

Village of Ellenville
Village Board Meeting
Monday, January 26, 2009

Meeting called to order at with the Pledge of Allegiance by
Mayor Jeffrey 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
Linda Polkoski, Village Treasurer
Brian Schug, Code Enforcement Officer
Attorney Philip Cataldi
Noreen Dechon, Village Clerk

**APPROVAL OF
MINUTES
#012609-01**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger
to approve the minutes of January 12, 2009 as presented.
All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Rally NY – Ivan Orisek was before the board tonight to discuss
their upcoming road rally on April 17 & 18, 2009 and requested
permission to close a portion of Wintish Road between Route 52
and the Village border and for the Village to provide a police
officer to be stationed at this site for the duration of the road
closure.

**MOTION TO
AUTHORIZE
CLOSURE OF
WINTISH ROAD
#012609-02**

Motion by Trustee Steinhoff, seconded by Trustee Lopez
authorizing the closure of Wintish Road between Route 52 and the
Village border for Rally New York on Friday, April 17, 2009
between the hours of 8:00 a.m. and 12:00 noon and also to provide
a police officer for that period and they will reimburse the Village
\$150.00 for costs incurred for said officer.
All in favor - Aye - motion carried

Joel Schreibman – Questioned the status of the franchise agreement and it was requested that Attorney Cataldi schedule a meeting with Town Board members to discuss the possibility of a joint venture. Mr. Schreibman also appreciates the efforts of the Street department during the recent snowstorms but asked about the delay in the snow removal in the business district.

Shayne Corsette – 11 Kossar Place – Spoke about the sidewalk in front of her home that is in poor condition and a recent charge incurred for the Village removing snow from her property. Deputy Mayor Younger commented that the board had decided at the last meeting not to issue fines for the Kossar area except for Chapel Street due to the poor condition of the sidewalks in that neighborhood.

**MOTION TO WAIVE
CHARGE FOR
SNOW REMOVAL
#012609-03**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to waive the charge for snow removal at 11 Kossar Place.
All in favor - Aye - motion carried

RUPCO property – Broadhead Street – Inspector Schug discussed a letter he had received from Village Construction Company who is requesting the fine imposed at this site to be waived as they were unaware that they were responsible for snow removal on this sidewalk. Inspector Schug did speak to the project manager and it was the consensus of the board not to take any action.

**MOTION TO ACCEPT
REPORT REFLECTING
COST & EXPENSES
INCURRED FOR
SNOW REMOVAL
#012609-04**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to accept the report reflecting cost and expenses incurred by the Village of Ellenville to correct and remove ice and snow from the December 29, 2008 storm and give the property owner opportunity to dispute said charges at the January 26, 2009 Village Board meeting.
All in favor - Aye - motion carried

**MOTION TO
FORMALLY ACCEPT
RESIGNATION OF
ELLIOTT AUERBACH
#012609-05**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to formally accept the resignation of Elliott Auerbach as Village Manager with regret effective December 31, 2008 and to remove Mr. Auerbach from all bank accounts as an authorized signer on behalf of the Village and also remove his authority for the transfer of funds from the mountain money investment account.
All in favor - Aye - motion carried

**MOTION FORWARDING
THE COMPREHENSIVE PLAN/
GEIS TO THE UC PLANNING
BOARD
#012609-06**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras authorizing the forwarding of the Comprehensive Plan/Generic Environmental Impact Statement to the Ulster County Planning Board for the review and comments.
All in favor - Aye - motion carried

White Oak Safety Contract – Manager Sheeley recommended that the contract with Karl Henkel, White Oak Safety Contract, officially be given a 30 day termination notice beginning the end of January due to budgetary issues. Mayor Kaplan stated that this decision is based on the Village's limited money and hopes in June; Mr. Henkel's contract will be reinstated.

**MOTION FOR A
30 DAY TERMINATION
NOTICE TO WHITE OAK
SAFETY CONTRACT
#012609-07**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to give a thirty day termination notice for the Village of Ellenville's contract with White Oak Safety beginning January 31, 2009.
All in favor - Aye - motion carried

Discussion ensued about the possibility of increasing the fees for fire inspections, how this program in State mandated and not funded and Mayor Kaplan stated that Mr. Henkel has done a great job.

POLICE DEPARTMENT

Chief Mattracion told board members about an incident that took place last Saturday evening where the monument in Liberty Square was damaged. Chief Mattracion also spoke about frozen fire hydrants; snow removal and a request will be made to the NYS Department of Transportation and our Street Department about not pushing the snow back of our resident's property once they have shoveled.

Chief Mattracion recommended to the Board of Trustees that Jason Wurtz be hired as a full time police officer. Deputy Mayor Younger questioned if it would be possible to wait until the new budget year and Chief Mattracion stated that with this new hire it will save money in overtime. With this new hire a police officer can help out with writing code enforcement tickets.

**MOTION TO HIRE
JASON WURTZ AS
FULL TIME POLICE
OFFICER
#012609-08**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to appoint Jason Wurtz as a full time police officer effective January 28, 2009 and salary will be in accordance with the Ellenville Police Association's contract.

All in favor - Aye - motion carried

Further discussion ensued in reference about the possibility of eliminating the night shift dispatcher and using the "911" system and Chief Mattracion believes there will be a cost associated with this change. It was requested that Manager Sheeley analyzing the costs associated for a night time dispatcher versus using the County "911" system.

**DISCUSSION WITH
TREASURER**

Trustee Steinhoff questioned the line items that were listed as "over budget" and Mayor Kaplan requested that the Village Treasurer prepare a report on those items and the reason why they are over budget.

Also discussed with the Treasurer was the FEMA project on Wintish Road the ability to draw down funds that the Village has spent to date on this project.

Mayor Kaplan spoke about a bill that the Village had received from Barton & Loguidice in reference to reviewing the pump station plans at Ellenridge and requested the Treasurer to bill the

owners of this property for reimbursement of professional services rendered.

Trustee Lopez questioned the status of the borrowing for the salt shed and Treasurer Polkoski responded that the process takes sixty days before we receive any funds.

**AFFIRMATION OF
FAIR HOUSING OFFICER
AND LABOR STANDARDS
COMPLIANCE OFFICER
#012609-09**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to reaffirm the designation of Brian Schug as Fair Housing Officer and Mary Sheeley as Labor Standards Compliance Officer.
All in favor - Aye - motion carried

**MOTION TO RENT
OFFICE SPACE TO
MANNETTI, MANNETTI &
O'CONNOR
#012609-10**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to rent an office space to Mannetti, Mannetti & O'Connor at \$12.00 per square foot subject to a one year lease and with the understanding that after one year the fee will increase \$1.00 per square foot.
All in favor - Aye - motion carried

It was requested that an analysis be done as to how much the utilities cost the Village on a monthly basis.

Proposed Design Standards for Business District – This will be discussed at the next Board of Trustees meeting.

**MOTION TO TABLE
REZONING OF MINING
LAWS
#012609-11**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to table the rezoning of the Village's mining laws to the next Board of Trustees meeting.
All in favor - Aye - motion carried

DISCUSSION ITEMS

Civil Defense Deputy Directors - Mayor Kaplan requested that Manager Sheeley inquire if John Cummins is interested in this position and also to inquire if the Town of Wawarsing has appointed someone other than the Supervisor. This will be discussed at the next Board meeting.

Town/Village Inter-Government Agreement - Mayor Kaplan requested Attorney Cataldi to prepare an agreement with the Town of Wawarsing that in the event of an emergency a Water Treatment Operator from either the Village or Town could cover for one another.

Electric Usage for phone booths – A list of phone booths that are located throughout the Village along with the electric cost for each booth was given to board members. There was discussion that there might be too many booths and Mayor Kaplan requested that we contact the phone company to inquire about the usage of each booth. This will be discussed at the next board meeting under Police Department.

**MOTION TO SCHEDULE
A BOARD OF ASSESSMENT
REVIEW
#012609-12**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to schedule a Board of Assessment Review on Tuesday, February 24, 2009 from the hours of 6:00 p.m. – 9:00 p.m.
All in favor - Aye - motion carried

**MOTION TO APPOINT
JOHN J. CONSTANTINE,
WASTEWATER TREATMENT
OPERATOR
#012609-13**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to appoint John J. Constantine, Wastewater Treatment Plant Operator effective January 28, 2009. This position will have one year probation and salary will be in accordance with the Local 750 contract.
All in favor - Aye - motion carried

BUILDING DEPARTMENT

Fire Alarm System - As requested, Inspector Schug obtained three quotes for an fire alarm system for the third and fourth floors of the Government Center and he is recommending P.N. Alarm System be awarded the contract.

**MOTION TO AWARD
P.N. ALARM SYSTEM
CONTRACT
#012609-14**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to award the contract for the fire alarm system to P.N. Alarm System at a cost not to exceed \$5,217.50 for the third and fourth floors of the Government Center.

All in favor - Aye - motion carried

Salt Shed Lightning – Thornton Electric will be installing the lightning in the near future in the new salt shed.

ATTORNEY’S REPORT

Antenna Farms – Attorney Cataldi has meet with Assessor Sommer on the proposed legislation and Mr. Cataldi requested the Board of Trustees schedule a Public Hearing.

**MOTION TO SCHEDULE
A PUBLIC HEARING ON
PROPOSED LOCAL LAW
#012609-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to schedule a Public Hearing on February 9, 2009 at 7:15 p.m. for consideration of a local law in reference to legislation for utility taxes.

All in favor - Aye - motion carried

Tax Lien Foreclosure Agreement – Attorney Cataldi has been exploring different options and one of the options is an agreement with the County. Mayor Kaplan requested that a letter be sent to the County asking for a meeting to discuss this proposition.

Status of School Pool with Health Department - Mayor Kaplan received correspondence from Dean Palen, Health Department inquiring the status of an agreement with them and since our lawsuit has not been resolved at this time, the Village is not in a position to sign any agreement.

81 N. Main Street – Attorney Cataldi received correspondence today from Antal Construction and he will review their proposal and report back at the next board meeting.

TREASURER’S REPORT

Sewer Plant Project – Discussion about the SEQRA review and a bond resolution to cover engineers cost for this project. Treasurer Polkoski advised that it is in the Village’s best interest to advertise for the engineer’s full cost at one time and only draw down funds as needed.

**MOTION FOR
SEQRA REVIEW
#012609-16**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras declaring the Village of Ellenville to act as lead agency on said

project and issue 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 AUTHORIZING
TREASURER TO ADVERTISE
FOR BOND ANTICIPATION NOTE
#012609-18**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village Treasurer to advertise for a Bond Anticipation Note in the amount of \$400,000 to cover engineer's cost for the Sewer Plant Project with the stipulation that the initial drawdown be in the amount of \$72,000 and no further drawdown are to be done with Board approval.

Roll Call Vote:

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

Motion passed.

Treasurer Polkoski stated that she has requested a clarification from the State in reference to deficit funding and also about a referendum and time table for special legislation.

VILLAGE MANAGER'S REPORT

Manager Sheeley commented that if the board were to decide to have a special vote it will need to be soon. Mayor Kaplan requested that Manager Sheeley contact our financial advisors to obtain the average percentage rate that we are currently receiving.

**MOTION TO SCHEDULE
BUDGET WORKSHOPS
#012609-19**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to schedule budget workshops on February 9 and February 23, 2009 at 5:00 p.m.

All in favor - Aye - motion carried

Napanoch Water – Manager Sheeley has met with Town of Wawarsing Supervisor Ed Jennings in reference to the cooperative agreement for water for the Napanoch water system.

Supervisor Jennings has also requested the possibility of using one of our police officers for three hours on Friday mornings during their court session.

TRUSTEE CONCERNS

Trustee Lopez spoke about the broken water pipes at 81 N. Main Street.

Trustee Steinhoff commented that the Youth Commission will be meeting this Wednesday.

Trustee Lopez told board members that the Street Department received their new truck yesterday.

Mayor Kaplan spoke about a letter received from Thornton Electric in reference to prevailing wage rates. Mayor Kaplan sent a letter to Senator Bonacic and Assemblyman Cahill asking them to consider a change to this law so we would be able to use local contractors.

Mayor Kaplan received a letter from a company that would review our utility bills and he will ask surrounding municipalities to see if they have used this company.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION
#012609-20**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adjourn into Executive Session at 8:50 p.m. to discuss a Municipal I position with a possibility of reconvening into public session

Respectfully submitted,

Noreen Dechon
Village Clerk