

Town of Olive
County of Ulster
State of New York
Thursday, October 13, 2011

Minutes of a public hearing of the Town Board of the Town of Olive held Thursday, October 13, 2011, 7:30 pm at the Town Meeting Hall in Shokan, NY. The purpose of the Public Hearing as stated in the legal notice is to hear all in favor of or those opposed to proposed Local Law #1 of 2011 A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c.

Members Present: Berndt Leifeld, Supervisor
 Henry Rank, Board Member
 Linda Burkhardt, Board Member
 Bruce La Monda, Board Member
 Peter Friedel, Board Member

Recording Secretary: Sylvia Rozzelle, Town Clerk

Others Present: Drew Boggess, Planning Board Chairman; David Sorbellini & David Jones, Planning Board Members; Richard Wolff, ZBA Member; Chris Winne, Fire Chief; and Bill Cook, Assessor

Supervisor Leifeld stated a public hearing is for the Town Board to hear comments on the item in front of them. He stated if the town is forced to go over the 2% cap we would have to have a law to do that. He noted this is not a budget hearing, not a master plan hearing, and their responsibility as board members is to listen to what the public feels about this law. He stated the tentative budget without any expenses from the storm is at a 2.9% increase and he is very confident the preliminary budget we will be under the 2%. He stated we will need to receive information from the consultant on what FEMA will pay for regarding the hurricane damage. He stated we do not have to pass the law; but, by holding this public hearing it simply allows us to do so in case we need to pass it.

Supervisor Leifeld read the proposed local law in its entirety and asked for any comments.

Comments regarding proposed Local Law #1 of 2011 received from the approximately 110 persons in attendance are not limited to the following:

Vince Barringer of Samsonville stated he is opposed to this law noting there are many houses for sale in the Town of Olive for which there are no buyers. He stated that Senior Citizens on pensions are having trouble with higher costs and taxes. He stated the Town of Olive pays everyone more money, the highway department gets more money, noting the Town of Olive has 17 highway employees and Rochester has twice as much road and does it with 10 people. He stated he has fears that 20 years from now half of our budget will be paying for retirement for these people.

Supervisor Leifeld stated that we are coming in at 2 percent on the budget and there are only 13 people on the highway department.

Al Studt of Boiceville stated he is against this law as people are hurting because of the general economy and on top of it the recent flood has created issues. He stated we should be able to tap some of our funds rather than raising the budget above 2%.

Ruth Halstead of Olivebridge stated if the town can't live within our budget then how do you expect us to pay the taxes that keep going up.

Cindy Johansen of West Shokan stated she looks around us and the Town of Middletown has a 0% increase this year, Mike Hein is going to veto anything that comes in above 2%, and Woodstock will come in at 2%.

Supervisor Leifeld stated the Town Board is holding this public hearing as a precautionary measure only.

Nancy Riseley of Olivebridge stated she pays over \$12,000.00 a year in taxes and asked if the Town Board wasn't playing political suicide. She stated she expects the Town Board to not pass this law and to keep this year's budget under 2%.

Joe Stein of Boiceville stated we have capital reserve accounts with over \$800,000.00 in them that has not been spent yet. He stated he realizes we need to have a very good checkbook but we need to keep it down for those on Social Security and Military pensions that haven't had a cost of living increase in two years. He noted we should look into using some of our backup money.

Rita Vanacore of Shokan stated she knows that last year's budget had a 3% surplus and she knows we can access our reserve funds. She stated that Supervisor Leifeld says we are not going to go over 2% but she does not trust that. She stated she doesn't want to give us a law that will do that.

Marlene Colgate of Shokan asked what 60% of the board meant to which the response was 3 members of the board. She asked if this has to do with the hurricane expenses.

Supervisor Leifeld stated we have applied to FEMA to get things out of the stream and this figure is an unknown figure.

Jane Keller of West Shokan asked if we do have contingency funds then can't we use them.

Norman Baron of Olivebridge stated we saw the governor miraculously get this legislation through as a protection for us to oversee our own town's budget. Mr. Baron stated it was a great disappointment and his dismay to see that shortly thereafter that the Town Board is holding this public hearing. He stated we should tighten our belts and he doesn't want the town to have carte blanche to override what has just been given to us.

Supervisor Leifeld stated that no one up here disagrees with him. He further stated he does not see the budget going over the 2%. The point is you still have to run a town, you want your roads taken care, and I'm sure you want the fire company to come if your house is on fire, and you want the police to come, also. Those capital reserve accounts can be used; but, you can't simply go into them and walk away with \$800,000.00. He stated he doesn't know what else he could say to get people to believe him.

Rita Vanacore stated there are other things you can do, look at your budget, look at your contracts, and don't vote yes on this law.

Board Member La Monda stated there is no question we can keep the budget under 2%; but, if we have to borrow money to pick up what FEMA does not pay we won't be able to. If we have to

pay 12.5% of cleaning up the Bushkill then that would put us over the 2% and then we will have to either cut services and/or personnel.

Board Member Friedel stated that on Tuesday night Board Member La Monda said we are not allowed to borrow from reserves and we are allowed to. He stated we shouldn't go over the 2% and stated the board is not listening to the people here. Board Member La Monda stated the email from OCS stated we cannot borrow from our reserves.

Board Member Burkhardt stated we are here to listen to what the public has to say about this proposed local law.

Kate McGloughlin of Olivebridge stated she can understand you mistrusting government but these people on the Town Board have lived here much longer than some present tonight. They are your neighbors and the fact that you would like to lay off your neighbor who gets up to take care of services for us is not acceptable. She stated the Town Board members are our public servants and these people are trying to help us. She stated she trusts her town government and appreciates the fact that they are trying to fix the Bushkill.

Peggy Brueckner of West Shokan asked where are the bids coming from for cleaning up the Bushkill and asked when the state land where the Bushkill flows will be cleared of debris. Town Clerk Rozzelle stated the bid request will be in Saturday's FREEMAN.

Board Member La Monda stated that if FEMA isn't going to pay us for the Bushkill then it will be up to the property owner to take care of the issues in the streams.

Vince Barringer of Samsonville asked why the town is going to clean out the Bushkill. Board Member La Monda stated it is a safety hazard and we need to take a look at it. Supervisor Leifeld stated the town applied today for 100% funding from FEMA. He stated he doesn't believe that will happen, but, it will cost the town around \$300,000.00.

Board Member La Monda stated when the local contractors put out the bids, they have to be paid and we don't get paid from FEMA for many months. He stated the town will have to foot that bill until FEMA money comes in, which could be years.

Mitchell Langbert of West Shokan stated that capital reserve funds should be reviewed from time to time noting there should be a legal review on an ongoing basis and they can be terminated. He stated that budget line items don't show the reserve accounts. He noted that reserve funds are not to be used for stockpiling cash.

Supervisor Leifeld stated the Town Board does review them which was also reiterated by Board Member Burkhardt.

Board Member Burkhardt stated the purpose of tonight's meeting is the proposed local law and asked whether or not Mr. Langbert is for or opposed to the proposed law. Mr. Langbert stated he is against passing it. Peggy Brueckner also stated she is against passing the law.

Charlie Blumstein of Olivebridge stated the consultant gave a figure of \$300,000.00 to \$400,000.00 for the projects and asked what the project could cost. Supervisor Leifeld responded \$4 to \$5 million possibly.

Bob Barringer of Samsonville stated he is against this law and noted the 2011 town tax bill showed a 23.5% increase in the general fund, highway was 7.5% increase, and Olive Fire 12.2%. Supervisor Leifeld stated the general fund included the Olive Free Library increase.

Jeannette Curtis of West Shokan stated she spent \$300.00 to fix her own portion of a town road. She stated she wants to support Governor Cuomo and we shouldn't raise taxes.

Board Member Burkhardt stated there is a time frame to follow in the local law process. She stated the board is not saying this is what we want to do; but, we are going through the process and a public hearing is part of that process.

George Koury of Olivebridge stated he is opposed to any increase in taxes.

George Gulac of Samsonville asked if there is a sunset on this law. It was noted it would have to be done annually at budget time.

John Hansen of Olivebridge asked where does the City of New York stand on this. Supervisor Leifeld stated they are going into the Bushkill to take care of their property. In response to Mr. Hansen's question Board Member La Monda stated the City will take care of 1,100 feet up from the new bridge as they own this property. He stated to the City of New York's credit they helped out a lot during the storm.

Drew Boggess of Shokan thanked the Town Board for the legal process they are following.

Jane Keller of West Shokan stated this has been one of the most traumatic times for her life. She stated she lives along the Bushkill and the Town Board members are good people and they are there with our interests at heart. She stated she feels bad when this degenerates into a personal thing further stating she feels we need to respect each other.

Glenda McGee of Samsonville stated that before the OLIVE PRESS went away it was stated there was a problem in the budget due to health insurance costs. Supervisor Leifeld stated that's been an ongoing issue for the past four years. She stated she is concerned that the hurricane is not the real reason for increases in the budget and it makes her think that we're hanging on to the people the town employs. She asked, as elected officials, is the Town Board considering increasing their contributions to their health plan. Supervisor Leifeld stated the Town Board has already made adjustments to this.

Martha Frankel of West Shokan asked why the budget public hearing isn't being done before election instead of after election.

It was a suggestion from someone in the audience to take a show of hands from those who are opposed to this law so they could then go on home. A large majority of the people present raised their hands in opposition to the law.

Most of the people present left, however, the Supervisor and Board Member Burkhardt stated the meeting has not yet been adjourned.

Supervisor Leifeld stated that the last thing he will vote for is to lay people off.

Supervisor Leifeld stated the Town Board needs to set a workshop meeting on the budget. Town Board consensus was to hold said meeting on Thursday, October 20th at 7:30 pm.

George Koury of Olivebridge asked if FEMA funds will go for town roads or also helping residents. Supervisor Leifeld responded that it will go for both.

Bob Conyea stated he has respect for the Town Board and in a normal situation 2% isn't a big deal, but, then the idea of anyone having the power to finance a \$5 million project is a bit overwhelming. Board Member La Monda reiterated if FEMA doesn't want to pay for it then he would have a problem with it also. Bob Conyea stated he is opposed to passing the law.

All business pertinent having been discussed the Town Board adjourned at 8:40 pm on a Leifeld/Burkhardt motion.

Sylvia B. Rozzelle, Town Clerk