

Board Meeting
Monday, September 24, 2012

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

Mary Sheeley, Village Manager
Peter Berger, Village Attorney
Brian Schug, Code Enforcer
Linda Polkoski, Village Treasurer
Noreen Dechon, Village Clerk

Mayor Kaplan informed everyone that there was a Joint Meeting earlier today with the Town of Wawarsing and some of the items discussed were the status of the inventory of properties within the Town. Mayor Kaplan thanked the Town Board for their efforts in this project. Also discussed were the Village's and Town's recent water issues and the possibility of merging the Town's Local Development Corporation and the Village's Revolving Loan Fund.

The "neighborhood walk" tonight was at the parking lot located at 90 Center Street where a merchant (Genaro Garcia) is interested in purchasing the lot to expand his business. Before any action is taken, the Village will contact surrounding business owners for their input.

**MOTION TO
APPROVE MINUTES
#092412-1**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the minutes of September 10, 2012 as presented.
All in favor – aye – motion carried.

DISCUSSION ITEMS

Tax Collection for Delinquent Accounts – Manager Sheeley has contacted a Tax Collection Attorney and Mayor Kaplan requested a list of other municipalities that they have done tax cercotoria for.

POLICE DEPARTMENT

Chief Mattracion reported to board members the computer needs for his department and reviewed the cost of replacing some of his equipment. Mayor Kaplan asked if there were funds in the budget for this purpose and Treasurer Polkoski stated that a Bond Anticipation Note would be needed for this purchase.

**MOTION TO OPEN
PUBLIC HEARING
#092412-2**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to open the Public Hearing in reference to the Time Warner Cable Franchise Agreement at 7:15 p.m.
All in favor – aye – motion carried

**MOTION TO ADJOURN
PUBLIC HEARING
#092412-3**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to adjourn the Public Hearing at 7:16 p.m.
All in favor – aye – motion carried

**POLICE
(CONTINUED)**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez upon recommendation of the Chief of Police and Village Manager authorize the purchase of six computers and six monitors, two Tough Books and a camera not to exceed \$37,000.00.
All in favor – aye – motion carried

Chief Mattracion reported on the recent AED & CPR training that his staff received and wanted to thank the Ellenville First Aid & Rescue Squad for donating their time.

**PETITIONERS &
CORRESPONDENCE**

Mayor Kaplan disqualified himself from discussion for the following petitioner.

Jay Zeiger, attorney was before the meeting tonight to discuss a project that his client, JJ Luck, LLC. is proposing at 182 Canal Street. This will be an assisted living facility in the Business District and at the present time this use is not allowable in the Village Code. There is presently a zoning amendment before the Village Board and the Planning Board for review. Attorney Berger stated that this amendment to our Village code will need

to have a Public Hearing before any action can be taken by the Village Board.

**MOTION TO SCHEDULE
PUBLIC HEARING
#092412-3**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to schedule a Public Hearing on October 22, 2012 at 7:15 p.m. to discuss an amendment to the Zoning law to allow assisted living in the business district.

All in favor – aye – motion

Mayor Kaplan returned to the dais to participate in the meeting.

**MOTION TO REOPEN
PUBLIC HEARING
#092412-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to reopen the Public Hearing in reference to the Time Warner Cable Franchise Agreement.

Ms. Brenda Parks, from Time Warner Cable Company was at the Public Hearing tonight to discuss this Franchise Agreement.

Attorney Berger stated that the outstanding issues have been resolved and he reviewed them with board members and recommended that this franchise agreement be approved.

Mayor Kaplan spoke about an issue whereby subscribers within the Village would get a refund due to the fact that a surcharge was placed on their bills when it wasn't supposed to be. Attorney Berger has been in contact with the Assistant Attorney General who is negotiating a settlement for subscribers.

Manager Sheeley stated there was a requirement in the original franchise agreement that Time Warner Cable keep an office open in the Village and does not see it in this current agreement. Mayor Kaplan requested that the issue be researched and that Ms. Parks have this provision put back into the agreement for the life of the contract before the agreement is signed.

**MOTION TO CLOSE
PUBLIC HEARING
#092412-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to close the Public Hearing at 7:50 p.m.
All in favor – aye – motion carried.

PETITIONERS & CORRESPONDENCE

Correspondence received from Time Warner Cable and Catskill Forest Association.

MANAGER'S REPORT

Mill Street Park – Mayor Kaplan requested that the stairs at the gazebo be repaired and Mr. Schug had a draft proposal that he will send to contractors.

FEMA – Manager Sheeley reported that FEMA has reduced our share of the repair funds to \$400,000.

Water Issues – Manager Sheeley reported on the recent leak that was discovered causing low water pressure within the Village. This leak originated on the Nevele property and continued on to Honor's Haven and emptied into a creek bed. Manager Sheeley will contact Leak Detection to trace our lines to see if there are any additional problems.

Honor's Haven – Manager Sheeley reported that Honor's Haven will not give the Village permission to do an architectural survey on their property. Manager Sheeley and Attorney Berger will contact the Honor's Haven attorney.

Manager Sheeley reviewed the resolutions with the board that are on the agenda.

**MOTION TO OBTAIN
APPRAISAL OF PARKING
LOT
#092412-6**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the Manager to obtain an appraisal for the parking lot at 190 Center Street.
All in favor – aye – motion passed

Mayor Kaplan requested that surrounding property owners be invited to the next board meeting where this parking lot will be discussed.

TREASURER'S REPORT

Treasurer Polkoski reported that she had distributed the Treasurer's report and spoke about the amount that was needed for the building demolition of 48-50 Chapel. Mayor Kaplan requested that a lien be placed on that property for the cost of the demolition.

BUILDING DEPARTMENT

Code Enforcer Schug spoke about the grate at Kutcher's Pond, the sewer rebuild project and a request from Simon's Upholstery at 143 Canal Street.

RESOLUTIONS

MOTION TO LIFT THE OUTDOOR WATER BAN #092412-7

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to lift the outdoor water ban effective immediately.
All in favor – aye – motion carried

MOTION APPROVING EXPENDITURE TO MICROSOFT OFFICE #092412-8

Motion by Trustee Steinhoff, seconded by Trustee Lopez approving the expenditure of \$2890.00 for 10 Microsoft Office Standard licenses as recommended by the Village Manager.
All in favor – aye – motion carried

MOTION APPROVING EXPENDITURE KE GREER #092412-9

Motion by Trustee Steinhoff, seconded by Trustee Lopez approving the additional expenditure of \$2,298.65 to KE Greer Infrastructure for the installation of fire hydrants.
All in favor – aye – motion carried

MOTION APPROVING EXPENDITURE KE GREER #092412-10

Motion by Trustee Lopez, seconded by Trustee Oliveras approving the expenditure of \$7,504.28 to KE Greer Infrastructure for emergency repair work at the Harris Well site.
All in favor – aye – motion carried

**MOTION APPROVING
EXPENDITURE KE GREER
#092412-11**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras approving the expenditure of \$6,453.12 to KE Greer Infrastructure for emergency repair work for excavation of water main leaks.

All in favor – aye – motion carried

**MOTION APPROVING
CORRECTION OF AUDIT REPORT
#092412-12**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras approving the attached correction of audit report dated 9/10/12 as recommended by the Village Treasurer.

All in favor – aye – motion carried

**MOTION APPROVING
CORRECTION OF TAX BILL
#092412-13**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger correcting the attached tax bill for J. Palermo, SBL 91.87-1-16 as recommended by the water commission.

All in favor – aye – motion carried

**RESOLUTION CREATING
COMPLETE STREETS
#092412-14**

Resolution by Trustee Steinhoff, seconded by Trustee Oliveras that the Village of Ellenville encourages walking, bicycling and public transit for transportation, health, fitness and recreation, it recognizes the importance of creating Complete Streets that enable safety travel by all users, including pedestrians, bicyclists, public transportation riders and drivers, and people of all ages and abilities and it supports education about the need for accessibility through events, programs, outreach and incentives.

All in favor – aye – motion carried

**MOTION AUTHORIZING
ACCEPTANCE OF CLG-12-04
GRANT AWARD
#092412-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Mayor to accept CLG-12-04 grant award from NYS Office of Parks, Recreation & Historic Preservation in the amount of \$1,951.00 to be used by Historic Preservation Commission.

All in favor – aye – motion carried

**MOTION REAFFIRMING
EMERGENCY EXPENDITURE
TO SIEWERT EQUIPMENT
#092412-16**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to reaffirm emergency expenditure to Siewert Equipment in the amount of \$1,106.80 for the purchase of a Transducer with filter as recommended by the Village Manager and Sewer Department Foreman.
All in favor – aye – motion carried

**MOTION REAFFIRMING
EMERGENCY EXPENDITURE
TO NY LEAK DETECTION
#092412-17**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to reaffirm the emergency expenditure to New York Leak Detection, Inc. in the amount of \$5,250.00 as recommended by the Village Manager and Water Department Foreman.
All in favor – aye – motion carried

**MOTION REAFFIRMING
EMERGENCY EXPENDITURE
TO TURCO TRUCKING & REPAIR
#092412-18**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to reaffirm emergency expenditure to Turco Trucking & Repair in the amount of \$6,300.00 as recommended by the Village Manager.
All in favor – aye – motion carried

**MOTION TO ACCEPT
TWO PROPOSALS FOR
REPLACEMENT OF STEPS
#092412-19**

Motion by Trustee Oliveras, seconded by Trustee Lopez to accept two proposals for replacement of steps at the Roslyn Street pump station.
All in favor – aye – motion carried

**MOTION TO APPROVE
THE EXPENDITURE TO
KE GREER INFRASTRUCTURE
#092412-20**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to approve the expenditure of \$2,600.00 to remove and replace steps at the Roslyn Street pump station to K E Greer Infrastructure LLC.
All in favor – aye – motion carried

**MOTION TO APPROVE
THE EXPENDITURE TO
KE GREER INFRASTRUCTURE
#092412-21**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to approve the expenditure of \$4,500.00 to K E Greer Infrastructure LLC for additional work on North Gully Road.
All in favor – aye – motion carried

**MOTION TO SUSPEND
PARKING ON WESTWOOD AVE
#092412-22**

Motion by Deputy Mayor Younger, seconded by Trustee Steinhoff to suspend parking on Westwood Avenue on October 23 & 24, 2012.
All in favor – aye – motion carried.

BOARD REPORTS

Deputy Mayor Younger requested an update on stream banks on Ida Lane. Deputy Mayor stated that Gloria Stephens feels the demolition work done on 48-50 Chapel Street caused erosion on her property.

EXECUTIVE SESSION

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adjourn into Executive Session to discuss personnel matters not to reconvene to public session at 8:55 p.m.
All in favor – aye – motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk