

Village of Ellenville  
Board Meeting  
Monday, April 28, 2014

The meeting was called to order 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**

Joseph P. Stoeckeler, Jr., Village Manager  
Linda Polkoski, Village Treasurer  
Philip Mattracion, Chief of Police  
Noreen Dechon, Village Clerk

Mayor Kaplan spoke about a joint workshop meeting that was held earlier this evening with the Town of Wawarsing board members. The main topic of this discussion was the consolidation of services between the Town and Village which is being advocated by the Governor's office. Manager Stoeckeler will contact the Governor's office to request someone from his staff to attend a joint workshop meeting to answer questions from board members.

Mayor Kaplan further reported that board members walked through the new Wastewater Treatment Plant earlier this evening and reviewed with the Sewer Foreman the outstanding punch list for this project. Engineer Don Fletcher was in attendance and answered questions from the board.

**APPROVAL OF  
MINUTES  
#042814-1**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the minutes of April 16, 2014 as presented.  
All in favor - Aye - motion carried

**POLICE DEPARTMENT**

Chief Mattracion unveiled the Police Department's new Facebook page that he and Larry Cifone (IT consultant) created in an effort to have positive contact with the public.

Chief Mattracion also presented board members a new Policies and Procedure Manual (on a flash drive) to be reviewed and adopted in the near future.

The Chief also spoke about the training that he and three officers will be attending in Albany for certification for emergency responders to handle drug overdoses.

Upcoming events for his department will attending are the Blueberry Festival, 4<sup>th</sup> of July festivities and Firearms Training.

#### **PETITIONERS & CORRESPONDENCE**

Diane Turner from the Chamber of Commerce was before the board tonight as a following up to their request of banning dogs from the Blueberry Festival.

Mayor Kaplan commented that this is a matter of public safety and board members agreed to attempt this “ban” for this festival.

#### **MOTION BANNING DOGS AT BLUEBERRY FESTIVAL #042814-2**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras banning dogs at the Blueberry Festival in areas where streets are closed which include Main and Canal Streets down to Ann Street and Market Street between Center and Canal Streets to Liberty Square and behind Town of Wawarsing Hall and the area between Ann and Main Streets. This ban will not include service dogs.

All in favor - Aye - motion carried

Spanish Church of God – Reverends Joel & Rachel Mojica from the Spanish Church of God on Canal Street were before the board tonight requesting permission to use the Farmer’s Market site for a church outreach program. After discussion the following motion was made:

#### **MOTION GRANTING PERMISSION TO USE FARMERS MARKET #042814-3**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to allow the Spanish Church of God to use the Farmer’s Market site from the hours of 5:00 pm – 9:00 pm contingent upon the receipt of a Certificate

of Insurance naming the Village of Ellenville as additional insure on the following dates:

June 13 & 14

July 26

August 16

All in favor - Aye - motion carried

#### **MOTION RESCHEDULING**

#### **DATE OF EPL&M USE**

#### **OF FARMERS MARKET**

**#042814-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the change of date for the Ellenville Public Library & Museum's date for use of Farmer's Market site from May 8, 2014 to May 15, 2014.

All in favor - Aye - motion carried

#### **ENGINEER'S REPORT**

Don Fletcher, Barton & Loguidice, update the board in reference to the Ida Lane restoration project, the valve replacement projects and the possibility of using NY Rising monies for additional stream beds and storm banks restoration.

#### **RESOLUTION WITH**

#### **B&L-RE: GUIDI**

**#042814-5**

Resolution by Trustee Steinhoff, Seconded by Deputy Mayor Younger

**WHEREAS**, on or about July 2, 2008 Barton & Loguidice, D.P.C., by letter, proposed an agreement with the Village of Ellenville related to the evaluation of the Village water supply wells to determine if the groundwater being pumped from the wells is under the direct influence of surface water (GUIDI); and

**WHEREAS**, Barton and Loguidice, D.P.C. proposed a fee for completion of the aforesaid task in the total amount of \$11,450.00; and

**WHEREAS**, an executed copy of the agreement by the parties in connection with the above described services was not found;

**NOW, THEREFORE, BE IT RESOVLED** that the Village of Ellenville confirms that the parties entered into an agreement to provide the aforesaid services at the agreed upon fee, that these services were performed, the

aforesaid fee was paid and the Village Board of the Village of Ellenville ratifies and confirms the proposed agreement between the parties. This Resolution shall take effect immediately.

All in favor - Aye - motion carried

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

Manager Stoeckeler presented a Sewer Overflow Emergency Response Plan that the Village Board needs to adopt.

#### **MOTION TO ADOPT SEWER RESPONSE PLAN #042814-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adopt the Sewer Overflow Emergency Response plan as required by the NYS Department of Environment Conservation.

All in favor - Aye - motion carried

As requested at the last board meeting, Manager Stoeckeler gave a list of all Village owned phones and the monthly costs. Two employees receive a \$50.00 stipend to use their own phones and Trustee Steinhoff requested that this offer be made to the users of Village phones.

Also Manager Stoeckeler spoke about the installation of the basketball base and poles and will contact Tom Pinkerous or Michael Mansfield as well as the Street Department staff to get a time frame for their installation.

