested that another letter be sent to owners of Ellenridge informing that if this work is not done by a certain date (building department will set that date), the Village of Ellenville will commence this work and use funds that are currently being held in the escrow account. Also Mayor Kaplan requested that in this letter Mr. Schug inform them that our street department will not be snow plowing this road since it has not been dedicated.

Application for License for Hotels/Motels/Inns – Inspector Schug requested permission to have Attorney Cataldi draft and application for a license for the new legislation for hotels/motels/inn.

Tank Upgrades RFP - It was requested that Inspector Schug receive a price from C₂G to do a request for proposal.

Zoning Board – Mayor Kaplan has recently spoken to TJ Briggs who is a member of the Zoning Board of Appeals and he has agreed to step aside since he is now serving in the Ulster County Legislative but would serve as an alternate on the board if the Mayor had someone to replace him.

**MOTION TO
APPOINT JAMES
PIDEL TO THE
ZONING BOARD
OF APPEALS
#060908-10**

Motion by Trustee Lopez, seconded by Trustee Oliveras to appoint James Pidel to the Zoning Board of Appeals with term expiring 7/15/10.

All in favor - Aye - motion carried

ATTORNEY'S REPORT

False Alarm Local Law - Attorney Cataldi reviewed with board members the changes that he has made to the False Alarm Local Law and request the Village Board schedule a public hearing.

**MOTION TO
SCHEDULE A
PUBLIC HEARING
FOR THE FALSE ALARM
LOCAL LAW
#060908-11**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to schedule a Public Hearing in reference to the False Alarm Local Law on July 14, 2008 at 7:00 P.M.

All in favor - Aye - motion carried

Issuance of Building Permits – The Village Board requested the Attorney look into the matter of denying anyone who owes the the Village money the issuance of a building permit. Attorney Cataldi reviewed this request and it is not allowable.

Collateral Source Bill – NYCOM has requested our support for the collateral source bill.

**MOTION TO
REAFFIRM SUPPORT
FOR THE COLLATERAL
SOURCE BILL
#060908-12**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to reaffirm the Village of Ellenville's support for the Collateral Source Bill.

All in favor - Aye - motion carried

Election – Attorney Cataldi has reviewed the offices that will voted on the November election and they will be: Judge – 3 years and Village Trustee – 1 year.

BOARD REPORTS

**MOTION
TO SCHEDULE A
WORKSHOP MEETING
WITH THE TREASURER
#060908-13**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to schedule a workshop meeting with the Village Treasurer on June 23, 2008 at 6:00 p.m.

All in favor - Aye - motion carried

**MOTION
TO TABLE THE
BILLS FOR PAYMENT
UNTIL WORKSHOP
MEETING
#060908-14**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to table the bills for payment until the workshop meeting with the Village Treasurer.

All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE
(continued)**

Dr. Craft was before the board tonight to discuss the funding available to refurbish the fifth floor of the government center to be used to house the knife museum. Dr. Craft was invited to attend the next meeting when Manager Auerbach is in attendance.

BOARD REPORTS
(continued)

Trustee Steinhoff stated that Sam Bugna had given the report earlier this evening in reference to the Youth Commission meeting.

Mayor Kaplan commented that Dennis Warner has done a wonderful job in soliciting local artists to display their work in business windows. 10 x 10 x 10 will also be starting the last week in June.

Deputy Mayor Younger questioned the status of the RJ Smith Realty agreement, questioned if a date has been scheduled to have a workshop meeting with the Village auditors and requested to be informed of the date of the next Cable Commission meeting.

Trustee Steinhoff reminder everyone that tomorrow is the opening ceremonies for the new Physical Therapy center at the Ellenville Regional Hospital at 10:00 a.m.

OLD BUSINESS

General Code – word change – “cripple” to “handicap”

**MOTION TO
SCHEDULE A
PUBLIC HEARING
FOR A WORD CHANGE
#060908-15**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to schedule a Public Hearing on July 14, 2008 at 7:30 p.m. to amend Section 168-5 of our code for the wording of “cripple” to “handicap”.

All in favor - Aye - motion carried

**MOTION TO ADJOURN
#060908-16**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to adjourn in memory of Former Mayor Jerome Elkin at 8:40 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk