

Town of Olive  
County of Ulster  
State of New York  
February 5, 2007

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, February 5, 2007, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Bruce La Monda, Deputy Supervisor  
Henry Rank, Council Member  
Helen Chase, Council Member  
Linda Burkhardt, Council Member  
Member Absent: Berndt Leifeld, Supervisor

In the absence of the Town Clerk notes for the meeting were submitted by Council Member La Monda.

The Town Board audited the bills for the month of January and set the agenda for the February 6th meeting.

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Town Clerk

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

Members Present: Henry Rank, Council Member  
Helen Chase, Council Member  
Linda Burkhardt, Council Member  
Member Absent: Berndt Leifeld, Supervisor  
Bruce La Monda, Deputy Supervisor  
Recording Secretary: Sylvia Rozzelle, Town Clerk  
Others Present: Bill Cook, Assessor in Training; Jim Fugel, Highway Superintendent; Alan Rosa, CWC Director; and Tim Cox, CWC Attorney and Town of Olive Justice; Henry Lamont, Lamont Engineering

Deputy Supervisor La Monda was absent due to illness and Supervisor Leifeld is away on vacation. Council Member Burkhardt brought the meeting to order at 7:30 pm.

On a Chase/Rank motion the Town Board approved the minutes of the previous meetings as submitted by the Town Clerk.

Council Member Burkhardt read the following correspondence:

#10-07

Office of Real Property Services states that William Cook is now certified and meets the minimum qualification standards for sole appointed assessor.

#11-07

Ulster County Soil and Water Director Gary Capella states that his office made a field visit to the Bushkill Stream on January 9, 2007. He noted the area from Route 28A to the Bushkill Bridge will always be the recipient of gravel, rock, sediment, trees and other debris from the steeper portion of the Bushkill Watershed. This deposition of materials causes high flow to flank obstructions in the channel. He stated it is unlikely that the NYS DEC will issue a permit to remove gravel from the channel due to habitat considerations; however, they have been amenable to the removal of trees and related debris from other streams in the past. Mr. Capella notes that based on past procedure the Ulster County Soil and Water Conservation District will assist the Town of Olive in securing a permit for this type of effort, which will help to alleviate conditions temporarily. Ulster County Soil and Water will prepare the DEC permit application with all necessary photos, GIS maps, and sketches that will be needed.

#12-07

On a Rank/Chase motion the Town Board unanimously approved appealing the denial rendered by ORPS for state assistance for the 2006 assessment roll.

#13-07

Onteora Central School District noted a Community Forum regarding the proposed District Master Plan Capital Project will be held at the High School on Saturday, March 3, 2007 10 a.m. to 4 p.m.

#14-07

Beverly Stein thanked the Town Board and Highway Department for the building of the new dog kennel. On a Rank/Chase motion the Town Board requested a letter of appreciation be sent to Ed Kahil for drafting the plans and for overseeing the project.

#15-07

Council Member Burkhardt stated the Town Board just received copies of a proposed complaint drafted by Attorney Del Seligman on behalf of the Town of Olive against the City of New York. General consensus of the Town Board was to review the document prior to granting approval.

#16-07

On a Rank/Chase motion the Town Board empowered the Supervisor to sign a shared agreement services contract with the Town of Marbletown.

On a Rank/Chase motion the Town Board approved payment of the following audited bills: Highway Voucher #1-#38, \$68,245.58; General Fund Prepaid Voucher #1, \$240.00; General Fund Voucher #2-#69, \$126,611.73; and Special Lighting Voucher #1-#2, \$79.99.

On a Burkhardt/Chase motion the Town Board approved appointing Jeffrey Harkin as member to the Recreation Committee.

CWC Attorney Kevin Young presented the Town Board with the document that contains information regarding the formation of a sewer district and resolutions authorizing the establishment of a sewer district. Mr. Young noted the town starts the process by accepting the engineering report. Then, after that public hearing, the town can decide to either go forward or not go forward. The resolution would be subject to a permissive referendum. If 5% of those property owners come forward with a petition in opposition then it will go to an actual referendum vote. He noted there are 92 parcels involved. It was noted the Town Board can on its own initiative schedule a public referendum. Council Member Rank asked if the Town Board is bound by that referendum to which Mr. Young responded "no"; however, the town could come back with another different referendum.

Mr. Lamont stated the referendum must be held within 60 days from the time the board opts for a referendum to be held. CWC Director Alan Rosa stated he encourages the town to conduct a referendum but feels there should be an educational period for people who have to make this decision. Mr. Rosa offered his services to conduct informational meetings.

On a Rank/Chase motion the Town Board unanimously approved Resolution #2 of 2007 Accepting Proposed Sewer Use Law and Scheduling Public Hearing for Monday, March 5, 2007, 7:00 pm at the Town Meeting Hall. Roll vote being: Rank, yes; Chase, yes; and Burkhardt, yes.

On a Rank/Chase motion the Town Board unanimously approved Resolution #3 of 2007 Authorizing the Establishment of a Sewer District and scheduling a Public Hearing for Monday, March 5, 2007, 7:30 pm at the Town Meeting Hall. Roll vote being: Rank, yes; Chase, yes; and Burkhardt, yes.

Council Member Burkhardt noted cash received for December 2006 as \$24,580.18 and interest received through December 2006 as \$99,586.64.

On a Chase/Rank motion the Town Board approved revoking the year end transfer of \$24,000.00 to Reserve "D" Parks and amend that transfer to \$3,500.00.

On a Rank/Chase motion the Town Board encumbered \$20,500.00 for 2006 year end to pay from 7410.4 the Olive Library 2006 second payment.

On a Rank/Chase motion the Town Board approved the following budget modifications:

Transfer from Reserve "B"	\$1,033.00	to A8160.4 Refuse & Garbage
Transfer from Reserve "L"	\$ 195.00	to A3510.2 Control of Dogs

The following committee reports were submitted:

TRANSFER STATION liaison Council Member Chase submitted December 2006 report #17-07 noting total revenues for the month as \$8,010.00.

PARKS & RECREATION liaison Council Member Burkhardt submitted January 2007 report #18-07 noting Youth Basketball is underway with 42 children and 11 adults involved with the program.

FIRE DEPARTMENT 2006 Year End Report from Fire Chief Swenson (#19-07) noted the department responded to 217 emergency calls during 2006 and expended 4,436 volunteer man hours.

TOWN CLERK Rozzelle submitted report #20-07 noting \$5,507,492.17 was collected in taxes and \$16,026.76 in clerk revenues.

Fred Jaeck stated that all on the town board are hired and are paid a salary and they hire the Zoning Enforcement Officer. He stated he has a neighbor with a junk yard and has been trying to get this junk yard cleaned up. He gave a synopsis of all the times since 2005 that he had personally spoken to the Zoning Officer regarding these seven to ten junk cars in his neighbor's yard. He noted finally in November of 2006 he spoke to the Town Board and to date he has had no response and feels the Zoning Ordinance should be enforced. Council Member Chase stated we needed an ordinance with more teeth in it. Council Member Burkhardt stated she personally will talk to Zoning Officer Ingram to see what the reasoning is that nothing is happening. Council Member Rank stated he would speak with the Zoning Officer also.

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

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Sylvia Rozzelle, Town Clerk