

Town of Olive
County of Ulster
State of New York
December 3, 2007

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, December 3, 2007, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Berndt Leifeld, Supervisor
Henry Rank, Council Member
Helen Chase, Council Member
Bruce La Monda, Council Member
Member Absent: Linda Burkhardt, Council Member
Others Present: Jimmy Fugel, Highway Superintendent

The Town Board audited the bills for the month of November and set the agenda for the December 4th Town Board meeting.

All business pertinent having been discussed the Town Board adjourned at 8:45 pm on a Leifeld/La Monda motion.

Sylvia Rozzelle, Town Clerk

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Minutes of the monthly meeting of the Town Board of the Town of Olive held Tuesday, December 4, 2007, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Berndt Leifeld, Supervisor
Henry Rank, Council Member
Helen Chase, Council Member
Bruce La Monda, Council Member
Linda Burkhardt, Council Member
Recording Secretary: Sylvia Rozzelle, Town Clerk
Others Present: Jimmy Fugel, Highway Superintendent; Bill Cook, Assessor;
Drew Boggess, Planning Board Chairman; Gene Sorbellini, Recreation Director

On a La Monda/Chase motion the Town Board unanimously approved the minutes of the October and November meetings with spelling corrections.

The following correspondence was read and filed:

#109-07

Ulster County Youth Bureau Director announces the Town of Olive Youth Recreation Program will receive a \$3,320.00 resource allocation for the 2008 calendar year.

#110-07

Supervisor Leifeld noted New York City is refurbishing the bridges around the reservoir and the town has been in constant contact with the DEP in an effort to keep all bridges open during construction--specifically the railroad bridge on Reservoir Road. Supervisor Leifeld read a letter from John Vickers, P.E., Acting Chief, Western Operations Division of NYCDEP, stating the contract for the reconstruction of seven bridges around the Ashokan Reservoir has been awarded to the firm D. A. Collins, and is expected to commence in the spring of 2008 and last for 30 months. He states the DEP is pleased to inform the Town of Olive of significant progress towards development of an adjacent bypass during the bridge closure of the Reservoir Road Railroad Bridge during the summer of 2009. The DEP is coordinating with the NYS DEC, the Catskill Mountain Railroad, and the NYSDOT to emplace a temporary bypass road and temporary traffic light signals to allow one-way traffic to pass during construction.

#111-07

Supervisor Leifeld stated Sharp Committee has asked the town to take over the road for Tongore Pines Senior Housing. Buffy Kibe, Executive Director of the SHARP Committee, Inc., submitted correspondence stating they are awaiting a decision from HUD as to the possibility that they will allow them to deed a portion of the property to the Town.

#112-07

Supervisor Leifeld stated correspondence from Onteora Central School District Superintendent Leslie Ford came in after the agenda was printed. He requested Council Member Chase read the letter hoping that by hearing someone else read it he will understand what the Onteora School District is trying to say. Council Member Chase read correspondence from Superintendent Leslie Ford. Supervisor Leifeld stated he met with Leslie Ford two weeks ago, along with several members of the school board and our attorneys. He noted what the town is trying to do for this next lawsuit is to receive funds from the county and from the school district. He noted the county questioned what the school district is doing since the school district has the largest amount to loose in tax dollars. Supervisor Leifeld stated that after reading this letter from Superintendent Ford he doesn't think the school district understands what we are talking about. Council Member La Monda stated that since the county said they will sign on only if the school district does, he made a motion to call a meeting with the school board along with our attorneys and their attorneys, since obviously they do not understand the difference between large parcel and the litigation issue. This motion was seconded by both Council Member Rank and Supervisor Leifeld and passed unanimously by the Town Board. Supervisor Leifeld stated the school's law firm is saying they cannot do it; however, our attorneys and the CWC attorneys all agree that it can be done. Council Member Chase stated if the town does not have the county and the school behind us then we can not afford to do this by ourselves. Supervisor Leifeld stated this request to the county and school district is not for the ongoing lawsuit--it is for the one coming down the road. He noted it would be for this one, only if we need to appeal.

On a La Monda/Chase motion the Town Board approved payment of the following audited bills: Highway Vouchers #385-409, \$79,788.25; General Fund Vouchers #641-677, \$105,450.93; and Special Fire District Voucher #3, \$166,050.00.

Under Old Business: Supervisor Leifeld noted a recent Town Highway Union Grievance has been settled. He noted that our health insurance company cancelled our policy and

the town opted for another policy they offered us. A grievance was filed by the highway employees and it was determined that the town fulfilled their part of the contract.

Supervisor Leifeld noted that our attorney Del Seligman will be answering the notice on the Town of Olive Summary Judgment against NYC DEP. He stated we should know what's going on sometime around March.

Supervisor Leifeld stated that a special information meeting on the Boiceville Wastewater project will be held Saturday, December 8th, 10 a.m. at the Meeting Hall with representatives present to discuss easements and the proposed project.

Supervisor Leifeld noted the monthly income as cash received for October 2007 was \$51,227.36 and interest received through October 2007 was \$103,865.71.

On a Leifeld/Burkhardt motion the Town Board unanimously approved the following Highway Budget modifications:

Increase DA2680 Insurance Recoveries \$1,886.00
Increase DA5130.2 Machinery (Equip.) \$1,886.00

On a Leifeld/Rank motion the Town Board unanimously approved the following General Fund budget modifications:

Increase 3089 (Grant Income) \$959.77
Increase 3120.4 Police (Contr.) \$959.77
Increase 2680 Insurance Recoveries \$50,000
Increase 1620.4 Buildings (Contr.) \$50,000
Transfer \$165.00 from 1990.4 Contingency to 1220.2 Supervisor (Equip.)
Transfer \$59.00 from 1990.4 Contingency to 1450.4 Elections (Contr.)
Transfer \$9,084.00 from Reserve "L" Buildings to 1620.4 Buildings (Contr.)
Transfer \$3,500.00 from 1990.4 Contingency to 1670.4 Printing and Mailing
Transfer \$27,974.00 from Reserve "C" Police to 3120.2 Police (Equip.)
Transfer \$400.00 from 3510.1 Dog Control (PS) to 3510.4 Dog Control (Contr.)
Transfer \$100.00 from 1990.4 Contingency to 7180.4 Pool (Contr.)
Transfer \$16.00 from 1990.4 Contingency to 9010.8 State Retirement
Transfer \$163.00 from 1990.4 Contingency to 9015.8 Police & Fire Retirement
Transfer \$3,700.00 from 9060.8 Hospitalization to 9030.8 Social Security
Transfer \$1,050.00 from 9060.8 Hospitalization to 9035.8 Medicare S

Under New Business: Supervisor Leifeld noted the 2008 Organizational Meeting will be held Thursday, January 3, 2008 at 7:00 pm with the monthly meeting immediately following at 7:30 pm. He noted the Annual Audit meeting for 2007 will be held December 28, 2007, 3 p.m. at the Town Office Building in West Shokan.

Supervisor Leifeld stated that a group of young residents have organized a Tree Lighting Ceremony to be held Friday, December 7, 2007, 7:00 pm at the Town Meeting Hall.

Supervisor Leifeld stated that David Lenefsky is the Attorney for Juliano Ventures but will not be here until 8:30 pm; however, the Town Board will review the issue without him being present. Supervisor Leifeld read correspondence #113-07 from Highway Superintendent Jimmy Fugel stating the existing road located at 3137-3139 Route 28 in Shokan, owned by Juliano Ventures, Inc., is suitably improved for vehicular traffic as of November 9, 2007. Superintendent Fugel noted the section of road just exiting the

parking lot either needs guardrail or to be tapered out to less than a 4 on 12 pitch as per his discussion with Jay Juliano. Supervisor Leifeld read correspondence #114-07 from the Town of Olive Planning Board which included a letter from Attorney Peter Graham noting the road maintenance agreement is complete and satisfactory, New York City DEP letter commenting on soil testing, and ZBA minutes and final action letter granting a variance on Juliano Ventures, Inc., application #07-03. Council Member La Monda stated based on the Planning Board's recommendation and the required approvals being met he moves that the Juliano Ventures, Inc., Open Development District be approved. This motion was seconded by Council Member Burkhardt and passed unanimously.

The following committee reports were submitted:

PARKS & RECREATION liaison Council Member Burkhardt submitted November report #115-07 noting the fall adult softball ending November 14th, flag football concluded on November 28th, and youth basketball registration will be December 3rd.

FIRE DEPARTMENT October report #116-07 noted fifty-nine (59) total responses for the month.

TRANSFER STATION liaison Council Member Chase submitted September, October, and November 2007 reports #117-07. Council Member Chase commended Council Member Burkhardt for the work she has done with the Recreation Department.

POLICE DEPARTMENT Commissioner La Monda submitted November 2007 report #118-07 noting fifty-three (53) total calls handled and seventeen (17) 911 calls handled.

HIGHWAY liaison Council Member Rank submitted October and November report #119-07 with activities not limited to the following: paved Fern Lane, put up new lights in Shokan Park, put lights on the pavilion in Shokan Park, prepped trucks for winter usage, blacktopped portions of Mill Road, winterized the parks, fixed ceiling in the Legion Hall, and built four (4) new benches for Tongore Park Soccer Field.

Supervisor Leifeld stated that Yvonne Fuller on behalf of the Olive First Aid Unit has expressed an interest in our older town police car. He noted they would use it as a flag car equipped with all the first aid equipment necessary to respond to calls. It was noted the Captain has been putting approximately 5,000 miles annually on his own personal vehicle used as a flag car which is equipped for a first responder. Supervisor Leifeld stated that when we purchase a new police car we get nothing for trade-in. Supervisor Leifeld stated that so long as it would be used for strictly first aid he moves that the Town Board sell the Olive First Aid Unit the old police car for the amount of \$1.00. This motion was seconded by Council Member Burkhardt and passed unanimously.

On a Leifeld/Burkhardt motion the Town Board approved the appointment of Lori Matteson (#120-07) as member to the Recreation Committee.

Council Member Rank stated that the Coalition of Watershed Towns (CWT) is currently in a lawsuit suing the EPA. He noted that Delaware and Green Counties both donated \$25,000.00 to the CWT and Ulster County has only paid two years worth of dues. He moved to write a letter to the Ulster County Legislature requesting they donate \$25,000.00 to the CWT legal fund. This motion was seconded by Supervisor Leifeld.

Council Member La Monda stated that in his 20 years on the Board Linda Burkhardt has been one of the hardest workers he has had the pleasure of working with. Supervisor Leifeld stated when it came to Recreation she gave 300% and is glad that she wants to stay involved with town affairs.

All business pertinent having been discussed the Town Board adjourned on a Leifeld/La Monda motion at 8:30 pm.

Sylvia B. Rozzelle, Town Clerk