

Village of Ellenville
Board Meeting
Monday, May 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
Peter Berger, Village Attorney
Noreen Dechon, Village Clerk

Mayor Kaplan reported that earlier this evening board members visited the Village's water tanks and water sources.

In addition, Mayor Kaplan stated that the Liberty Square lighting project is completed and the Shawangunk Garden Club is proposing to hang two flower baskets on each lamp post. Each flower basket will cost \$40.00 (18 baskets) and Mayor Kaplan will contribute 50% of the total expenditure.

MOTION TO ACCEPT

A GIFT FROM MAYOR KAPLAN

#052814-1

Motion by Trustee Lopez, seconded by Trustee Steinhoff to accept a \$360.00 gift from Mayor Kaplan towards the expenditure of flower baskets.

All in favor - Aye - motion carried

**MOTION AUTHORIZING
EXPENDITURE FOR
FLOWER BASKETS**

#052814-2

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the expenditure of \$360.00 by the Village towards the purchase of flower baskets.

All in favor - Aye - motion carried

DISCUSSION

Mayor Kaplan invited Supervisor Distel to tonight's meeting to discuss the possibility of consolidating services with the Village of Ellenville and the Town of Wawarsing. Consolidation plans that will be discussed are the services that are provided by both the Village of Ellenville and Town of Wawarsing. Mayor Kaplan asked board members to consider the consolidation of the Justice Courts. Attorney Berger reviewed the process that will need to take place for the dissolution of the Village Court and the consolidation of both Courts. This process would entail the Village Board adopting a resolution to this effect which will be subject to a permissive referendum that would be voted on by Village residents at the November election. Supervisor Distel presented his reasons for the consolidation of the Justice Courts and spoke about a conference call that he recently had with the Department of State about shared services.

RESOLUTION TO ABOLISH OFFICE OF VILLAGE JUSTICES AND VILLAGE OF ELLENVILLE JUSTICE COURT #052814-3

Motion by Trustee Steinhoff, seconded by Trustee Oliveras for the purpose of discussion:

- I. Legislative Intent.
 - A. It is the intent of the Board of Trustees of the Village of Ellenville to consolidate duplicative services with the Town of Wawarsing in order to proceed towards the dissolution of the Village Government.
 - B. In order to proceed towards consolidation of services, the one Village Court Justice position due to expire on November 30, 2014 shall expire on that date.
 - C. On November 30, 2014 the Village of Ellenville Village Court will cease to exist and the present Village Justice, the Acting Village Justice, the Village Court Clerk and all supportive services would terminate.
- II. Be it enacted that:

A. Effective November 30, 2014, the Village Justice position due for election on November 4, 2014 will terminate.

B. Effective November 30, 2014, positions of Acting Village Justice and Court Clerk, as well as the Village of Ellenville Court System shall cease to exist.

III. On or after January 1, 2015, all matters necessitating the intervention of the local justice court system, both criminal and civil actions, originating in the Village of Ellenville or once adjudicated in the Village of Ellenville Court System shall be docketed in the Town of Wawarsing Justice Court.

IV. This Resolution shall take effect on the first day after the period during which a permissive referendum may be called, or if so called upon completion of the permissive referendum election. Within five (5) days of the effective date of this Resolution, the Board of Trustees of the Village of Ellenville shall file a copy of such resolution with the Clerk of the Town of Wawarsing and with the State Office of Court Administration.

V. This Resolution is subject to a permissive referendum.

Judge Matthew Parker and Acting Judge Harvey Levine spoke in reference to this matter.

Trustee Steinhoff requested that revenue information for the building department and parking fines be given to the board before next meeting as well as the salary plus benefits for personnel in the Justice Court.

Deputy Mayor Younger stated that he has mixed emotions about this matter and needs time to digest the issue before he makes any decision.

Trustee Oliveras would like to review the revenues before any decision is made and Trustee Lopez requested that the Village Manager contact other municipalities that have consolidated their courts and get their feedback.

**MOTION TO WITHDRAW
RESOLUTION TO ABOLISH
OFFICE OF VILLAGE JUSTICES
AND VILLAGE OF ELLENVILLE
JUSTICE COURT
#052814-4**

5/28/14

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to withdraw the above resolution.

All in favor - Aye - motion carried

**MOTION TO TABLE THE
RESOLUTION TO ABOLISH
OFFICE OF VILLAGE JUSTICES
AND VILLAGE OF ELLENVILLE
JUSTICE COURT
#052814-5**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras to table the above resolution until the June 9, 2014 Board meeting.

All in favor - Aye - motion carried

**APPROVAL OF
MINUTES
#052814-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to accept the minutes of May 12, 2014 as presented.

All in favor - Aye - motion carried

**PETITIONERS &
CORRESPONDENCE**

Jeff Rubin, Chairman of Historic Preservation Committee, thanked the Village Board for appointing him to the above committee and spoke about the D&H Canal Ticket Office and the need for it to be painted. Mayor Kaplan requested that the Village Manager have the Street Department Foreman look at this building.

Mary Borriello, advisor for the High School's Senior class, is requesting permission to use the Berme Road Field on June 23rd from 7:30 – 9:30pm.

**MOTION TO APPROVE
USE OF BERME ROAD
FIELD
#052814-6**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger approving the High School Senior Class' use of the Berme Road field on June 23rd between the hours of 7:30 – 9:30 pm with a letter to the Men's Softball league advising them of this.

All in favor - Aye - motion carried

Eric Cafaro – 9 Market Street – has a prospective tenant for this property who would like to install a double door on the Center side of this property. If a door was installed on this side it would lead to Village

property and Mr. Cafaro is requesting permission to install a three foot sidewalk on Village property. After discussion it was agreed upon that a licensing agreement between Mr. Cafaro and the Village would be executed with the following stipulations:

- 1) Mr. Cafaro maintains the sidewalk
- 2) A Certificate of Insurance is obtained naming the Village of Ellenville as additional insure in the amount of \$1,000,000/\$2,000,000
- 3) Sidewalk would be built under the inspection and approval of the Building Department and;
- 4) No displays of any kind would be allowed

**MOTION AUTHORIZING
ATTORNEY TO WRITE
A LICENSING AGREEMENT
#052814-7**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the attorney to draw up a licensing agreement that would allow Mr. Cafaro to install a three foot sidewalk on Village property.

Mayor Kaplan recused himself from this vote since he is friends with Mr. Cafaro.

All in favor - Aye - motion carried

Supervisor Distel spoke about the use of All Terrain Vehicles on the Rail/Trail in the Village.

**MOTION PROHIBITING
USE OF ATVs ON
RAIL/TRAILS
#052814-8**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras prohibited the use of All Terrain Vehicles on Rail Trails and authorizing the Street Department at the beginning of the Rail Trail.

All in favor - Aye - motion carried

Supervisor Distel also spoke about the condition of the road at the beginning of Cape Avenue.

Elana Laufer – 6 Westwood Ave – before to board tonight to discuss her request to install a six foot fence in the front of the property. Mayor Kaplan stated that he feels it is not becoming for a community to have six foot fences in the front of properties but this will discussed at a later meeting.

Mary Sheeley – 2 Linden Avenue – spoke about the Community Benefits Agreement with the Nevele and had some questions which Mayor Kaplan will keep watch over.

MANAGER'S REPORT

Manager Stoeckeler reviewed with the board the resolutions he is requesting to have approved tonight. They are in reference to the Safe Routes to School Project, acceptance of a gift for a 1994 Chevy Box Truck and the final payments for the Wastewater Treatment Plant.

Manager Stoeckeler also spoke about the insurance quote he received today for the Village's insurance and Mayor Kaplan requested that our agent come to a board meeting in the near future to discuss some matters.

MOTION AUTHORIZING VM TO RENEW VILLAGE INSURANCE #052814-9

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing the Village Manager to execute any and all documents related to the renewal Village insurance with Quilty, Dwyer & Larkin not to exceed \$172,500.
All in favor - Aye - motion carried

Manager Stoeckeler spoke to board members about an alternate plan to use FEMA monies for the purchase of equipment such as a front end loader, dump truck, etc. Manager Stoeckeler requested that board's approval to request eligibility to use these funds for these purchases.

MOTION AUTHORIZING MAYOR TO SIGN DOCUMENTS TO FEMA TO APPROVE ELIGIBILITY #052814-10

Motion by Deputy Mayor Younger, seconded by Trustee Lopez to authorize the Mayor to sign documents requesting FEMA to approve eligibility of up to \$450,000 for the purchase of equipment.
All in favor - Aye - motion carried

TREASURER'S REPORT

Treasurer Polkoski gave board members her monthly report and spoke about the attached appropriation and budget transfers.

ATTORNEY'S REPORT

Attorney Berger to about the consolidation of services and the dissolution of the Village.

RESOLUTIONS**MOTION TO TABLE****REQUEST FROM E. LAUFER****#052814-11**

Motion to table the request from Elana Laufer, 6 Westwood Avenue to install a six foot fence in the front of her property.

All in favor - Aye - motion carried

MOTION TO APPOINT**TEMPORARY FULL TIME****OFFICERS****#052814-12**

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to appoint Officers Santoiemmo, Sawyer and Vail as temporary (six months) full time police officers, with no benefits, effective June 1, 2014 at a hourly rate of \$18.65 per Ellenville Police Benevolent' s Association contract upon approval of Civil Service and attorney's review.

All in favor - Aye - motion carried

MOTION TO SCHEDULE**A PUBLIC INFORMATION****MEETING-SRTS****#052814-13**

Motion by Trustee Lopez, seconded by Deputy Mayor Younger to schedule a Public Information Meeting on June 9, 2014 at 7:00 for the Safe Route to School Project to encourage public input.

All in favor - Aye - motion carried

MOTION DECLARING**VOE AS LEAD AGENCY-****SRTS PROJECT****#052814-14**

Motion by Trustee Steinhoff, seconded by Trustee Lopez declaring the Village of Ellenville as lead agency for the Safe Routes to School Project.

All in favor - Aye - motion carried

**MOTION TO ISSUE A
NEG DECLARATION
SRTS PROJECT
#052814-15**

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

All in favor - Aye - motion carried

**MOTION TO ACCEPT
CHEVY BOX TRUCK
#052814-15**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras to accept a 1994 Chevrolet Box truck, VIN #1GBJH32K6R3323028 from J&J Sass Electric Inc. as a gift.

All in favor - Aye - motion carried

**MOTION TO ACCEPT
CHANGE ORDER
#052814-16**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to accept change order #8 for J&J Sass Electric Construction in the amount of \$127,500 upon recommendation of the Village Engineer.

All in favor - Aye - motion carried

**MOTION TO ACCEPT
CHANGE ORDER
J&J SASS ELECTRIC
#052814-17**

Motion by Trustee Oliveras, seconded by Deputy Mayor Younger to accept change order #9 for J&J Sass Electric Construction decreasing by \$20,000 upon recommendation of the Village Engineer.

All in favor - Aye - motion carried

**MOTION TO APPROVE
FINAL PAYMENT TO
S&O CONSTRUCTION
#052814-18**

Motion Deputy Mayor Younger, seconded by Trustee Steinhoff authorizing Mayor Kaplan and the Village Board to accept Contract 1B – Plumbing Construction contract as completed to approve final payment to S&O Construction Services for Payment Application #7 for \$17,255.02

for Contract 1B, regarding Wastewater Treatment Plant Improvements. S&O has provided all of the necessary closeout paperwork and their work has been accepted by Barton & Loguidice, USDA and the Village of Ellenville.
All in favor - Aye - motion carried

**MOTION TO APPROVE
FINAL PAYMENT TO
FAMILY DANZ
#052814-19**

Motion by Trustee Lopez, seconded by Trustee Oliveras authorizing Mayor Kaplan and the Village Board to accept Contract 1C – Mechanical Construction contract as completed to approve final payment to Family Danz for Payment Application #13 for \$18,341.84 for Contract 1C, regarding Wastewater Treatment Plant Improvements. Family Danz has provided all of the necessary closeout paperwork and their work has been accepted by Barton & Loguidice, USDA and the Village of Ellenville.
All in favor - Aye - motion carried

**MOTION TO APPROVING
CHANGE ORDER
J&J SASS
#052814-20**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing Mayor Kaplan and the Village Board to approve for payment partial payment applications #8 and #9 for J & J Sass for work regarding the Wastewater Treatment Plant Improvements. Partial payment #8 is for \$70,515.26 and partial payment #9 is for \$121,125.00.
All in favor - Aye - motion carried

**MOTION TO APPROVE
FINAL PAYMENT TO
REAL GOODS SOLAR
#052814-21**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing Mayor Kaplan and the Village Board to accept Contract 1E – Photovoltaic Construction contract as completed, regarding the Wastewater Treatment Plant Improvements. Real Goods Solar has provided all of the necessary closeout paperwork and their work has been accepted by Barton & Loguidice, EFC, USDA and the Village.
All in favor - Aye - motion carried

**MOTION TO APPROVE
PAYMENT TO
NORTHEAST ELECTRIC
#052814-22**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the payment of \$12,659.00 to Northeast Electric for the electrical work done at Hunt Memorial Building.
All in favor - Aye - motion carried

**MOTION AUTHORIZING
EXPENDITURE TO ROBERT
GREEN CHEVROLET
#052814-23**

Motion by Deputy Mayor Younger, seconded by Trustee Oliveras authorizing the expenditure of \$1,175.00 to Robert Green Auto & Truck for the additional emergency repairs of a police car.
All in favor - Aye - motion carried

BOARD REPORTS

Deputy Mayor Younger spoke about the four wheelers (ATVs) that in the Village.

Deputy Mayor Younger also told the board that Blue Heaven Hosiery started their clean up on Pine Street.

Trustee Steinhoff reported that the school pool will be filled in the near future.

Trustee Lopez spoke about the high grass in the Village.

ADJOURN

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn the meeting at 9:20 p.m.
All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon
Village Clerk