

Town of Olive  
County of Ulster  
State of New York  
Tuesday, March 6, 2007

Minutes of the regular monthly meeting of the Town Board of the Town of Olive held Tuesday, March 6, 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:   William Cook, Assessor; Tim Cox, Town Justice; Drew Boggess, Planning Board Member; Susan Horner, Clerk to the Supervisor; Jimmy Fugel, Highway Superintendent

On a Chase/Burkhardt motion the Town Board approved the minutes of the February meetings as submitted by the Town Clerk. Council Member La Monda abstained.

The following correspondence was read and filed:

#22- 07

Time Warner Cable noted they have completed the cable construction in the Town of Olive on Beaverkill Road, Brown Station Road, Woodland Drive, Chris Lane, and Route 28A. This new construction passes 39 homes.

#23-07

NYS Office of Real Property Services denied 2006 aid for the Town of Olive. Supervisor Leifeld stated by doing the revaluation of properties the state would reimburse the town so much per parcel. He noted the Town did everything they asked but one parcel was not accepted and that was the New York City parcel. For this reason ORPS denied our aid for doing a reval.

#24-07

Town of Hurley Supervisor Michael Shultis noted they were awarded a \$43,000.00 Hudson River Estuary Program grant from the NYS DEC to conduct a Lower Esopus Management and Stewardship Project on behalf of the Lower Esopus Watershed communities. He noted a preliminary organizational meeting will be held with representatives from each town. Supervisor Leifeld asked if anyone on the Town Board would like to attend with him.

#25-07

President of the Historical Society, Council Member Chase, stated the Historical Society will hold the Seventh Annual Stories, Histories, and Tall Tales on Saturday March 17<sup>th</sup> at the Reservoir Methodist Church Fellowship Hall.

On a Rank/Chase motion the Town Board approved payment of the following audited bills: Highway Vouchers #39-#77, \$39,109.45; General Fund Vouchers # 70-#117, \$58,117.95; and Special Fire District Voucher #1, \$101,831.00.

Under Old Business: Supervisor Leifeld stated the Town hired Attorney Del Seligman to work on opening Monument Road. Supervisor Leifeld read Resolution #4 of 2007 Demanding the City of New York Reopen Monument Road over the Ashokan Reservoir. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes.

Supervisor Leifeld stated that several years ago there was a push to have an interpretive center on Route 28 in the Town of Shandaken. With there being a new governor several of the towns have offered new resolutions in hopes of obtaining this center. Supervisor Leifeld read Resolution #5 of 2007 Endorse Bringing an Interpretive Center to the Catskill Park. On a Leifeld/Chase motion the Town Board unanimously passed Resolution #5 of 2007. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes.

Marie Shultis, Adult Supervisor for AWARENESS (#26-07), noted the program has been implemented to try to break the underage drinking issue. She noted the program is a teen empowerment and community building program in which high school students use modeling to informally teach middle school students pro-social skills with a special focus in tolerance skills, during recreational activities that constitute healthy alternatives to alcohol and other drug abuse. She stated they have several grants in the works with seed money of \$1,500.00 which came from the Town of Hurley. She noted they were hoping that Olive could see their way to keep the program going. She stated the Boces Education Department has invited them in with this being a pilot program. Two students addressed the Town Board stating they all came together because there are issues with under age drinking in high school. It was noted they have meetings, attend concerts, and do events to just talk to have fun with middle school kids noting there are about 35 kids involved with the middle school. It was stated that the groups of children are diverse coming from Woodstock, Hurley, Shandaken, and Olive. They are applying for a Tobacco Grant; however, the funds have to put up front and then be reimbursed.

Supervisor Leifeld asked if they are seeking the Town Board's support for the program to Senator Bonacic and Assemblyman Cahil to which Michael Shultis responded "yes", however, they are also looking for seed money to keep the program going. Mrs. Shultis stated the Town could apply for \$2,000.00 from the Youth Bureau and could earmark that money for this program further noting their main request is to get money to keep the program going.

Supervisor Leifeld stated he would like to divide this issue into two parts—support a resolution to the state for funding and also look into the legality and aspect of having funds come from the town budget. On a Leifeld/Burkhardt motion the Town Board unanimously passed Resolution #6 of 2007 Support NYS Funding Efforts for the AWARENESS group. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes.

Council Member La Monda stated he's not sure the town can legally fund this in that they need to know who's handling the money and is concerned about the structure of the organization. Mike Shultis stated there should be a shared services contract between

the towns. Council Member La Monda stated we need to contact our attorney and find out what we legally can do. Council Member Chase stated we are pleased to see so many participants attend this evening.

Supervisor Leifeld stated the monthly income for January 2007 as \$1,615,565.82 and interest received through January as \$6,536.20.

On a Leifeld/Chase motion the Town Board made the following budget modifications:

Transfer \$2047. from 1990.4 Cont. to 1220.1 Supervisor PS

Transfer \$2723. from 1990.4 Cont. to 1355.1 Assessor PS

Transfer \$252. from 1410.4 Town Clerk Cont. to 1410.2 Town Clerk Equip.

Transfer \$500. from 3120.4 Police Cont. to 3120.2 Police Equip.

Transfer \$6558. from Reserve L Buildings to 3510.2 Control of Dogs Equip.

Transfer \$3900. from Reserve D Parks to 7110.2 Parks Equip.

The Town Board dispensed with oral committee reports. The following reports were submitted #27-07 Transfer Station Report and #28-07 Fire Department Report.

On a Leifeld/La Monda motion the Town Board unanimously appointed Edwin Maldonado as member to the Olive Planning Board. Mr. Maldonado's term will begin immediately and will expire 12/31/10. Mr. Maldonado will be filling the unexpired term created by Anne Marie Johansson's resignation.

Supervisor Leifeld stated this is not on the agenda but every once and a while you get to do a job that brings pleasure. Supervisor Leifeld stated that he has known Everett Cook for over 40 years. Everett was one of the fire department's original members, served many years as Town Board Member and on the ZBA, highway committee, and recreation commission. He stated it is his honor to present Everett Cook with a plaque of appreciation for his dedication to the Town of Olive.

Under New business: Supervisor Leifeld asked the Town Board for authorization to write a letter of support to Congressman Maurice Hinchey in support for the proposal by the Catskill Watershed Corporation (#29-07) for funding to construct parking areas for recreational use of lands in the Catskills owned by the New York City DEP. Two areas, the South Mountain unit and the Piney Point unit, lie within Olive. On a Leifeld/Rank motion the Town Board unanimously approved the Supervisor writing a letter of support.

Supervisor Leifeld stated we have an agreement with the Ulster County SPCA which basically is that if we find a dog that is adoptable and they think it is adoptable then they will take it. On a Leifeld/Rank motion the Town Board approved entering into contract with the Ulster County SPCA.

Supervisor Leifeld stated there is only one person on the ballot for member to the Catskill Watershed Corporation Board. On a Leifeld/Rank motion the Town Board approved Michael Shultis as board member to the Catskill Watershed Corporation. Mr. Shultis will replace Ward Todd.

Supervisor Leifeld stated the Coalition of Watershed Towns has two members on the executive committee right now, Bob Cross and Bruce La Monda. He noted the ballot the town received from the Coalition has the previous two names and two alternates, Linda Burkhardt and Henry Rank. Supervisor Leifeld stated a little politics is going on right

now noting that in Shandaken they did not vote for Bruce La Monda so he can't in good in good faith vote for Bob Cross. Supervisor Leifeld requested a Town Board roll vote for Bob Cross. Roll vote being: Rank, no; Chase, no; La Monda, no; Burkhardt, no; and Leifeld, no. Supervisor Leifeld requested a roll vote for Bruce La Monda. Roll vote being: Rank, yes; Chase, yes; La Monda, abstained; Burkhardt, yes; and Leifeld, yes. On a Leifeld/Rank motion the Town Board approved Helen Chase as a write in candidate for member on the ballot. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes. On a Leifeld/Chase motion the Town Board approved Linda Burkhardt and Henry Rank as candidates for alternate members. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes. On a Leifeld/Burkhardt motion the Town Board unanimously approved Resolution #3 of 2007 Election of the Coalition of Watershed Towns Executive Committee casting votes for Bruce La Monda and Helen Chase as members to the Coalition of Watershed Towns executive committee and Linda Burkhardt and Henry Rank as alternates. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes.

Supervisor Leifeld stated we have two resolutions to present regarding the proposed Boiceville Wastewater Facility noting that public hearings were held last night. Supervisor Leifeld presented Resolution #7 of 2007 Adopting the Local Law #1 of 2007 Sewer Use Law for the Hamlet of Boiceville in the Town of Olive. On a Leifeld/Rank motion the Town Board unanimously passed Resolution #7 adopting Local Law #1 known as the sewer use law. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes. Council Member Chase since we now have the law could we not have a professional now look at it and offer suggestions. Supervisor Leifeld stated he felt this is a good idea noting the Town Board spoke with Attorney Bob Feller last year regarding hiring him for this purpose. Supervisor Leifeld stated the town must establish a sewer use law and sewer district in order to have the residents in the district vote on it.

Supervisor Leifeld read Resolution #8 of 2007 Establishment of Sewer District in the hamlet of Boiceville. On a Leifeld/Chase motion the Town Board unanimously approved Resolution #8 of 2007 establishing the Boiceville Sewer District with a special election to be held Tuesday, May 8, 2007, Boiceville Fire House with polls being open from 8 a.m. until 8 pm. Roll vote being: Rank, yes; Chase, yes; La Monda, yes; Burkhardt, yes; and Leifeld, yes.

Supervisor Leifeld stated there is another avenue the Town Board could have taken which was to simply pass this; however, the Town Board has always said they wanted to put this to a vote and let the people in the district decide.

All business pertinent having been discussed the Town Board adjourned at 9:00 pm on a Leifeld/La Monda motion in memory of Frances H. Apuzzo and Ann L. Sussin.

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Sylvia Rozzelle, Town Clerk