

Village of Ellenville
Village Board Meeting
Monday, April 27, 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
Peter Berger, Village Attorney
Philip Mattracion, Police Chief
Noreen Dechon, Village Clerk
Linda Polkoski, Village Treasurer
Brian Schug, Code Enforcement Officer

Mayor Kaplan requested that the Code Enforcer Officer do his report first on the agenda since Mr. Schug had a family emergency.

BUILDING DEPARTMENT

Proposed Design Standards for the Business District – Code Enforcer Schug spoke about the proposed design standards that the Planning Board has been working on. Mayor Kaplan stated that he and the Board of Trustees had a concern that these guidelines would be too stringent but Mr. Schug replied that there is a provision to allow the Planning Board flexibility to waive any provisions subject to review by the Code Enforcement Officer. Mayor Kaplan suggested that a notice be sent to the Chamber of Commerce and all business owners notifying them of these proposed new standards and if they would like to review them before the public hearing, they will be available at Village Hall and our website for their perusal.

**MOTION TO
SCHEDULE PUBLIC
HEARING
#042709-01**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to schedule a Public Hearing on May 26, 2009 at 7:15 p.m. to discuss Design Standards in the Business District.
All in favor - Aye - motion carried

Planning Board & Zoning Board Vacancies – Mr. Schug reviewed with board members that there are currently two vacancies on the Planning Board and one vacancy on the Zoning Board. The Planning Board vacancies will be discussed later in the meeting.

**MOTION TO
ADVERTISE FOR
ZONING BOARD
OF APPEALS
#042709-02**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to authorize the advertisement of a vacancy on the Zoning Board of Appeals and also for an alternate for this board returnable May 11, 2009.

All in favor - Aye - motion carried

Filling of Swimming Pools- It was the consensus of the Board of Trustees to continue the process instituted last year where the Village of Ellenville would charge Village homeowners \$10.00 for filling their pool and Town of Wawarsing homeowner \$20.00 for theirs when the Fire Department uses our hydrants.

**MOTION TO
OPEN PUBLIC HEARING
FOR VILLAGE BUDGET
#042709-03**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to open the Public Hearing at 7:15 p.m. for the purpose of discussing the 2009/2010 Village Budget.

All in favor - Aye - motion carried

**MOTION TO
ADJOURN PUBLIC HEARING
FOR VILLAGE BUDGET
#042709-04**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adjourn the Public Hearing at 7:16 p.m. for the purpose of reiewing the 2009/2010 Village Budget.

All in favor - Aye - motion carried

PRESENTATION

Martha Cheo, Mid-Hudson Coordinator, for the Hudson Basin River Watch was before the board to present the 2007 Watershed Report Card for the Rondout Creek.

In September and October 2007, the Hudson Basin River Watch sampled 16 sites in the Rondout Creek Watershed. The Rondout Creek Watershed Council, the NYS Department of Environmental Conservation and the NYD Department of Environmental

Protection provided input in site selection. The Hudson Basin River Watch collected stream bottom macro-invertebrate samples and measured basic physical and chemical parameters at each site. This group evaluated the data to assess water quality conditions and impacts using NYSDEC methods. With a slide show presentation, Ms. Cheo reviewed the conditions of the sites tested and the interpretation and follow up on these finds. Mayor Kaplan thanked Ms. Cheo for her informative report.

**MOTION TO
OPEN PUBLIC HEARING
FOR COMPREHENSIVE
REVIEW
#042709-05**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to open the Public Hearing at 7:45 p.m. for the purpose of discussing the Comprehensive Review Plan.

All in favor - Aye - motion carried

**MOTION TO
ADJOURN PUBLIC HEARING
FOR COMPREHENSIVE REVIEW
#042709-06**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adjourn the Public Hearing at 7:46 p.m. for the purpose of discussing the Comprehensive Review Plan.

All in favor - Aye - motion carried

**MOTION TO
REOPEN PUBLIC HEARING
FOR VILLAGE BUDGET
#042709-07**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to reopen the Public Hearing at 7:46 p.m. for the purpose of reviewing the 2009/2010 Village Budget.

All in favor - Aye - motion carried

Mayor Kaplan stated that earlier this evening there was a budget workshop meeting and complimented Manager Sheeley and Treasurer Polkoski for their hard work for putting together this budget. Mayor Kaplan and board members have submitted proposals to reduce the budget to a manageable percentage increase for our residents. Some of those reductions were reducing the deficit funding to \$50,000, reducing the salary of a Village Manager to a part time position at a salary of \$37,500 and the Department of Public Works have agreed to a one year salary freeze. The Police Department budget will be reducing their staffing for the position of a night time dispatcher and reducing an officer on shifts whenever possible. In addition the Board of

Trustees has reduced their salaries by \$1,000 and the contingency line will be reduced to \$80,000 bringing the reductions in this budget to approximately \$100,000 in cuts. Mayor Kaplan also discussed the possibility of using the “mountain money” to assist the Village in paying down the deficit. This deficit is putting a burden on the present taxpayer and also draining our yearly budget. Trustees commented that the Village is on a road to recovery and it is difficult to reduce the deficit without cutting services. Also discussed was the possibility of a utility tax, the antennae farm assessment and to consolidate some services with the Town of Wawarsing. Members of the public audience asked questions about the proposed budget.

**MOTION TO
CLOSE PUBLIC HEARING
FOR VILLAGE BUDGET
#042709-08**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to close the public hearing on the Village Budget at 8:07 p.m.
All in favor - Aye - motion carried

**MOTION TO
ADOPT THE
2009/2010 VILLAGE
BUDGET
#042709-09**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to adopt the 2009/2010 Village of Ellenville budget in the amount of \$2,983,175 representing a 7.06% tax increase.

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

**MOTION TO
REOPEN PUBLIC HEARING
FOR COMPREHENSIVE
REVIEW
#042709-10**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to reopen the Public Hearing at 8:10 p.m. for the purpose of discussing the Comprehensive Review.
All in favor - Aye - motion carried

**MOTION TO
ADJOURN PUBLIC HEARING
FOR COMPREHENSIVE REVIEW
#042709-11**

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to reopen the Public Hearing at 8:11 p.m. for the purpose of discussing the Comprehensive Review.
All in favor - Aye - motion carried

It was requested that this document be sent to the Ulster County Planning Board for their review.

DISCUSSION ITEMS

**MOTION TO INTERVIEW
TWO APPLICANTS FOR
THE PLANNING BOARD
#042709-12**

Motions by Trustee Steinhoff, seconded by Deputy Mayor Younger to have the Village Manager coordinate an interview with the two applicants for the Planning Commission. Candidates will meet with Mayor Kaplan, Trustee Oliveras and Manager Sheeley.
All in favor - Aye - motion carried

Empire State Development Corporation – Marge Gallagher was before the board tonight requesting a written commitment of support for their Restore NY 2009 Application Town of Gardiner for the Gillette Creamery project. Ms. Gallagher reviewed the reason for their request and the Village of Ellenville’s concern with keeping the present Gillette property on our tax rolls. Ms. Gallagher assured board members that they will find a tax paying business for that site.

**MOTION TO PREPARE
A LETTER OF SUPPORT
FOR ESDC RESTORE NY
2009 APPLICATION
#042709-13**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to prepare a letter of support for the Empire State Development Corporation Restore NY 2009 application for the Gillette Creamery project.
All in favor - Aye - motion carried

Arts Wave Committee – This committee is requesting to have Market Street between Center and Canal Street closed on July 11, 2009 for an open house.

**MOTION TO GRANT
PERMISSION TO
CLOSE MARKET STREET
#042709-14**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to authorize the closing of Market Street between Center and Canal Streets on July 11, 2009 between the hours of 2:00 pm – 9:00 pm for the purpose of their 10 x 10 x 10 open house.
All in favor - Aye - motion carried

Retro Operator Pay – This discussion was tabled at this time until the Village Labor Attorney gives his opinion and Trustee Steinhoff requested that the contract be reviewed.

Request to Waive Snow Removal Fee – This item was tabled until such time the Board can determine if prior notification was given to resident before Village personnel shoveled.

King Kuts Lawn Care Service – John VanErem is offering to maintain the grounds at the Hunt Memorial Building in exchange for erecting a sign on their grounds. No action was taken until more information about the sign is obtained and Mr. Schug speaks to the Hunt Memorial Committee.

PETITIONERS & CORRESPONDENCE

Kingston/Ulster Empire Zone – Request for a letter committing to the Village’s participation in this zone in the amount of \$7,250.

Time Warner Cable – Notification of channel changes.

State of New York-Office of Real Property Services - Mayor Kaplan met with representatives from this office and it is not necessary for a written response.

Family of Ellenville – US Office of Juvenile Delinquency – request for a letter of support where the Village has agreed to assist them in their goals.

**MOTION AUTHORIZING
THE MAYOR TO SEND
A MEMORANDUM OF UNDERSTANDING
FOR FAMILY OF ELLENVILLE
#042709-14**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger authorizing the Mayor to sign a Memorandum of Understanding with the US Office of Juvenile Justice and Delinquency

Prevention's Local Youth Mentoring Initiative in conjunction with Family of Ellenville.

All in favor - Aye - motion carried

Family of Ellenville also sent a letter thanking the Street Department for their assistance this past winter.

Town of Shandaken – Correspondence received in reference to the Town of Shandaken's resolution for the keeping of lever voting machines.

Historic Preservation Commission Minutes – The Village Board acknowledged receipt of their January, February and March, 2009 minutes.

Planning & Zoning Board Minutes – The Village Board acknowledged receipt of their minutes.

POLICE DEPARTMENT

Mayor Kaplan questioned Chief Mattracion about the budget that his department presented and if they will be able to stay within those figures.

5 Maiden Lane Follow Up – Chief Mattracion researched the residents request for a sign on this street and he recommends the placing of a "Children at Play" sign be installed there.

Tennis Courts – Chief Mattracion spoke about the problem of skateboarders at the Berme Road Park and the possibility of locking the courts. Board members do not want the courts locked at this time and for the patrol cars to monitor the situation.

Discussion about the monthly activity reports, charging a fee for all vendors at the Blueberry Festival, Rally NY, etc. to cover the cost of the extra police personnel at these events.

RESOLUTIONS

MOTION TO APPROVE THE MINUTES OF APRIL 13, 2009 #042709-15

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to accept the minutes of April 13, 2009 as presented.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
THE CHANGE OF THE
VILLAGE BOARD MEETING
#042709-16**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to change the Village Board meeting date of May 25, 2009 to May 26, 2009 in observance of the Memorial Day holiday.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
THE EXPENDITURE TO
TEK-SALES
#042709-17**

Motion by Trustee Lopez, seconded by Trustee Steinhoff authorizing the expenditure of \$1,412.35 to Tek-Sales, Inc. for valves for the Wastewater Treatment Plant.
All in favor - Aye - motion carried

**MOTION ACCEPTING THE
RESIGNATION OF JONATHAN
CABAN
#042709-18**

Motion by Trustee Lopez, seconded by Trustee Oliveras accepting the resignation of Jonathan Caban, Municipal I worker, effective April 14, 2009.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
THE POSTING OF
MUNICIPAL I WORKER
#042709-19**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff authorizing the posting of a Municipal I worker.
All in favor - Aye - motion carried

ATTORNEY REPORTS

**MOTION AUTHORIZING
A LEGAL SERVICES AGREEMENT
WWTP IMPROVEMENTS
#042709-20**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the execution of a legal services agreement for the Wastewater Treatment Plant Improvements.
All in favor - Aye - motion carried

Cable Franchise Agreement – Attorney Berger has not received this agreement as of this date from Time Warner.

**MOTION AUTHORIZING
THE APPROVAL OF A
MEMORANDUM OF
AGREEMENT BETWEEN
VOE & LOCAL 750
#042709-21**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the Village Manager to sign a Memorandum of Agreement between the Village of Ellenville and Local 750 following review and approval of labor attorney.
All in favor - Aye - motion carried

TREASURER'S REPORT

**MOTION AUTHORIZING
BOND COUNSEL AGREEMENT
#042709-22**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the execution of retainer agreement for bond counsel in the amount of \$29,500 for all the bonding for the Wastewater Treatment Plants improvements upon recommendation of the Village Treasurer.

VILLAGE MANAGER'S REPORT

Manager Sheeley reviewed with board members a form that will be used for all volunteers especially during the building of the new playground.

Manager Sheeley gave to board members the expenditures for the budget in reference to bottled water for all departments.

Manager Sheeley gave board members an update on Village grants and spoke about the lump sum agreement with Barton & Loguidice to oversee the Main Street grant.

**MOTION AUTHORIZING
AN AGREEMENT WITH
BARTON & LOGUIDICE TO
OVERSEE THE ENGINEERING
SERVICES OF THE MAIN STREET
GRANT
#042709-23**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to retain Barton & Louidice subject to a lump sum agreement of \$25,000 to do engineering services to oversee the Main Street Grant subject to a written commitment from Congressman Hinchey's office.
All in favor - Aye - motion carried

Manager Sheeley gave an update on the Circle Avenue and the Wintish Road projects.

BOARD REPORTS

Trustee Oliveras asked board members to consider cancelling the 4th of July parade and also spoke about employees buying their own bottled water.

EXECUTIVE SESSION

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to adjourn into Executive Session at 9:30 p.m. to discuss personnel not to reconvene to public session.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk