

Town of Olive
County of Ulster
State of New York
Monday, August 6, 2007

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, August 6, 2007, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Berndt Leifeld, Supervisor
 Henry Rank, Board Member
 Helen Chase, Board Member
 Bruce La Monda, Board Member
 Linda Burkhardt, Board Member
Recording Secretary: Sylvia Rozzelle, Town Clerk
Others Present: Tim Cox, Town Justice; Jimmy Fugel, Highway Superintendent; and Drew Boggess, Planning Board Chairman

The Town Board audited the bills for the month of July and set the agenda for the August 7th Town Board Meeting.

Supervisor Leifeld introduced Pat and Greg Schifrin of Watson Hollow Road in West Shokan. Mr. Schifrin stated they are present to discuss outdoor wood burning stoves. He noted the stoves are meant to heat water for buildings and because they are surrounded by water they burn at a cooler temperature thus producing large amounts of smoke. He stated they have two neighbors with outdoor stoves and they have to keep their windows closed on these 75 degree nights. They stated that Woodstock and Hurley both have passed laws regulating them and want to know if the Town Board has had any other concerns from residents. Mrs. Schifrin asked if the Town Board would give any consideration and thought about regulating them as law suits are occurring in these matters. Mr. Schifrin stated the type of wood used can affect the amount of smoke and regulations could help this issue. He stated their intention was to pass this information on to the Town Board as they distributed written information to the board members. Supervisor Leifeld asked if they had talked to their neighbors about this to which Mr. Schifrin responded "no". Council Member La Monda stated that even if this were looked at, which he doubts will happen, the people that already have one would be grandfathered in. He noted that regulation is one thing and enforcement is another. Mrs. Schifrin stated she has a health problem with it and feels that this should be regulated. They thanked the Town Board for their consideration of this issue.

Supervisor Leifeld stated there have been complaints about 18 wheelers and larger trucks using jake brakes on Route 28. He noted Attorney Peter Graham stated that with Route 28 being a state highway it would be a lengthy process to establish restrictions. He stated that Attorney Graham researched this issue in other towns and found that often times signs posted only made the problem worse. Council Member La Monda stated this would be difficult to enforce.

All business pertinent having been discussed the Town Board adjourned at 8:55 pm on a Leifeld/La Monda motion.

Sylvia Rozzelle, Town Clerk

Town of Olive
County of Ulster
State of New York
Tuesday, August 7, 2007

Minutes of the regular monthly meeting of the Town Board of the Town of Olive held Tuesday, August 7, 2007, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Berndt Leifeld, Supervisor
 Henry Rank, Board Member
 Helen Chase, Board Member
 Bruce La Monda, Board Member
 Linda Burkhardt, Board Member
Recording Secretary: Sylvia Rozzelle, Town Clerk
Others Present: Tim Cox, Town Justice; Bill Cook, Assessor; Jimmy Fugel,
Highway Superintendent

On a Burkhardt/Chase motion the Town Board unanimously approved the minutes of the July meetings as submitted by the Town Clerk and as corrected on page 185.

The following correspondence was read and filed:

#71-07

Onteora School Superintendent Leslie Ford stated they received the information from the Catskill Watershed Corporation regarding the assessment litigation of the NYC reservoir noting that their legal counsel advises them not to get involved at this time. Council Member Chase and Council Member La Monda stated they should get involved.

#72-07

Ulster County Legislator Robert Parete stated the Legislature's Administrative Services Committee, on which he serves, unanimously adopted a motion to enter into an Inter-Municipal Agreement with various Watershed Towns in Ulster County.

#73-07

First Assistant County Attorney Bea Havranek noted the legislature is entertaining a request from the Towns of Olive and Hurley to financially assist the towns in their defense against the City of New York regarding pending tax assessment review proceedings. She noted that in 1998 the County did agree to assist these Towns in regards to tax certiorari proceedings; however, they were reimbursed by the Catskill Watershed Corporation. She states that in order for the Legislature to consider the request of the Towns, it shall require information regarding the actual number of proceedings pending, the status of these proceedings, and the costs associated with legal fees and appraisal/expert fees necessary for the defense, together with any other information that would assist the Legislature in understanding the legal and financial issues. Supervisor Leifeld stated at least it appears that we have their attention. He stated that he and Council Member La Monda attended a county legislative democrat caucus where they received a warm welcome with the exception being from the Woodstock representatives.

#74-07

On a Leifeld/La Monda motion the Town Board unanimously approved the appointment of Ralph Leiter as member of the Olive Fire Department.

#75-07

Assemblyman Kevin Cahill responded to the town's request for funds for the Coalition of Watershed Towns by stating the budget cycle is completed for this year but he will share the need for funding with his colleagues in the Assembly.

On a Burkhardt/La Monda motion the Town Board approved payment of the following audited bills: Highway Vouchers #237-#279, \$24,642.99; General Fund Prepaid Vouchers #383-#384, \$679.22; General Fund Vouchers #385-#458, \$153,077.32; and Special Lighting Vouchers # 7-#8, \$77.95.

Under Old Business: On a Leifeld/La Monda motion the Town Board unanimously passed Resolution #15 of 2007 Audit of Town of Olive Justice Court Records as per requirement of the Unified Court System of New York State. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes. Supervisor Leifeld noted the Town Board had previously audited the court records at the annual audit meeting; however, the court system now requires this approval be done by resolution.

On a Leifeld/Rank motion the Town Board unanimously approved the reappointment of William Cook as Sole Assessor. Mr. Cook's term will expire September 30, 2013. Supervisor Leifeld also commended Bob Breglio for guiding the town through all of the training and the reval.

Supervisor Leifeld noted the monthly income cash received for June as \$118,550.74 and interest received through June as \$64,068.71.

On a Leifeld/La Monda motion the Town Board approved the following budget modifications

- Transfer \$ 5,000 from Res. " T" Legal & Consultant Res. to 1420.4 Attorney
- Transfer \$ 1,950 from Res. "L" Buildings to 1620.4 Buildings (cont.)
- Transfer \$13,005 from Res. "K" Computers to 1680.4 Data Processing (cont.)
- Increase DA2701 refund prior year's expenses by \$3,674.24
- Increase 5110.1 General Repairs by \$3,674.24

Under New Business: Supervisor Leifeld stated Ulster County Public Works Department correspondence #76-07 notes the Sahler Mill Bridge will be closed for replacement effective Monday, August 13, 2007.

The following committee reports were submitted:

PARKS & RECREATION liaison Council Member Burkhardt stated the summer recreation program will be ending next Thursday with a play on closing day.

TRANSFER STATION liaison Council Member Chase submitted June report #77-07 showing total revenues of \$10,245.00.

POLICE COMMISSIONER La Monda stated that local residents contacted him complimenting the police force for enforcing the speed limits specifically on Route 28 which is turning into a very dangerous road.

HIGHWAY liaison Council Member Rank submitted report #78-07 noting the department replaced 4 pipes on Acorn Hill and Tulip Tree; seal coated Beechford, Pine Crest, Chris Lane, Brown Station Road, and Woodland Drive; blacktopped the Legion Hall Parking lot; and burned brush at the Transfer Station.

TOWN CLERK Rozzelle submitted July report #79-07 noting \$20,606.76 in revenues were received and disbursed.

Supervisor Leifeld stated that bids were received on the pick up trucks; however, one bid was received late by ten minutes. On a Leifeld/La Monda motion the Town Board rejected all bids received on said trucks and will rebid the trucks.

Supervisor Leifeld noted that Leo Boice, Inc. was granted the two bids for working in the Bushkill Stream and they should be moving their equipment in this week. Permits have been received from the DEC and the DEP.

Council Member La Monda stated we have not received a response from the City of New York about keeping one lane open when repairing or replacing bridges and requested a follow up letter be sent asking why we have not received a response. This request was put in the form of a motion with Council Member Rank seconding the motion. The letter is to go to Deputy Commissioner Rush with a copy going to Mike Kight.

Council Member La Monda moved to write a letter to Masterpage to tell us why they don't have cellular service yet. This motion was seconded by Council Member Burkhardt.

All business pertinent having been discussed the Town Board adjourned at 8:05 pm in memory of Joseph Kreshesky.

Sylvia B. Rozzelle, Town Clerk