

Village of Ellenville
Board Meeting
Monday, July 28, 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	Absent w/notice
	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
	Brian Schug, Building Inspector	
	Linda Polkoski, Village Treasurer	
	Noreen Dechon, Village Clerk	

**MOTION TO
APPROVE MINUTES
OF JULY 14, 2008
#072808-01**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the minutes of July 14, 2008 as presented.
All in favor - Aye - motion carried

**BARTON &
LOGUIDICE UPDATE**

Glen Gildaly from Barton & Loguidice give an update on the following projects that his firm is working on.

1. Warren Street Sidewalks Improvements – a \$10,000 Senator Bonacic grant from Multi-Modal Funds – grant monies remain to complete sidewalk improvements; in kind services (Village crews) to be utilized – some equipment has been purchased to date through this grant (hand tools, float & forms) – hope to complete the sidewalks in the Fall 2008. Mayor Kaplan requested that Manager Auerbach check on the dollar amount left in this grant to be used on the Warren Street sidewalks.
2. Water – MPA (Microscopic Particulate Assessment) GUIDI (Groundwater Under Direct Influence) testing at Fallsview and Harris #1 wells. Mr. Gildaly reported that the Ulster County Department of Health indicated that dry and wet weather sampling had to be completed after reviewing the temperature

and conductivity testing for the Fallsview and Harris #1 wells. This work was completed by Village personnel.

Dry weather testing was completed last fall. Wet weather sample was collected week of July 7, 2008 and sent to the lab for analysis. Results are pending.

GUIDI temperature and conductivity testing at Harris #2 and Center Street wells – Center Street well testing to start for a one year period starting the week of July 7, 2008 and the Harris #2 well testing to start for a one year period right after Labor Day.

3. Improvements at the Water Treatment Plant – The Department of Health agreed that the remaining money from the DWSRF loan could be used for certain water process improvements (eye wash station, demolition of old equipment, turbid meters, etc.) Mr. Gildaly questioned if the Village Board wanted to move ahead with these improvements? Engineering services would be required to prepare the permit applications and necessary plans/specifications for DOH approval.
4. Corrosion Control Improvements – The Ulster County Department of Health approved the plans. The Village will need to purchase the equipment and begin installation. This will cost approximately \$75,000.00. The lead and copper testing is suspended until the improvements are on-line.
5. Lake Maratanza Dam – The NYS Department of Environmental Conservation completed and inspection of the dam on May 27, 2008 and copies of the report will be available by the next Board meeting and discussion of the next steps will be discussed at that meeting.
6. Sanitary Sewer – FEMA funded improvements
Wastewater Treatment Plant upgrades are complete, replaced fried equipment; RBC's clarifiers.
Roslyn Street pump station improvements are not complete. Mayor Kaplan asked for a list of items which funding is already in place and available be placed on the next agenda. In addition, stream work and stabilizing a fence post at the Roslyn Street pump need to be done.
Stream work at the Wastewater Treatment Plant (two locations) is not complete
Wintish Road improvements are not complete but can be publicly bid in August 2008 for fall construction.

Mitigation improvements at the Wastewater Treatment Plant (raising the electrical equipment at the RBCs) are not complete. The ACOE and DEC permits were issued in July 2008. Wintish Road improvements. The rest of the work will be completed in the spring due to DEC time limits for stream

work (no stream work from end of September thru end of May). Barton & Loguidice is talking to FEMA about a time extension for this work.

7. Wastewater Treatment Plant – The short term funding strategy will be forwarded to the Village Manager and Village Board this week for discussion at the next Village Board meeting. SRF & USDA REAP Zone options.
8. Salt Storage Facility – proposal dated 7/15/08 (Project #704.1532), under review by Village. Revised proposal from Matt Fuller, will be sent to the Village Manager
9. Pedestrian Improvement Project – A \$294,000 congressional grant has been earmarked; the environmental review record is complete and the application materials are in process with a 12/31 deadline.
10. Mayor Kaplan requested that Barton & Loguidice look at the storm water drainage problem on Park Street and Circle Avenue area.

**MOTION TO OPEN
PUBLIC HEARING
DESIGNATION OF HISTORIC
LANDMARK STATUS
#072808-2**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to open the public hearing for the Designation of Historic Landmark Status was made at 7:25 p.m.

All in favor - Aye - motion carried

This public hearing was to discuss the Designation of Historic Landmark Status for the Christ Lutheran Church located on Center and Ann Streets.

Mrs. Dumond was unavailable to attend tonight's meeting and it was the consensus of the board to adjourn the public hearing until she is able to attend.

**MOTION TO
ADJOURN THE
PUBLIC HEARING
#072808-3**

Motion by Trust Lopez, seconded by Trustee Steinhoff to adjourn the public hearing until such time someone from the Historic Preservation Committee could attend the hearing.

All in favor - Aye - motion carried

Adult Recreation Budget - Mayor Kaplan stated that this year's budget did not include a line item of \$1,000 for the senior citizens which had been there in the past. He requested the Village

Treasurer to research the contingency budget line to see if this amount could be transferred to the Adult Recreation Budget line.

Motion by Trustee Lopez, seconded by Trustee Steinhoff to table this discussion and place this budget amendment on the next Village Board agenda.

All in favor - Aye - motion carried

Certification Differential, Replacement Rate & Overtime Settlement Agreement – Mayor Kaplan requested that Michael Jeter, Assistant Street Department Foreman explain this proposal. It was the consensus of the board that more information and an analysis of this proposal needs to be done before any action can be taken.

Motion by Trustee Lopez, seconded by Trustee Oliveras to table this agreement until a future meeting.

All in favor - Aye - motion carried

POLICE DEPARTMENT

Mayor Kaplan reported that there were complaints about the traffic delays during this year's 4th of July parade. There was discussion about the possible re-routing of the parade and Mayor Kaplan requested that Chief Mattracion draw up a new route and the Mayor will present this to the 4th of July committee.

Rabbi Joel Gold – Chief Mattracion introduced Rabbi Gold to the Village Board and members of the audience. Rabbi Gold will hold the honorary position of Police Chaplain/Liaison for the Ellenville Police Department to assist and educate our police officers about the Hasidic community.

MOTION TO APPOINT JASON WURTZ AS PART TIME POLICE OFFICER #072808-4

Chief Mattracion introduced Jason Wurtz to board members and requested that he be appointed as a part time police officer. Deputy Mayor Younger and Trustee Oliveras had previously interviewed Mr. Wurtz and recommend his appointment.

Motion by Trustee Lopez, seconded by Trustee Oliveras to appoint Jason Wurtz as part time police officer effective July 30, 2008 at the hourly rate stated in the PBA Contract.

All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

RUPCO – Chuck Snyder was before the board tonight to petition the Village Board to accept ownership of the proposed sewage pump chamber and force main at the Broadhead and Canal Town home site. Mr. Snyder 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. Mr. Snyder stated that the Ulster County Health Department would prefer that the pump station be owned by the Village and it is RUPCO’s intention to building it to municipal specifications. Mayor Kaplan requested that Mr. Snyder contact the Village engineers to obtain the specifications necessary to build this pump station.

**MOTION TO SUPPORT
THE DEDICATION OF A
PUMP STATION
BROADHEAD & CANAL
STREETS
#072808-5**

Motion by Trustee Steinhoff, seconded by Trustee Lopez accepting pump chamber and force main to the Broadhead and Canal fifteen unit townhouse development for dedication.

WHEREAS, a pump chamber and force main to be constructed on a certain parcel of land located on the intersection of Broadhead and Canal Street will be offered for dedication to the Village of Ellenville upon its completion for purposes of serving the sewage disposal needs of the owners/occupants of a fifteen unit townhouse development to be constructed thereat, and

WHEREAS, the Commissioner of the Ulster County Department of Health had recommended that the Village of Ellenville accept dedication of the pump chamber and force main as a matter of public health and safety as well as administrative efficiency, and

WHEREAS, the Village Engineers of the Village of Ellenville have recommended acceptance of said pump chamber and force main for dedication for sewage disposal purposes upon the completion of construction of said pump station and force main in accordance with Ulster County Department of Health and Village of Ellenville specifications and the filing with the Village of a performance bond in an amount to be determined upon completion of construction of said improvements to guarantee any maintenance and repairs required to said pump station and force

main by the Village for a period of one year after said pump station and force main is constructed and accepted by the Village of Ellenville, and

WHEREAS, the Village Attorney will order a policy of title insurance relating thereto upon completion of the improvements to insure that the Village will not accept said improvements subject to any liens, mortgages, judgments or any other encumbrances,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Ellenville in regular session duly convened that upon notification from the Village Engineers that the pump chamber and force main are constructed in accordance with Ulster County Department of Health and Village of Ellenville specifications and that a performance bond in an amount acceptable to the Village Engineers is in place to protect the Village from maintenance and repairs within the first year of after completion, and upon further notification by the Village Attorney that the title insurance policy has been issued, the Board of Trustees agrees to accept the deed of dedication for said improvements and directs the Village Clerk to record the same in the Ulster County Clerk's Office.

All in favor - Aye - motion carried

YMCA Program – Sam Bugna, Director of the YMCA Summer Youth Program was before the board tonight to discuss the summer program, the procedure that was used for hiring staff, the pool program and the pick up procedure for the campers. Trustee Steinhoff stated that participants at the summer program are broken down as follows: 106 children are Village residents and 87 live outside of the Village.

Department of State – Local Government Efficiency Grant Program – Correspondence received from the Department of State in reference to the 2008-2009 Local Government Efficiency (LGE) Grant Program for “shared service projects.” Mayor Kaplan requested that the Village Manager contact the Town of Wawarsing to see if they are interested in applying for this grant for local means of disposing sewer waste with the Village of Ellenville or other municipal programs and if they are not the Village Manager should contact other local municipalities.

Russell Hermann – Letter received thanking the Village of Ellenville for hosting the Classic Car Parade.

Honor's Haven Resort & Spa – Ms. Pilsun Pyun, General Manager of Honor's Haven was before the board tonight to discuss their fence permit application located at 21 Pine Street. The main obstacle for placing a fence at this location is the access to our well during bad weather and Mayor Kaplan suggested researching a way for remote access to this gate where Village employees will not have to get in or out of their vehicles to open the gate.

Steve Krulick – Mr. Krulick stated that he feels that the Village Board did not do their due diligence before a resolution in support of the Western Mohegans was done. Mr. Krulick requests that the Board reconsider their decision.

Bella Volchik – Commended the Mayor and Board of Trustees for looking into the opportunities for new businesses.

Mayor Kaplan gave a quick overview of his point of view for the resolution in question.

Mary Sheeley – stated that her concern is veracity and violability of the people who we are dealing with.

Rivan Krieger – Mr. Krieger spoke about the history and the uniqueness of the sign located on his property at Liberty Square. Mr. Krieger requested input from the Board as to their idea for this sign and read two letters that had been previously sent to the Village Board. Mayor Kaplan suggested that Mr. Krieger give the Village Board a few proposals for the sign and they will be forwarded on to the Planning Board and Historic Preservation Committee for their review. Mayor Kaplan questioned how long this project will take to be completed and requested the Clerk forward his letters to the Planning Board and Historic Preservation Committee.

**RESOLUTION TO APPROVE
PBA MEMORANDUM OF
AGREEMENT/CONTRACT
RATIFICATION
#072808-6**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to ratify and accept as negotiated the Police Benevolent Association Memorandum of Agreement effective June 1, 2006 – May 31, 2009.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
THE MAYOR TO SIGN A
JCAP GRANT APPLICATION
#072808-7**

Motion by Trustee Lopez, seconded by Trustee Oliveras authorizing the Mayor to sign a grant application for the 2008 Justice Court Assistance Program (JCAP) Grant.
All in favor - Aye - motion carried

**RESOLUTION TO TABLE
CELL PHONE POLICY
#072808-8**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to table the adoption of the Cell Phone Policy until such time as the Village Board can discuss it with the Village Manager.
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
THE PUBLISHING OF "NOTICE
OF INTENT TO REQUEST RELEASE
OF FUNDS FOR "STREETSCAPE
GRANT"
#072808-9**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the publishing of "Notice of Intent" to request release of funds for "Streetscape Grant."
All in favor - Aye - motion carried

**RESOLUTION ACCEPTING
THE RESIGNATION OF
BRUCE DISTEL
#072808-10**

Motion by Trustee Lopez, seconded by Trustee Oliveras to accept the resignation of Bruce Distel for purpose of retirement effective August 27, 2008 with regret.
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
THE MAYOR TO EXECUTE A
SUPPLMENT AGREEMENT
WITH NYS DOT
#072808-11**

Motion by Trustee Oliveras, seconded by Trustee Lopez authorizing the Mayor to execute a supplement agreement #4-D017240-PIN 8758.02 Beckley Drive/Fantine Kill with the NYS Department of Transportation with the Village share being \$7,187.50.
All in favor - Aye - motion carried

**RESOLUTION APPROVING
THE RENEWAL OF VILLAGE'S
INSURANCE POLICIES
#072808-12**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the renewal of the Village's insurance policies with Selective Insurance for \$110,482.00 with the condition that Mr. Coombe or a representative from his firm come to a board meeting to review the Village insurance with board members.
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING
BARTON & LOGUIDICE
TO CONDUCT SOIL
SAMPLES AT BERME
ROAD PARK
#072808-13**

Motion by Trustee Oliveras, seconded by Trustee Lopez authorizing Barton & Loguidice to conduct soil samples and review at the Berme Road Park
All in favor - Aye - motion carried

**RESOLUTION TO
ACCEPT THE JULY 2008
AS AUDITED
#072808-14**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to accept the July, 2008 bills as audited.
All in favor - Aye - motion carried

TREASURER'S REPORT

Village Treasurer Polkoski informed board members that the Water and Sewer departments do not have the monies available for their contribution to the insurance premiums that are due August 1st. Ms. Polkoski requested that the general fund lend these two funds their share and Mayor Kaplan agreed but on the condition that at the next board meeting it is confirmed in writing that the general fund has been reimbursed.

BOARD REPORTS

Trustee Steinhoff stated that the Youth Commission report was presented in written form to Board members and there will be another meeting tomorrow evening. The YMCA did a site visit to the pool and commented that this pool is running smoothly.

Trustee Steinhoff also stated that the Audit Committee met earlier today with the Police Chief and Treasurer.

Trustee Oliveras questioned the status of the sewer camera and if it has been ordered yet. It was requested that the Village Manager let everyone know the status of this purchase.

Trustee Steinhoff questioned if the Village has a policy for Family Medical Leave Act.

Trustee Oliveras questioned if we can place notices on the Village parks that they close at dark. Mayor Kaplan replied that the only park that this would pertain to is the Mill Street Park and this matter will be brought to the Chief of Police's attention.

**MOTION TO
SCHEDULE NEIGHBORHOOD
WALKS
#072808-15**

Mayor Kaplan requested that a neighborhood walk schedule be planned tonight and a motion by Trustee Oliveras, seconded by Trustee Lopez to schedule the following:

Ellenridge	August 14
Washington Avenue/Lincoln Street	August 25
Hickory Street	September 8

All in favor - Aye - motion carried

Agenda Items for Next Meeting – Special legislation for sewer fund borrowing, discussion of sale price of 81 N. Main Street, draft of capital improvement plan and a report of winter salting program.

ADJOURN

Motion by Trustee Lopez, seconded by Trustee Steinhoff to adjourn at 9:05 p.m.
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk

