

Town of Olive  
County of Ulster  
State of New York  
February 4, 2008

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, February 4, 2008, 7:30 pm at the Town Meeting Hall.

Members Present: Bruce La Monda, Deputy Supervisor  
Henry Rank, Board Member  
Helen Chase, Board Member  
Peter Friedel, Board Member  
Member Absent: Berndt Leifeld, Supervisor  
Others Present: Jimmy Fugel, Highway Superintendent

The Town Board audited the bills for the month of January and set the agenda for the February 5<sup>th</sup> meeting.

All business pertinent having been discussed the Town Board adjourned at 9:00 pm on a La Monda/Rank motion.

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Sylvia Rozzelle, Town Clerk

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Minutes of the monthly meeting of the Town Board of the Town of Olive held Tuesday, February 5, 2008, 7:30 pm at the Town Meeting Hall.

Members Present: Bruce La Monda, Deputy Supervisor  
Henry Rank, Board Member  
Helen Chase, Board Member  
Peter Friedel, Board Member  
Member Absent: Berndt Leifeld, Supervisor  
Recording Secretary: Sylvia B. Rozzelle, Town Clerk  
Others Present: Bill Cook, Assessor; Drew Boggess, Planning Board Chairman; Jimmy Fugel, Highway Superintendent; Timothy Cox, Town Justice

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

The following correspondence was read and filed:

#1-08

Senator John Bonacic requests consent from the Town of Olive to remove the sunset provision in the Hudson Valley Greenway thus authorizing Olive to become a permanent Greenway member. Deputy Supervisor La Monda stated copies of the options available

would be distributed to Town Board members with a decision being made at the March meeting.

#2-08

Onteora School District Superintendent Ford requests the Town provide crossing guards at the Bennett Elementary School and at the Middle-High School during arrival and dismissal times. Deputy Supervisor La Monda stated he spoke to Ms. Ford personally regarding this issue noting that the Town of Olive does not have the personnel or resources to fulfill this request. A copy of Deputy Supervisor La Monda's response letter is attached to correspondence #2-08.

#3-08

Deputy Supervisor La Monda stated that he and Supervisor Leifeld along with Council Member Rank recently met with Dr. Ford, the school's attorney and our attorneys. He noted there were some misconceptions on the school district's part regarding the inter-municipal agreement which now have been squared away. Deputy Supervisor La Monda noted the school is now considering the inter-municipal agreement and read correspondence #3-08 from Dr. Ford acknowledging the meeting.

On a Rank/Chase motion the Town Board approved payment of the following audited bills: Highway Voucher #1-#49, \$124,991.38; General Fund Prepaid Voucher #1, \$246.00; General Fund Vouchers #2-#77, \$151,452.42; Special Lighting Voucher #1, \$43.81; and Special Fire District, \$101,831.00.

Under Old Business: Deputy Supervisor La Monda stated that last year JNS Enterprises contacted the Supervisor's office regarding providing towers for cellular service and they have again contacted the office (#4-08). He stated that JNS works solely with municipalities in tower constructions and this company is aware that according to our law we must have five collocations on the existing facility before another facility could be considered provided the new facility would cover an area that is not already being covered. He noted that JNS is just keeping the door open.

Deputy Supervisor La Monda noted the monthly income for December 2007 as cash received being \$42,488.22 and interest received being \$117,393.63.

On a La Monda/Chase motion the Town Board made the following budget modifications: Transfer \$181,243.00 from Reserve "A" Machinery to DA5130.2 Machinery (Equip.) Transfer \$380.00 from A1680.4 Data Processing (Cont.) to A1480.4 Public Info & Services (Cont.)

Deputy Supervisor La Monda stated Rally New York, Ltd. has requested the town pass a resolution allowing for their organization to conduct a road rally in Olive. Rich Otis stated that Rally New York puts on competitive road rallies with street legal race cars modified for safety. He noted that last September they had 27 entries but typically can be from 30 to 50 cars. He noted they must adhere to all traffic road signs and speed limits but during the race they go as fast as they can over a designated section of road which would be 6 ½ miles starting in Sundown and going to the Kanape Trail. Council Member Chase asked why that stretch of road since it is the only stretch of road across the mountain. Ivan Orisek stated the absolute worse that a person would have to wait to get through would be 30 minutes. Mr. Orisek noted that even though it is a county road it is the town who grants the permit further noting that the Sullivan County Department of Public Works stated in their case it would be the town's jurisdiction. Deputy Supervisor

La Monda requested Mr. Orisek contact the Ulster County Department of Highways and Bridges and verify that this holds true for Ulster County. Mr. Otis stated the event is April 4<sup>th</sup> and 5<sup>th</sup> and timing is crucial. He suggested the town approve the resolution with the condition that the county is contacted and gives approval. He noted they also provide ambulance and first aid and would touch base with local fire departments. Deputy Supervisor La Monda stated he would read the resolution and suggest that it be contingent upon the approval of Ulster County Highway Department. On a La Monda/Chase motion the Town Board unanimously approved Resolution #2 of 2008 License Agreement for the Period of One (1) year to Permit Rally New York, Ltd., to Use Certain Town Highways for Speed Contests. It was noted the resolution is contingent upon Ulster County issuing an approval statement which will be forwarded to the Town Attorney for review.

Deputy Supervisor La Monda stated Recreation Committee member Linda Burkhardt and Recreation Director Gene Sorbellini were present at last night's meeting to discuss concerns of lack of participants in Little League. He noted the Olive Little League would like to join with Woodstock and Shandaken to form a new league known as the Onteora Little League. On a Rank/Chase motion the Town Board unanimously sanctioned Olive Little Leaguers to join the Onteora Little League.

Deputy Supervisor La Monda stated that Council Member Chase requested a flag that has flown over the U.S. Capitol be donated to senior housing Tongore Pines. Congressman Hinchey will be contacted with this request.

Highway Superintendent Jimmy Fugel submitted correspondence #5-08 requesting permission to purchase a 2008 International Truck on state bid for the sum of \$77,786.40. On a Rank/Chase motion the Town Board approved the purchase as proposed by the Highway Superintendent.

Deputy Supervisor La Monda read correspondence #6-08 from Selective Insurance regarding the Recycling Center claim noting the reconstruction estimate is \$85,250.00. Deputy Supervisor La Monda stated the cost they gave is on a smaller building noting that basically they are holding out \$9,211.00 in depreciation. He stated he feels the board should get feedback from the Transfer Station Manager about what we might need to change or revamp at this time. He noted the insurance proposal doesn't take into effect the cantilever which the town paid extra for.

Deputy Supervisor La Monda read a published letter (#7-08) from Curt Schoeberl, Assessor from the Town of Shawangunk, which appeared in the December issue of ASSESSOR ONLINE where Mr. Schoeberl states that the disagreement between the Town of Olive and ORPS on the value of the Ashokan Reservoir gives Olive a distinctive advantage over neighboring communities. Deputy Supervisor La Monda stated he also wrote to Mr. James Mastrangelo (#8-08) in which he states that Mr. Schoeberl either does not have the ability or refuses to comprehend how the town arrived at the current assessed value of the reservoir at \$650,000,000.00. The letter outlines the town's hiring of a specialty appraisal firm, Empire State Appraisal Consultants of Kinderhook, NY, under the direction of Hacker & Murphy of Albany, NY at a cost in excess of \$200,000.00. Deputy Supervisor La Monda points out that both firms agree that the final assessed value of the reservoir is \$650,000,000.00. He notes that ORPS admittedly does not have the expertise, personnel or resources to appraise such a unique property, but Empire State Appraisal Consultants have done just that. Deputy

Supervisor La Monda stated that Assessor Bill Cook has also compiled a rebuttal letter which will go to the Assessor's organization newsletter with figures on the assessment of the reservoir. Deputy Supervisor La Monda stated that in the SCHNECTADY GAZZETTE it was recently noted that just to rehab the Gilboa Dam is \$583,000,000.00 so how can anyone say that \$650,000,000.00 for the Ashokan Dam is over assessed.

The following committee reports were submitted:

FIRST AID liaison Council Member Chase submitted December report #9-08 noting 34 calls answered for the month. During 2007 the First Aid Unit was dispatched to 376 calls and treated 338 patients.

PARKS & RECREATION liaison Council Member Chase submitted January report #10-08 noting youth basketball registration began on January 10<sup>th</sup>. Goals and objectives for 2008 are to reorganize Olive Little League, continue developing the aquatics program, develop comprehensive handout on Olive Day Camp, continue to upgrade and maintain recreational facilities, and solicit leadership for Olive Athletic Association.

POLICE COMMISSIONER La Monda submitted January Activity Report #11-08 noting 72 total calls handled and 23 Emergency 911 calls handled.

FIRE DEPARTMENT 2007 Annual Report #12-08 noted 211 total calls answered with a grand total of 10,710 volunteer hours on training, responses, meetings, and drills.

HIGHWAY liaison Council Member Rank submitted report #13-08 noting that during January three (3) new pick up trucks were delivered, one (1) new dump truck was delivered, the department plowed and sanded nine (9) times, hauled sand, built ladder racks for three (3) new trucks, and built fourteen (14) horses for the transfer station. The Town Board commended the highway employees for their work during this last snow and ice storm.

TRANSFER STATION liaison Council Member Friedel submitted December 2007 report #14-08 showing \$5,100.00 received for tickets and permits with 14 garbage bins removed (60.36 tons) for a total cost of \$5,863.41.

TOWN CLERK reported \$5,729,974.86 received in taxes during the month of January with \$2,820,247.00 paid to the Supervisor and the balance forwarded to the Ulster County Treasurer. She noted David Stradling, Associate Professor of History at the University of Cincinnati, has completed his book MAKING MOUNTAINS NEW YORK CITY AND THE CATSKILLS which he spent time researching in the Town of Olive Archives. He has forwarded a copy to the Clerk's office.

Deputy Supervisor La Monda stated regarding the City of New York litigation there was a pre-trial case management meeting last week at which the school district has been granted intervener status. He stated that originally the City was opposed to their intervener status and now is okay with it. Deputy Supervisor La Monda stated the inter-municipal agreement will be necessary for any upcoming lawsuits and needs to be put into place so we are prepared and not scrambling to put something together if and when they sue us again. He noted the current lawsuit is set for April 9<sup>th</sup> to go to trial with either Judge Connelly or Judge Cahill presiding.

All business pertinent having been discussed the Town Board adjourned at 8:50 pm on a La Monda/Chase motion in memory of Nestor Bryant, Giovanni Conti, Anthony Greco, Yolanda Ingram, and Julian Travis, Sr.

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Sylvia Rozzelle, Town Clerk