Insurance – Manager Stoeckeler will be receiving a quote in the near future.

Additionally Manager Stoeckeler gave an update on the repairs to the entrance signs, the mandatory yearly inspections of grease traps in restaurants and will be receiving information tomorrow for the funding of NY Rising.

#### **2014/2015 BUDGET**

After reviewing amendments to the tentative budget, board members authorized the following:

**MOTION AUTHORIZING  
BUDGET AMENDMENTS  
#042814-7**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving the following budget amendments in the 2014/15 General Fund as follows:

A 960	Appropriations		\$72,000
A 1620.45	Shared Bldg-Ins	30,000	
A 3120.1	Police P.S.	30,000	
A 9785	Installment Prin	12,000	
A 599	Appropriated Fund Balance		\$72,000

All in favor - Aye - motion carried

**MOTION TO ADOPT  
2014/2015 BUDGET  
#042814-8**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adopt the 2014/2015 Village Budget in the amount of \$3,404,829.

Roll Call Vote:	Mayor Kaplan	Aye
	Deputy Mayor Younger	Aye
	Trustee Lopez	Aye
	Trustee Oliveras	Aye
	Trustee Steinhoff	Aye

Budget passed

**TREASURER'S REPORT**

Treasurer Polkoski presented a correction on the last audit report and spoke about the cash flow in the Village's accounts.

**ATTORNEY'S REPORT**

Attorney Berger reported that a meeting had taken place with an independent company (MTA Group) that will assist the Village of Ellenville in the collection of past due taxes. A proposed agreement has been reached and is requesting the Board to give authorization to the Mayor to sign this agreement. After a lengthy discussion it was decided to go forward with this agreement.

**MOTION AUTHORIZING  
MAYOR TO SIGN  
AGREEMENT WITH  
MTA GROUP  
#042814-9**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the Mayor to sign an agreement with MTA Group for the collection of past due Village taxes. This proposed agreement will continue to negotiate on certain items.

All in favor - Aye - motion carried

Nevele Resort & Spa – Attorney Berger presented a resolution for the continued support of their endeavors.

**RESOLUTION IN SUPPORT  
OF THE ISSUANCE OF A  
COMMERCIAL GAMING LICENSE  
AT THE FORMER NEVELE  
GRANDE HOTEL AND COUNTRY CLUB  
IN THE TOWN OF WAWARSING  
#042814-10**

Motion by Trustee Steinhoff, and seconded by Trustee Lopez, the following resolution was presented and voted upon:

**WHEREAS**, the Upstate New York Gaming Economic Development Act of 2013 (Chapters 174 and 175 of the Laws of 2013) (hereinafter “the Gaming Act”) was enacted on July 30, 2013; and

**WHEREAS**, on November 5, 2013 New York voters passed the public referendum amending the State Constitution authorizing casino gaming in New York State; and

**WHEREAS**, pursuant to the Gaming Act, four (4) casinos are to be sited within three (3) regions of the State; and

**WHEREAS**, one of the regions is the Catskills/Hudson Valley region which includes Ulster County; and

**WHEREAS**, the Gaming Act creates the New York Gaming Facility Location Board to review and evaluate the applications submitted to make selections of who is eligible to apply for a commercial gaming license in New York State; and

**WHEREAS**, as a condition of filing, each applicant must illustrate to the New York Gaming Facility Location Board's satisfaction that local and community support has been demonstrated; and

**WHEREAS**, the Gaming Act was enacted to assist in job growth and increase school tax and property tax relief; and

**WHEREAS**, the New York State Division of Budget projects that a casino located in the Town of Wawarsing adjacent to the Village of Ellenville will generate substantial revenue annually in school and property tax relief in the Town of Wawarsing; and

**WHEREAS**, the New York State Division of Budget further projects that a casino located in the Town of Wawarsing will provide substantial revenue annually in local government aid in the Town of Wawarsing; and

**WHEREAS**, the Ulster County Legislature has unanimously approved and supported locating a gaming casino at the Nevele site through passage of Resolution No. 144 of 2014; and

**WHEREAS**, by Resolution adopted February 27, 2012 the Village Board of Village of Ellenville unanimously supported the placement of a casino at the former Nevele Grande Hotel and Country Club because it would create thousands of direct and indirect jobs and provide an economic stimulus to the Village, Town and region; and

**WHEREAS**, by Resolution adopted February 24, 2014 the Village Board of the Village of Ellenville unanimously reiterated its support for the placement of a casino at the former Nevele Grande Hotel and Country Club; and

**WHEREAS**, 84.2% of the votes cast by the voters in the Village of Ellenville, in the November 2013 election, were cast in favor of amending the State Constitution to allow casino gaming with it being well known and publicized that the site of the former Nevele Grande Hotel and County Club was being actively championed as one of the potential gaming sites in the Catskill/Hudson Valley region; and

**WHEREAS**, the present site of the former Nevele Grande Hotel and County Club is an economic blight on the Village of Ellenville and Town of Wawarsing and a non-revenue producing property for the Village of Ellenville; and

**WHEREAS**, the proposed site of a commercial gaming facility at the location of the former Nevele Grande Hotel and Country Club would act as the economic engine for construction employment; direct and indirect employment of thousands of residents; economic stabilization and development of existing and new cultural/tourism attractions and businesses; and solidify and expand the tax base; and

**WHEREAS**, the prospect of the granting of a commercial gaming license at the site of the former Nevele Grande Hotel and Country Club, which is within the Town of Wawarsing but outside of the bounds of the Village of Ellenville, and which would utilize water and potentially sewer from the Village of Ellenville, but would otherwise be a tax payer of Town of Wawarsing has renewed and rekindled the interest of the Village of Ellenville and Town of Wawarsing in consolidating municipal services and districts and possibly the dissolution of the Village of Ellenville; and

**WHEREAS**, Nevele-R, LLC is prepared to submit to the New York Gaming Facility Location Board an application seeking a commercial gaming license at the former location of the Nevele Grande Hotel and Country Club and to be known as the Nevele Resort, Casino & Spa; and

**WHEREAS**, the Town of Wawarsing has a long and proud tradition of being a resort host community and longs to return to the tradition of being the “Hospitality center of the Catskills”; and

**WHEREAS**, the Comprehensive Plan of the Town of Wawarsing acknowledges that resorts and tourism are essential elements of the Town’s historical, present and future well-being, as such, the revitalization of the Nevele Grande Hotel and Country Club into a modern, family oriented resort, casino and spa would be in keeping with the aspirations of the Town of Wawarsing.

**THEREFORE, BE IT RESOLVED** that the Village Board of the Village of Ellenville having considered public comment and input, including the passage of Proposition 1 on the November, 2013 ballot by 84.2% of the votes cast within the Village of Ellenville; having reviewed the Upstate New York Gaming Economic Development Act of 2013; in the strongest terms possible declares that should the New York Gaming Facility Location Board select the application of Nevele-R, LLC as a site for a commercial gaming license within the Catskill/Hudson Valley region that same will be an economic catalyst to bolster employment, solidify and grow the tax base; and provide a firm base for existing and new cultural/tourism attractions and commercial enterprises within the



Village of Ellenville and Town of Wawarsing and the Catskill/Hudson Valley region; and be it

**FURTHER RESOLVED**, that the Village Board of the Village of Ellenville enthusiastically supports the application of Nevele-R, LLC to operate the Nevele Resort, Casino & Spa and urges the New York Gaming Facility Location Board to approve the application of Nevele-R, LLC; and be it

**FURTHER RESOLVED**, that the Village of Ellenville Clerk is hereby directed to forward copies of this resolution to the New York Gaming Facility Location Board, Governor, Andrew M. Cuomo, Senate Majority Leader, Dean Skelos, Senate Minority Leader, John L. Sampson, Assembly Speaker, Sheldon Silver, Assembly Majority Leader, Ron Canestrari, Assembly Minority Leader, James N. Tedisco, New York State Senators, John J. Bonacic and William J. Larkin, Jr., Cecilia Tkaczyk, New York State Assemblymen, Claudia Tenney, Frank Skartados, Kevin A. Cahill, Peter Lopez, Ulster County Executive, Michael Hein, Chair of Ulster County Legislature, John R. Parete, Ulster County Legislators, T.J. Briggs and Craig Lopez.

All in favor - Aye - motion carried

## RESOLUTIONS

### **MOTION AUTHORIZING AN EASEMENT AGREEMENT WITH RIVAN KRIEGER #042814-11**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing Mayor to sign easement agreement with Rivan Krieger for installation of lamp post near Liberty Square.

All in favor - Aye - motion carried

### **MOTION AUTHORIZING LEASE AGREEMENT WITH EWCOC #042814-12**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras authorizing the Mayor to sign a ten year lease agreement with the Ellenville/Wawarsing Chamber of Commerce to use office space at the Hunt Memorial Building.

All in favor - Aye - motion carried

**MOTION AUTHORIZING  
EHA TO PARTICIPATE  
IN VSP PLAN  
#042814-13**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing Ellenville Housing Authority employees to participate in the Village's Vision Service Plan at their own expense.  
All in favor - Aye - motion carried

**MOTION AUTHORIZING  
CORRECTION OF AUDIT  
RECORD  
#042814-14**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras authorizing the correction of the attached audit record dated April 16, 2014 upon recommendation of the Village Treasurer.  
All in favor - Aye - motion carried

**BOARD REPORTS**

Deputy Mayor Younger spoke about the rubbish at Burnished Metals and Mayor Kaplan responded that he had spoken to the owner earlier today and clean up should begin on Monday.

Trustee Steinhoff requested that the Village Manager contact Supervisor Chipman in the Town of Rochester in reference obtaining excessed items from the Army. Also Trustee Steinhoff reported that the interviews will be taking place in the near future for the Summer Recreation Program.

**MOTION TO ENTER  
INTO EXECUTIVE  
SESSION  
#042814-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to enter into Executive Session to discuss personnel matters at 8:30 p.m. and not to reconvene to public session.  
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk