

Village of Ellenville
Board Meeting
Monday, July 14, 2008

The meeting was called to order 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	Absent w/notice

ALSO PRESENT	Philip Cataldi, Village Attorney	
	Elliott Auerbach, Village Manager	Absent w/notice
	Brian Schug, Building Inspector	
	Noreen Dechon, Village Clerk	

**APPROVAL OF
MINUTES
#071408-1**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to approve the minutes of June 11, 2008, June 23, 2008, June 30, 2008 and July 2, 2008 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Mr. Gregg Black was before the board tonight to discuss his water/sewer that he received for his vacant building. Mr. Black would like to see the Village's law changed that states there is a minimum water charge, regardless of actual usage. It was suggested to Mr. Black that he turn the water off to that building until such time he has a tenant but Mr. Black did not want to pay the fee for turning the water off and on. Mayor Kaplan requested that Attorney Cataldi review this law and to speak to NYCOM and compare our law to other communities and their reason for the minimum charge.

**MOTION TO OPEN
PUBLIC HEARING FOR
THE ADOPTION OF LOCAL LAW
FOR FALSE ALARMS
#071408-2**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to open the Public Hearing at 7:15 p.m. for the adoption of a local law for false alarms.

All in favor - Aye - motion carried

Attorney Cataldi reviewed with board members the legislative intent of the adoption of this local law, the registration required, penalties for offenses and promulgation of regulations, suspension or revocation.

**MOTION TO CLOSE
PUBLIC HEARING FOR
THE ADOPTION OF LOCAL LAW
FOR FALSE ALARMS
#071408-3**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to close the Public Hearing at 7:20 p.m. for the adoption of a local law for false alarms.

All in favor - Aye - motion carried

**MOTION ADOPT
LOCAL LAW #3 OF 2008-
FALSE ALARMS
#071408-4**

Motion by Trustee Oliveras seconded by Deputy Mayor Younger to adopt Local Law #3 of 2008 – False Alarms.

Roll Call Vote:

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

**PETITIONERS &
CORRESPONDENCE
(continued)**

Senator Bonacic – Letter received informing the Village that we have been awarded a grant of \$10,000 for the Police Department.

Midway Residents – Received a request from residents of Midway to sell snacks and lemonade near the “Community Garden” and it was the consensus of the board that we invite them to next meeting to discuss their request.

Rupco – Letter received petitioning the Village Board to accept ownership of the proposed sewage pump chamber and force main at the Broadhead and Canal Town home site. Code Enforcer Schug told board members that prior to final site plan approval, the planning board requested that RUPCO consider the project as a “fee simple” project with individual lots. This condition requires the formation of a “sewer transportation corporation”. Mayor Kaplan stated that before any action is taken this sewer system will need to be completed and inspection by our engineers and building inspector. (further discussion tabled to after the opening of the public hearing amending the local law for hawking, peddling and soliciting.)

**MOTION TO OPEN
PUBLIC HEARING TO
AMEND THE LOCAL LAW
FOR HAWKING, PEDDLING &
SOLICITING
#071408-5**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to open the Public Hearing at 7:30 p.m. to amend the local law for hawking, peddling and soliciting.
All in favor - Aye - motion carried

Attorney Cataldi reviewed the amendment to change the term of language used in §168-5 from “crippled” to “physically disabled.”

Mayor Kaplan thanked Trustee Oliveras for being this matter to the attention of the board.

**MOTION TO CLOSE
PUBLIC HEARING TO
AMEND THE LOCAL LAW FOR
HAWKING, PEDDLING &
SOLICITING
#071408-6**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to close the Public Hearing at 7:35 to amend the local law for Hawking, Peddling & Soliciting.
All in favor - Aye - motion carried

**MOTION TO AMEND
THE LOCAL LAW FOR
HAWKING, PEDDLING &
SOLICITING
#071408-7**

Motion by Trustee Oliveras seconded by Deputy Mayor Younger to amend the local law for Hawking, Peddling & Soliciting to change the term of language used in §168-5 from “crippled” to “physically disabled.”
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE
(continued)**

RUPCO – Mayor Kaplan requested that a representative from RUPCO attend the next Board meeting to discuss their request.

Marshall Evans – Request from Mr. Evans to waive the charge for snow removal from his tax bill. After discussion it was the consensus of the board that no action be taken.

Hudson Valley Volunteer’s Association – Letter received thanking and congratulating the Village of Ellenville on the outstanding job hosting the 119th Annual Convention of the Hudson Valley Volunteer Firemen’s Association.

Historic Preservation Commission – Mrs. Marion Dumond was before the board tonight to discuss a nomination of the Christ Lutheran Church to be designated a Village Historic Landmark and requested the Village Board schedule a public hearing on this nomination.

**MOTION TO SCHEDULE
A PUBLIC HEARING
FOR VILLAGE LANDMARK
NOMINATION
#071408-8**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to schedule a public hearing for Village Landmark Nomination on July 28, 2008 at 7:15 p.m.
All in favor - Aye - motion carried

Historic Preservation Commission (continued) –) Mrs. Dumond also requested the Village of Ellenville to pledge 40% matching funds for a \$10,000 CLG grant for a historical survey of structures from Route 209 to Berme Road (where applicable) on Maple, Canal and Center Streets and from Circle Avenue to the intersection of Broadhead and Canal Streets on Warren Street.

Mrs. Dumond also presented a letter from Mrs. Mary Sheeley in support of this request. Mrs. Dumond stated that she had sent out four requests for proposals and only received one proposal. Mayor Kaplan commented that this Village Board is committed to only expending budgeted funds and a possible source for this funding could be the Local Development Corporation since CLG status could benefit the Village's local economy and invited her to this Wednesday's meeting. Mayor Kaplan further commented that the Village would commit to in-kind services of approximately \$1,500.00. Mrs. Dumond questioned if there was funding for the grant writer and this will be investigated.

Time Warner Cable – Letter received in reference to channel changes in the near future.

Steve Krulick – Mr. Krulick commented that Board passed a resolution to borrow \$470,000 for the purpose of purchasing public works equipment and questioned if these items had been purchased.

**MOTION TO ACCEPT
RESIGNATION OF
JOSHUA CALIENDO &
JOSEPH NUZZO
#071408-9**

Motion by Trustee Oliveras, seconded by Trustee Lopez to accept the resignation of part time police officers, Joshua Caliendo effective June 30, 2008 and Joseph Nuzzo effective June 30, 2008. All in favor - Aye - motion carried

Mayor Kaplan questioned if either of these officers are required to pay back for the purchase price of their uniforms. It was requested that the Village Manager check into this matter.

**CELL PHONE
USE POLICY**

The Board discussed a cell phone policy use policy and Mayor Kaplan commented that he was cautious of a policy preventing employees from using the phone to conduct everyday personal business such as getting in touch with family members in emergency situations or important issues. The Board was in agreement that the language of the policy should prevent abuses of cell phone use such as downloads, etc.

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to table the cell phone use policy till next meeting. All in favor - Aye - motion carried

**APPOINTMENT TO
HOUSING AUTHORITY
COMMISSION
#071408-10**

Motion by Trustee Lopez, seconded by Trustee Oliveras to reappoint Carmelo Robles to the Ellenville Housing Authority effective July 15, 2008 for a five year term on the recommendation of the Housing Authority Board.
All in favor - Aye - motion carried

**MOTION TO AUTHORIZE
THE PURCHASE OF A TRANSMISSION
FOR STREET DEPARTMENT
#071408-11**

Motion by Trustee Lopez, seconded by Trustee Oliveras to authorize the purchase of a transmission for Street Department Truck #7-International Dump Truck not to exceed \$3,800.00
All in favor - Aye - motion carried

BUILDING DEPARTMENT

Fees for Motel/Hotel operating licenses – Code Enforcer Schug commented that pursuant to our recent adoption of a local law regulating hotels/motels a fee schedule for annual registration needs to be adopted.

**MOTION TO SET FEES
FOR ANNUAL REGISTRATION
FOR HOTELS/MOTELS
#071408-12**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to set the follow annual registration fees for hotels/motels as follows:

\$100.00	Less than 10 rooms
\$200.00	10-49 rooms
\$300.00	50+ rooms

All in favor - Aye - motion carried

BOARD CONCERNS

Trustee Lopez spoke about complaints he has been receiving in reference to the high grass at the former Burger King property.

Mayor Kaplan spoke about the “Neighborhood Walk” schedule and requested that notices be sent to residents before a walk takes place.

**MOTION TO SCHEDULE
A NEIGHBORHOOD WALK
ON JULY 28, 2008
#071408-13**

Motion by Trustee Oliveras, seconded by Trustee Lopez to schedule a neighborhood walk for Park and Circle on July 28, 2008 at 5:00 p.m.

All in favor - Aye - motion carried

If any board member has a suggestion for future walks, please let Mayor Kaplan know at the next meeting.

Mayor Kaplan requested that the Village Manager follow up on the following:

1. Legislation for the sewer fund borrowing to pay back general fund
2. Discuss the sale price of 81 N. Main Street
3. Draft a Capital Improvement Plan
4. Speak to the Chief of Police about the traffic complaints during the 4th of July parade
5. Schedule a meeting with Barton & Loguidice and the Building & Grounds committee.
6. Request that a meeting be scheduled with Jim Reed to discuss the winter salting and this meeting should include the Street Department foreman.

**MOTION TO SCHEDULE
AUTHORIZING VILLAGE OF
ELLENVILLE TO SEND
LETTERS OF SUPPORT
#071408-14**

Motion by Trustee Lopez, seconded by Trustee Oliveras authorizing the Village Clerk to send letters of support to our local Senator and Assemblyman urging their support in reference to school guard crossing guards funding, reimbursement for code enforcement activities, competitive bidding reform and local government service charge.

All in favor - Aye - motion carried

Trustee Lopez spoke about community service and requested that reinstating the work restitution program be placed on the next agenda. Deputy Mayor Younger will speak to Judge Parker about this matter.

Trustee Oliveras inquired about the status of the traffic light installation on Route 209 and Maple Avenue. Trustee Oliveras further inquired about the police lights that were to be installed on

the unmarked police vehicle. Trustee Oliveras requested the report on the police activity for June and July. Trustee Oliveras also requested that the Village Treasurer give a budget detail/status report to all board members and department heads.

Mayor Kaplan would like to speak to the Chief of Police in reference to “imposter cops.”

Deputy Mayor Younger inquired from the Village Attorney the status of the franchise agreement for the cable company. Deputy Mayor also questioned if we have received any correspondence back from Related Management Company and we did not. Deputy Mayor Younger requested that the bus shelters be inspected by Brian Schug.

Mayor Kaplan requested that a copy of all pool bills be sent to the Town of Wawarsing for 50% reimbursement.

Mayor Kaplan requested that Sam Bugna attend a Village Board meeting to discuss the hiring process for the summer program.

Mayor Kaplan reminded everyone of the workshop meeting on July 28, 2008 at 6:00 p.m. with Ulster County Development Corporation.

Trustee Oliveras questioned the policy of obtaining a medallion for a taxi cab business.

**MOTION TO ADJOURN
TO AUDIT
#071408-15**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to adjourn to audit at 9:05 p.m. not to reconvene to public session. All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk