

Village of Ellenville  
Village Board Meeting  
Monday, July 25, 2011

Meeting called to order at with the Pledge of Allegiance by Mayor Kaplan at 7:00 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**

Peter Berger, Village Attorney  
Mary Sheeley, Village Manager  
Philip Mattracion, Chief of Police  
Linda Polkoski, Village Treasurer  
Brian Schug, Code Enforcer Schug  
Noreen Dechon, Village Clerk

Mayor Kaplan reported that earlier this evening the Shadowland Theater announced a donation of space at the corner of Center and Market Streets which will be used as an additional theater and he feels this is a very positive step forward.

**MOTION TO APPROVE  
THE MINUTES AS  
AMENDED  
#072511-1**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to accept the minutes of July 11, 2011 as amended.

All in favor - Aye - motion carried

**DISCUSSION ITEMS**

Safety Committee By Laws – A copy of this committee’s by laws were presented to board members for their review.

Tree Removal Policy – Manager Sheeley discussed with board members the Village code in reference to the trimming of shade trees. Our code clearly states the trees are the responsibility of the property owner regardless of who did or did not originally plant the trees. There was discussion between the board members that any trees

between the municipal street and the owner's property it is property owner's responsibility to take care. It was the consensus of the board members to direct the Village Attorney to draft a local law for the next meeting modifying our code and have the Code Enforcement Officer send letters to property owners that have dangerous trees on their property. If the property owner does not feel it is their tree they are to furnish a survey to determine if the tree is on Village property or their property.

**MOTION TO SCHEDULE  
A PUBLIC HEARING IN  
REFERENCE TO TREES  
#072511-2**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to schedule a Public Hearing on August 22<sup>nd</sup> at 7:15 p.m. in reference to new legislation for the removal of trees.

All in favor - Aye - motion carried

**MOTION AUTHORIZING  
AUGUST AS VOLUNTEER  
MONTH  
#072511-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez declaring August as Volunteer Month in the Village of Ellenville.

All in favor - Aye - motion carried

Mayor Kaplan spoke about some ideas that he has for discussion items for upcoming meetings. They were to meet with the Chamber of Commerce after the Blueberry Festival in reference to not allowing dogs at the festival; the Valley of the Giants statue should be the Boy in the Boot and placed at the Berme Road Playground with a fountain that could be used as a wading pool in the summer and a ice skating rink in the winter.

**PETITIONERS & CORRESPONDENCE**

Commissioner Dean Burberan from the Ellenville Fire District was before the board tonight requesting the re-issuance of fuel cards for two vehicles for Chiefs Troue and Wardinsky. Since the Fire District has adopted a new policy in reference to fuel, it was the consensus of board members to re-issue these cards.

John Depuy was before the board tonight to discuss his denial by the Chief of Police for a taxi license. Mr. Depuy

waived his privacy rights to speak about this matter. After discussion it was decided that Mr. Depuy will meet with the Chief of Police to review his application.

Roan Kontz – Ellenville Elementary School art teacher was before the board tonight requesting permission to have practicing artists draw with a washable chalk material on the sidewalks on Center Street. Mayor Kaplan requested Ms. Kuntz sign an indemnification agreement and is happy that she is willing to do this project. Trustee Lopez does not agree with this idea.

Catherine Lahl spoke about Destination Ellenville, tax incentives, sign law, health insurance, sewer capital charge, muzzling of dogs, Kutscher pond and Village storm drains.

#### **POLICE DEPARTMENT**

Chief Mattracion reported that all his officers passed their firearms qualifications last week.

#### **MANAGER'S REPORT**

Manager Sheeley reported that NY Leak Detection has submitted a proposal to redo the maps for our water lines and values. In addition they will be checking our values and if they are not working, they will replace them.

KVS Conference – Manager Sheeley spoke about an upcoming conference for training on our software programs. Treasurer Polkoski cannot go at this time so Manager Sheeley will attend.

Real Property Tax Office – Manager Sheeley spoke to this office in reference to reducing unpaid taxes at the County Tax Sale. This office as well as the Finance Office is not willing to reduce any taxes during the first year it is up for auction.

Mayor Kaplan requested that a meeting date be set for the Village Attorney, Manager and Code Enforcer to compose a letter to the condemned property owners.

Recommendations from Water/Sewer Commission – The commission is recommending that the following changes be made to the Special Assessment Schedule in reference to the Wastewater Treatment Plant.

- 1) Create a category for commercial vacant space – meter removed - \$100 per quarter

- 2) Change Dental Category to \$100 quarterly
- 3) Change Light Industry to \$125 quarterly

**MOTION TO ADOPT  
RECOMMENDATIONS  
FOR W/S COMMISSION  
#072511-4**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adopt the recommendations from the Water/Sewer Commissioner as follows:

- 1) Create a category for commercial vacant space – meter removed - \$100 per quarter
- 2) Change Dental Category to \$100 quarterly
- 3) Change Light Industry to \$125 quarterly

These recommendations will be adopted if Village Code allows changes by resolution.

All in favor - Aye - motion carried

Mayor Kaplan questioned the status of the street sign poles being painted.

Also discussed was the status of the leak at the School Pool and Trustee Steinhoff gave an update.

**TREASURER'S REPORT**

Treasurer Polkoski presented to board members the revenue and expense control reports.

**BUILDING DEPARTMENT**

Curb Reflectors - Code Enforcer Schug stated that the spray paint on the curbs are not attractive and feels a curb with a reflector would look better. Manager Sheeley and Mr. Schug will look at other curbs in the area to see where the reflectors are needed.

**MOTION TO ADOPT  
LAWN MAINTENANCE  
#072511-5**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adopt the attached lawn maintenance list.

All in favor - Aye - motion carried

Wastewater Treatment Plant Change Orders – Mr. Schug spoke about two pending change orders and it was requested that Attorney Berger call Barton & Loguidice to discuss this matter.

Trustee Steinhoff suggested that the term of appointment for the Safety Committee should be for one year.

**MOTION TO AUTHORIZING  
PAYMENT TO U.W. MARX  
#072511-6**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the payment to U.W. Marx, in the amount of \$281,786.58 upon recommendation of Barton & Loguidice for the new Wastewater Treatment Plant Project.

All in favor – 4; Nay – 1, Trustee Lopez

Motion passed

**MOTION TO AUTHORIZING  
PAYMENT TO FAMILY DANZ  
#072511-7**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the payment to Family Danz Heating & A/C Inc., in the amount of \$11,400.00 upon recommendation of Barton & Loguidice for the new Wastewater Treatment Plant Project.

All in favor – 4; Nay – 1, Trustee Lopez

**MOTION TO AUTHORIZING  
PAYMENT TO GRAINGER  
#072511-8**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the expenditure of \$4,194.00 to Grainger for a Dayton Engine Drive pump kit as requested from the Water Department Superintendent and approved by the Village Manager.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
A BUDGET AMENDMENT  
FOR A SHORT LIVE ASSEST  
ACCOUNT  
#072511-9**

Resolution by Trustee Oliveras, seconded by Trustee Steinhoff authorizing a budget amendment to provide for the required \$62,300 annual deposit into the short lived asset account as requested by the USDA.

All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
APPROPRIATION TRANSFERS  
#072511-10**

Resolution by Trustee Oliveras, seconded by Trustee Steinhoff authorizing the attached appropriation transfers for the 2010/11 in the General Fund.  
All in favor - Aye - motion carried

**RESOLUTION AUTHORIZING  
CORRECTION OF AUDIT RECORDS  
#072511-11**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the attached correction record for the July 11, 2011 audit.  
All in favor - Aye - motion carried

**MOTION AUTHORIZING  
SALE OF BLUESTONE  
#072511-12**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the advertisement for the sale of “Old Hurley Bluestone” of approximately twenty pallets containing sixty square feet each. This bluestone will be sold in one lot.  
All in favor – Aye – motion carried.

**MOTION TO CANCEL  
AUGUST 8, 2011 BOARD  
MEETING  
#072511-13**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to cancel the regularly scheduled meeting of August 8, 2011.  
All in favor - Aye - motion carried

**BOARD REPORTS**

Deputy Mayor Younger requested an update on the insurance claim for the damaged RBC unit.

Trustee Oliveras requested an update of the status of the purchase of truck tires.

Mayor Kaplan spoke commented that it is the role of the Manager to run the daily operations of the Village and the staff.

**EXECUTIVE SESSION**  
**#072511-14**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adjourn into Executive Session to discuss possible litigation at 9:25 p.m. not to reconvene to Public Session.  
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk