

Village of Ellenville
Village Board Meeting
Monday, September 29, 2009

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

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

Mayor Kaplan stated that earlier this evening a workshop took place with Brenda Parks, Time Warner Cable, to discuss our franchise renewal agreement and also the needs of our community. This subject will continue during our regular meeting. Mayor Kaplan introduced Brenda Parks to the public and continued discussion about the lack of Spanish channels and the public use of Channel 20 and Channel 23 along with the funding for equipment that would be needed to access these channels. Also discussed was establishing an oversight committee and incorporating the Town of Wawarsing and the Village of Ellenville to a joint franchise agreement. Mayor Kaplan requested Councilman Houck to keep the Village apprised of the progress of the Town to reopen negotiations of its franchise agreement and this matter will be placed on the first meeting in November's agenda.

**PETITIONERS &
CORRESPONDENCE**

Arts Wave - Mayor Kaplan thanked Iris Friedman for all her efforts in this venture. Ms. Friedman stated that the Arts Wave is in the process of working on their budget and asked the Village of Ellenville for in-kind service for the installing of permanent hardware for their art. Ms. Friedman also reminded everyone about this Saturday's Walk on the Hudson and Sunday's Harvest

Festival and an Art Reception at Aroma Thyme following this festival.

**APPROVAL OF
MINUTES
#092909-01**

Motion by Trustee Oliveras, seconded by Trustee Lopez to approve the minutes of September 14, 2009 as presented.
All in favor - Aye - motion carried

Mayor Kaplan questioned the status of the playground on Berme Road and Code Enforcer Schug responded that tomorrow the final inspection will take place.

Mayor Kaplan stated that the Town of Wawarsing will be holding a workshop to discuss the youth program and the Village of Ellenville board members have been invited.

**MOTION TO
HAVE A JOINT
MEETING WITH
TOWN OF
WAWARSING
#092909-02**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to hold a joint public meeting with the Town of Wawarsing on October 1, 2009 at 5:30 p.m. at Town Hall to discuss the youth program.
All in favor - Aye - motion carried

Mayor Kaplan questioned the status of the administrative fee schedule and the clean up of Kushner Pond.

Mayor Kaplan spoke about the Neighborhood Walk that took place earlier tonight at the Hunt Memorial Building and all board members were impressed with the work that has been done and that Kathy Butler has done an excellent job as head of the Hunt Committee. Also the board met with the Village engineers to review the Streetscape Grant project that will take place around Liberty Square. Also the board has received a request from the Shadowland Theatre and the Chamber of Commerce to remove a tree in front of each of their properties.

**MOTION TO
SCHEDULE A
PUBLIC HEARING
#092909-03**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to schedule a Public Hearing on November 9, 2009 at 7:15 p.m. to

discuss a request by the Ellenville Central School District to remove sidewalks on Warren/Church Streets.
All in favor - Aye - motion carried

**MOTION TO ENTER
INTO EXECUTIVE
SESSION
#092909-04**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to enter in Executive Session at 7:30 p.m. to discuss personnel matters to reconvene.
All in favor - Aye - motion carried

**MOTION TO RECONVENE
TO PUBLIC SESSION
#092909-05**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to reconvene to Public Session at 7:50 p.m.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE
(CONTINUED)**

Members of the Ellenridge Homeowner's Association were before the board tonight to discuss the correcting of the soil erosion, removal of the debris and the construction of the pump station. Code Enforcer Schug responded to their issues and Mayor Kaplan requested Attorney Berger to compose a letter to the owner of Ellenridge demanding that the pump station be built immediately. Engineer Don Fletcher addressed the subject of the pump station and water pressure problems at Ellenridge. Also discussed was homeowner's concern with a catch basin and the basin is on private property and the responsibility of the homeowner's association. Further discussion about the concerns that the homeowners are having will be placed on the first meeting of each board meeting beginning November 9th. Our engineer, Glen Gildaly, will set up a meeting with the owner of Ellenridge and their engineer to discuss the matter of the pump station.

**ENGINEER'S
REPORT**

Glen Gildaly and Don Fletcher from Barton & Loguidice were at the meeting tonight to update board members on the Streetscape Grant, Beckley Drive Project and the Wastewater Treatment Plant.

**MOTION TO RETAIN
BARTON & LOGUIDICE
#092909-06**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to retain the services of Barton & Loguidice for the amount of \$10,000.00 for their work on the Circle Avenue repavement project.

All in favor - Aye - motion carried

**MOTION TO ADVERTISE
FOR BID FOR BLACKTOP
ON CIRCLE AVENUE
#092909-07**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to advertise for bids for blacktopping Circle Avenue from Warren Street to Route 209. This bid will be returnable October 22, 2009 at noon and awarded October 26, 2009.

All in favor - Aye - motion carried

Also discussed was the Warren Street sidewalk project which work began today and the Harris II well filtration system. There was further discussion about authorizing Barton & Loguidice to begin work on funding applications and updating. Treasurer Polkoski suggested that a Bond Anticipation Note be authorized to pay for this project.

**MOTION TO AUTHORIZE
BARTON & LOGUIDICE TO
PREPARE WATER TREATMENT
EVALUATION & FUNDING
APPLICATIONS
#092909-08**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to authorize Barton & Loguidice to begin work on the water treatment evaluation plan not to exceed \$22, 300 and to complete the funding applications to EFC and USDA not to exceed \$16,800.

All in favor - Aye - motion carried

POLICE DEPARTMENT

**MOTION TO ACCEPT
RESIGNATION OF
JASON WURTZ
#092909-09**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to accept the resignation of Officer Wurtz effective September 30, 2009.

All in favor - Aye - motion carried

**MOTION TO APPOINT
DAVID MENDOZA TO
A 89 DAY TEMPORARY
POSITION
#092909-10**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to appoint David Mendoza to an 89 day temporary appointment as a police officer effective October 1, 2009 upon recommendation of the Police Chief. There are no benefits for this position

All in favor - Aye - motion carried

Chief Mattracion addressed with the board the recent juvenile arrests made recently and the number of man hours incurred by the Village of Ellenville and would like to send a letter to Family Court requesting restitution from the parents.

DISCUSSION ITEMS

Time Clock Contract – There have been numerous issues with the time clock and it was requested that Attorney Berger review our contract.

Hunt Memorial Building project – A request had been received to execute an agreement between the Village of Ellenville and NYS Office of Parks, Recreation and Historic Preservation.

**MOTION TO EXECUTE
AGREEMENT WITH NYS
OFFICE OF PARKS, RECREATION
AND HISTORIC PRESERVATION
#092909-11**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Mayor to execute an agreement between the Village of Ellenville and NYS Office of Parks, Recreation and Historic Preservation in reference to the Hunt Memorial Building subject to review and approval of the Village Attorney.

All in favor - Aye - motion carried

**RESOLUTION RECOGNIZING
BARGAINING REPRESENTATION
WHITE COLLAR/OFFICE STAFF
#092909-12**

Resolution by Trustee Steinhoff, seconded by Trustee Lopez:

Be it Hereby Resolved by the Board of Trustees of the Village of Ellenville that AFSCME Local 750, Council 66, is hereby recognized as the exclusive bargaining representative for all Clerk/Typist, Court Clerk, Assistant to the Building Inspector, Clerk/Secretary to the Building Inspector, and the part-time Code Officer, excluded from the bargaining unit: Village Treasurer, Village Clerk and Municipal Code Officer/Building Inspector II, as set forth in the letter, dated September 11, 1009 from Mark Teig to Mary Sheeley annexed to the minutes.

Roll Call Vote:

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

**MOTION TO REAPPOINT
MANUEL TORRES TO
VOE HOUSING BOARD
#092909-13**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to reappoint Manuel Torres to the Village of Ellenville Housing Board effective July 31, 2009 for a five year term (7/13/14.)
All in favor - Aye - motion carried

**MOTION TO ACCEPT
RESIGNATION OF
NED NICHOLS ON
VOE HOUSING BOARD
#092909-14**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to accept the resignation of Ned Nichols from the Ellenville Housing Board with regret effective immediately.
All in favor - Aye - motion carried

**MOTION TO APPROVE
EXPENDITURE TO
SIEWERT EQUIPMENT
#092909-15**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to approve the expenditure of \$1,121.00 for flapper valves for

Roslyn Street pump station from Siewert Equipment as per recommendation of Sewer Department Foreman.
All in favor - Aye - motion carried

**MOTION TO SCHEDULE
A NEIGHBORHOOD WALK
#092909-16**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to schedule a neighborhood walk on October 13, 2009 at 5:00 p.m. at Kossar Place to begin at Clinton Avenue.
All in favor - Aye - motion carried

BUILDING DEPARTMENT

**MOTION TO DECLARE
VOE AS LEAD AGENCY FOR
PROPOSED EXCAVATION &
MINING LAW
#092909-17**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to declare the Village of Ellenville as lead agency for the purpose of reviewing the Excavations and Soil Mining laws.

Roll Call Vote:

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

**MOTION TO APPROVE
NEGATIVE DECLARATION
#092909-18**

Motion by Trustee Lopez, seconded by Trustee Steinhoff acting as lead agency on said Excavation and Soil Mining law issued a Negative Declaration determining the proposed action would not have a significant effect upon the environment.

Roll Call Vote:

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

**MOTION TO SCHEDULE
A PUBLIC HEARING
#092909-19**

Motion by Trustee Oliveras, seconded by Trustee Lopez to schedule a Public Hearing on November 9, 2009 at 7:30 p.m. in reference to Article IV of the Village of Ellenville Zoning Law-Excavations and Soil Mining.

All in favor - Aye - motion carried

Green Earth Holdings – A letter has been received requesting the Village of Ellenville waive the excavation fee. No action taken.

TREASURER’S REPORT

Treasurer Polkoski presented to board members her report dated September, 2009 and also a list of the signed and paid audit vouchers for September, 2009.

**MOTION TO APPROVE
AN APPROPRIATION
TRANSFER
#092909-20**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to authorize an appropriation transfer in the General Fund as follows:

From: A 1990	4	Contingent	\$14,900
To: A 7310	443	Youth Contract	\$14,900
From: F8340	445	Road Repair	\$ 200
To: F 8340	447	Permits	\$ 200

All in favor - Aye - motion carried

**MOTION TO APPROVE
BUDGET AMENDMENTS
#092909-21**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to authorize a budget amendment in the Capital Fund for the year 2009/10 for the CHIPS funding as follows:

H 510	Estimate Revenue	\$140,937
H 3992	NYS-CHIPS	
H 960	Appropriations	\$140,937
H 5197.2	Highway Improvements	

All in favor - Aye - motion carried

Mayor Kaplan stated that he and the Village Manager met with the State Auditor and he is pleased to report that there are no findings or inkling of any fraudulent wrong doings. Some comments that were made were for policy and procedures to be put in place and to consider going to a bi-weekly pay period.

Mayor Kaplan requested that the Treasurer give to board members a monthly report on all bank accounts.

**VILLAGE MANAGER'S
REPORT**

Manager Sheeley spoke to board members about a bill we have received from Village Construction for repair to a water main on Broadhead Street and the confusion that incurred over this bill.

**MOTION TO AUTHORIZE
PAYMENT OF \$1,000 TO
VILLAGE CONSTRUCTION
#092909-21**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to authorize payment of \$1,000 to Village Construction subject to approval by our Street Department.

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

Fall Clean-Up – Manager Sheeley gave to board members the schedule for the Fall Clean-up which will begin October 13 and end November 6th.

Electric Bill – Manager Sheeley reported to board members that a savings of over \$5,000 for our electric bill was reaped due to the closing of the office on Fridays during July and August.

Identification Badges – Manager Sheeley is working on this matter and will report back to the board in the near future.

BOARD REPORTS

Trustee Oliveras questioned the status of the solar lights to illuminate the flags and Manager Sheeley advised that they have been ordered.

Mayor Kaplan spoke about a letter he sent to the Pioneer Engine Company in reference to selling their building and a meeting will be set up to discuss this matter.

ADJOURN

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn at 9:35 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk