

Village of Ellenville  
Board Meeting  
Monday, March 11, 2013

The meeting was called to order with the Pledge of Allegiance by Mayor Kaplan at 7:00 p.m.

Mayor Kaplan read a statement in reference to a personnel matter that occurred recently. This matter was taken very seriously and appropriate action was taken consistent with the law and the collective bargaining agreement. However, police personnel files are protected under New York State Civil Rights Law and as such cannot be discussed or disclosed. Therefore, specific details of the discipline will not be disclosed.

**ROLL CALL**

Mayor Jeffrey Kaplan	Present
Deputy Mayor Raymond Younger	Present
Trustee Efrain Lopez	Present
Trustee Francisco Oliveras	Absent w/notice
Trustee Patricia Steinhoff	Present

**ALSO PRESENT**

Mary Sheeley, Village Manager  
Phillip Mattracion, Chief of Police  
Brian Schug, Code Enforcement Officer  
Linda Polkoski, Village Treasurer  
Peter Berger, Village Attorney  
Noreen Dechon, Village Clerk

**APPROVAL OF  
MINUTES  
#031113-1**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to approve the minutes of February 25 & 26, 2013 as presented.  
All in favor - Aye - motion carried

**DISCUSSION**

The Village Board of Trustees requested a workshop meeting with the Ellenville Housing Authority to discuss different matters.

**SCHEDULE WORKSHOP  
MEETING WITH EHA  
#031311-2**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to schedule a Workshop meeting with the Ellenville Housing Authority Board on Wednesday, March 20, 2013 at 6:00 p.m. at 10 Eastwood Avenue.  
All in favor - Aye - motion carried

The next Board of Trustees meeting is scheduled for March 25, 2013 which falls on the first night of Passover and several trustees will be unable to attend this meeting.

**CANCEL BOARD  
MEETING  
#031311-3**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to cancel the March 25, 2013 Board of Trustees meeting.  
All in favor - Aye - motion carried

**PETITIONERS &  
CORRESPONDENCE**

Time Warner Cable – Correspondence received from Time Warner Cable in reference to channel changes and/or deletions.

Also received from Time Warner Cable was letter advising the Village of Ellenville that they have entered into an agreement with the NY State Attorney General concerning the pass-through of franchise fees to customers. Under the terms of the agreement, Time Warner will refund directly to customers in our community a total of \$72,733.00 in franchise fees previously passed through on customer bills.

Nevele Investors LLC – will be hosting a grand opening at their headquarters at 7 Liberty Square and are requesting to close Liberty Square and Bogardus Place to traffic on Liberty Square on April 11, 2013.

**GRANT PERMISSION  
TO CLOSE LIBERTY SQUARE  
TO TRAFFIC  
#031311-4**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to grant permission to close Liberty Square and Bogardus Place to traffic on April 11, 2013 beginning at 5:00 p.m.-11:00 p.m. subject to review by Chief and Building Inspector of their plans.  
All in favor - Aye - motion carried

**POLICE DEPARTMENT**

Chief Mattracion stated that he will be submitting a Police Procedure Manual to the Board of Trustees for their review and adoption.

Chief Mattracion also spoke about the upcoming OSHA training for his staff in the near future.

In addition, Chief Mattracion submitted to board members a Social Media Policy that he would like the Trustees to review.

Snow/Ice Fees – Chief Mattracion, Building Inspector Schug and Attorney Berger spoke to board members about the repeat offenders that do not clear their sidewalks after a storm. There are about 75-90 “repeat offenders” and it was recommended that the administrative fee be increased.

**MOTION TO INCREASE  
ADMINISTRATIVE FEE  
SNOW/ICE  
#031113-5**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger that administrative fee for snow/ice removal is increased as follows:

First Offense                 \$100.00

Second Offense               \$150.00

Third Offense                 \$200.00

All in favor - Aye - motion carried

Deputy Mayor Younger left the room at 7:25 p.m.

**MANAGER’S REPORT**

Manager Sheeley reviewed with the Board a Street Lighting Order with Central Hudson Gas & Electric.

**MOTION TO AUTHORIZING  
VILLAGE MANAGER TO  
SIGN-STREET LIGHTING  
ORDER WITH CHG&E  
#031113-6**

Motion by Trustee Steinhoff, seconded by Trustee Lopez authorizing Village Manger to sign a Street Lighting Order with Central Hudson Gas & Electric.  
All in favor - Aye - motion carried

Trustee Lopez questioned if a decision had been made in reference to a street lighting pole on Hoar Street and was told not at this time.

Manager Sheeley requested that the board schedule budget workshops.

**MOTION TO  
SCHEDULE WORKSHOP  
MEETINGS  
#031113-7**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to schedule the following workshop dates:

Thursday, March 28	5:30 P.M.	Budget workshop
Monday, April 8	6:00 P.M.	Budget workshop
	6:30 P.M.	Workshop with Auditors

All in favor - Aye - motion carried

**MOTION TO SCHEDULE  
BUDGET PUBLIC HEARING  
#031113-8**

Motion by Trustee Lopez, seconded by Trustee Steinhoff to schedule a Budget Public Hearing on April 8, 2013 at 7:00 p.m.

All in favor - Aye - motion carried

**MOTION TO SCHEDULE  
NEIGHBORHOOD WALKS  
#031113-9**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to schedule the following Neighborhood Walks beginning at 5:00 P.M.

April 22	Center Street – Business District
May 13	Sewer Plant and Berme Road Park
May 29	Safe Routes to School Sidewalk Project

All in favor - Aye - motion carried

Deputy Mayor Younger returned to the meeting at 7:35 p.m.

Municipal Trash Pickup – Manager Sheeley recently met with trash haulers to discuss this subject and reported the outcome of that meeting. After review, there is a concern that this service might cost the Village money and it was decided not to pursue this matter.

Manager Sheeley requested approval to seek proposals for an Insurance Consultant and Mayor Kaplan suggested that we contact local brokers.

Manager Sheeley spoke about an upcoming demonstration for Automatic Vehicle Locators (AVLs) and if any Trustee would like to attend contact her.

Foreclosure of Tax Delinquent Properties Agreement – Manager Sheeley spoke about this agreement with Philip Cataldi, Esq. and requested authorization to sign this agreement.

**MOTION AUTHORIZING  
VILLAGE MANAGER TO  
SIGN TAX FORECLOSURE  
AGREEMENT  
#031113-10**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the Village Manager Sheeley to sign an agreement with Philip Cataldi, Esq. for foreclosure of tax delinquent properties at a rate of \$120.00 per hour with a retainer fee of \$1,500.00 to be applied to Mr. Cataldi's hourly billings.  
All in favor - Aye - motion carried

**ATTORNEY'S REPORT**

Attorney Berger presented a Settlement Tax Certiorari between the Village of Ellenville and New York State.

**RESOLUTION AUTHORIZING  
SETTLEMENT BETWEEN  
VOE & NYS  
#031113-11**

Resolution by Trustee Steinhoff, seconded by Deputy Mayor Younger:

**WHEREAS**, the Village Board of the Village of Ellenville authorized the settlement of the RPTL Article 7 Proceeding Village of Ellenville adv. New York State for the Years 2008, 2009, 2011 and 2012 reducing the assessed fair market value to \$2,850,000.00;

**NOW, THEREFORE**, the Village of Ellenville will reimburse New York State in the amount of \$29,218.30 over a period of three (3) years without interest, constituting approximately 50% of what the property owner would be entitled to receive.

This Resolution shall take effect immediately.

All in favor - Aye - motion carried

**BUILDING DEPARTMENT**

Snow/Ice Fines – Building Inspector Schug presented the Board with a list that Village personnel shoveled snow/ice after the February 8 & 9, 2013 storm. Three letters were presented to the board from property owners about this matter.

**MOTION TO ACCEPT  
SNOW/ICE LIST  
#031113-12**

Motion to accept the list as presented with the exception of Dan Page, 81 N. Main Street, until Mr. Schug confirms the actual time that our staff shoveled since Mr. Page submitted a bill from his landscaper.  
All in favor - Aye - motion carried

Government Center Roof Specifications – Building Inspector Schug obtained engineering proposals for specifications for this project.

## **RESOLUTIONS**

### **MOTION TO RETAIN ENGINEERS FOR GOV'T CENTER ROOF #031113-13**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger to retain Barton & Loguidice for engineering specifications for the Government Center roof project as they were the lowest responsible bidder.  
All in favor – Aye (3); Nay (1) Trustee Lopez - motion carried

### **MOTION AUTHORIZING PURCHASE OF MUFFLE FURNANCE #031113-14**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the purchase of a muffle furnace from Optics Planet in the amount of \$1,795.99 upon recommendation of the Village engineers and Sewer Department Foreman.  
All in favor - Aye - motion carried

### **MOTION AUTHORIZING EXPENDITURE TO BANNER TIRE #031113-15**

Motion by Trustee Steinhoff, seconded by Deputy Mayor Younger authorizing the expenditure of \$1,128.96 to Banner Tire for the purchase of six tires for Street and Sewer department trucks upon recommendation of the respective foremen.  
All in favor - Aye - motion carried

## **BOARD REPORTS**

Mayor Kaplan advised that Trustee Steinhoff will replace Deputy Mayor Younger on the Emergency Committee.

**ADJOURN**

Motion by Trustee Steinhoff, seconded by Trustee Lopez to adjourn the meeting at 7:55 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk