

Town of Olive
County of Ulster
State of New York
October 3, 2005

Minutes of a the monthly audit meeting of the Town Board of the Town of Olive held Monday, October 3, 2005, 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

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

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

Town Clerk

Town of Olive
County of Ulster
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October 4, 2005

Minutes of a the regular monthly meeting of the Town Board of the Town of Olive held Monday, October 4, 2005, 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; Ronald Wright, Town Justice; Everett Cook, ZBA Member; Raymond Nichols & Vincent Bruck, Police Commissioners; Dawn Beers, Paul Wright, Paul Mejias, B. J. Leifeld, & Hector Mejias, Police Officers; Janice Lanzarotta, Bookkeeper; Beverly Stein, Clerk to the Supervisor; Dawn Giuditta, Court Clerk; Carla Madsen, Clerk to the Assessor; Stephanie Basalone, Clerk to Zoning, Building, and Planning

On a La Monda/Rank motion the Town Board approved the minutes of the August and September meetings as submitted by the Town Clerk.

Supervisor Leifeld requested the Olive Police Commissioners and Police Officers come forward to honor Police Officer Peter K. Wittl. Council Member La Monda made a

motion that the Town Board officially retire Police Officer Wittl's shield #1830. This motion was seconded by Council Member Rank and unanimously approved by the Town Board. Supervisor Leifeld paid tribute to Peter recognizing his accomplishments through the years he served the town. He specifically noted Peter was responsible for saving a woman's life using an AED and also saved a person's home from fire. Police Commissioner Ray Nichols thanked the Town Board for bringing this police honor to Officer Wittl. Council Member Chase stated there was a remarkable showing at Peter's funeral service demonstrating just how broad a group of people that Peter affected. She stated he meant something to everyone who was in attendance and he meant a lot to the community.

Supervisor Leifeld presented a plaque dedicated in Peter's memory which will be displayed in the Police Department. Officer Dawn Beers accepted the plaque on behalf of the department stating Pete touched so many lives. Officer Beers stated she never really knew what an obligation Pete had and further noted he will never, ever be forgotten.

The following correspondence was read and filed:

#73-05

The Catskill Watershed Corporation noted a new program is available to provide grants for community planning efforts within the watershed.

#74-05

Fran Palmieri, Director of the Ashokan Run 2005 notes the race will take place Sunday, November 13, 2005 starting at the Ashokan Field Campus at 10 a.m.

#75-05

Sandy Hawver of Boiceville thanked the members of the Olive First Aid Unit who responded to her accident on August 30th and states she strongly supports the need for cellular service in the town.

On a La Monda/Burkhardt motion the Town Board unanimously approved the following audited bills: Highway Vouchers #262-#290, \$21,255.86; General Fund Voucher #464-#513, \$42,849.90; and Special Lighting Voucher #9, \$37.27.

Under Old Business: Supervisor Leifeld stated the tentative budget has been prepared and distributed to Town Board members.

Supervisor Leifeld noted that three members of the Planning Board signed up for training at the Catskill Government Day.

Supervisor Leifeld stated a meeting was held with representatives from the Corps of Engineers, members of the Town Board, Highway Superintendent Jimmy Fugel, representatives from Ulster County Soil and Water, Jack Issacs of the DEC, an Ulster County Highway representative, County Legislator Rob Parete, Congressman Hinchey's representative Dan Ahouse, and Shandaken Superintendent of Highways, Richy Merwin. He stated trees will be removed from the Moonhaw stream bed and rip rap put along the edge of the banks. He noted that dredging out the stream bed is no longer an option noting that Jack Isaacs of the DEC was firm about that. He stated that they did get a firm commitment from Jack Isaacs regarding private property owners noting that the DEC would cooperate as much as possible with anyone who completed the

applications. Supervisor Leifeld thanked the residents who signed the petition as it was the vehicle needed to get the proper people together to get something done.

Supervisor Lefield noted the monthly income and cash received for August as \$22,316.53 and interest received through August as \$19,406.93.

The following committee reports were submitted:

FIRST AID liaison Council Member Chase stated that the unit is going through modifications to the facility building noting trees and brush have been cleared in the back, the septic is being refined, and the porch is being renovated with a new handicapped accessible deck being installed. In terms of the billing possibility, the Board of the First Aid Unit has requested assistance from Congressman Hinchey's office. She noted that A & D Pump donated a new well pump for installation at the squad building.

PARKS & RECREATION liaison Council Member Burkhardt submitted report #76-05 noting there were 130 participants in soccer and figures for the swimming pool usage were 217 in June, 651 in July, and 805 in August with the numbers being taken from the daily sign-in sheets. She noted there seems to be a shortage of lifeguards for next year. Council Member La Monda suggested the town offer a certification program for next year. Council Member Burkhardt stated that there is a certified instructor who lives in Olive.

FIRE DEPARTMENT report #77-05 noted sixty-three (63) responses for the month of August 2005.

TRANSFER STATION liaison Council Member Chase submitted report #78-05 showing 35 permits sold totaling \$875.00, 314 tickets sold totaling \$6,280.00 with revenues totaling \$7,155.00. There were 18 garbage bins removed at an expense of \$6,518.40. Supervisor Leifeld stated the Highway Department came to the town's rescue in fixing a washout at the edge of the landfill footprint--all with the approval of the DEC. He personally thanked Highway Superintendent Fugel for his department saving the town money.

POLICE COMMISSIONER La Monda submitted report #79-05 showing total calls handled, 48; total arrests, 5; and emergency 911 calls handled, 19.

TOWN CLERK Rozzelle submitted September report #80-05 noting \$12,852.88 in revenues. She noted that Dorothy Monaco sent a note thanking the Police Department for their compassion and professionalism, Berndt for his sentimental phone call, and the Town Clerk and Assessor's office for all their help.

On a Leifeld/Rank motion the Town Board approved the following fund transfers:

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| From Reserve "E" Assessor | \$1,420.00 | to A1355.4 Assessor Cont. |
| From A5020.2 Highway Equip. | \$ 250.00 | to A5020.2 Highway Cont. |
| From A1990.4 Contingency | \$1,000.00 | to A5132.4 Garage Cont. |
| | \$1,000.00 | to A1670.4 Mailing Cont. |
| | \$2,885.00 | to A7180.1 Pool P. S. |
| From A7180.2 Pool Equip. | \$ 500.00 | to A7180.4 Pool Cont. |

Supervisor Leifeld stated in looking for a town assessor Bill Cook's name was submitted to NYS ORPS; however, they would not approve his appointment due to lack of training. He stated the Town Board interviewed several applicants for the assessor position and were impressed with Bob Breglio, an Assesor from the Town of Broome in Schoharie County. Mr. Breglio is retired from the state and has a limitation on how much he can earn from another township. Mr. Breglio's town had just gone through a reevaluation of properties and the Town Board feels it important that someone in the assessor's office to oversee the reval. Supervisor Leifeld stated he went to Ulster County Real Property Services Director Dorothy Martin and the town can hire Bill Cook as an interim assessor noting he has two classes lined up for November and in 18 months Bill can become certified. Supervisor Leifeld stated that Bill is a town resident looking for a new career noting he previously built houses and is currently selling real estate. He noted that Bob Breglio and Bill Cook are working part time in the Assessor's office until the first of January. On a Leifeld/La Monda motion the Town Board unanimously appointed Bill Cook to work as interim assessor at a salary of \$33,000.00 starting January 1, 2006. On a Leifeld/La Monda motion the Town Board unanimously appointed Bob Breglio to serve as Assessor Consultant at an hourly rate of \$30.00.

Supervisor Leifeld stated the Ulster and Delaware Railroad will be holding a meeting on October 12th regarding establishing a rail trail.

Supervisor Leifeld stated that this past Friday he learned through the grapevine that a court order was issued regarding the telecommunications facility on South Mountain. He stated the town was ordered to issue all the permits and let them build the facility the way they want. He stated the town and its attorneys have received no official notice regarding this decision; however, it appears the judge ruled against the town paying the court costs of approximately \$300,000.00 noting that the town has an insurance policy to cover it. He stated the Town Board will be meeting with the lawyer Jim Kerr and the Town Attorney Peter Graham.

Council Member Chase stated there is a zoning violation on this property and there is a stated different use. She noted these issues should have been cleared up prior to permits being given to the applicant. She stated these issues haven't been cleared up and now to have a judge say let them build the tower simply is not right. She noted that other people have to go through the process of clearing up their violations before permits are issued. She stated this does not set a good precedent. Council Member Chase stated we need a cell tower in the area but for it to circumvent Olive's zoning law is not correct. She noted the other application the town has received is going through the correct process.

Supervisor Leifeld noted the judge stated the town was arbitrary and capricious for holding this application up when he, himself, sat on this thing for over two years. Supervisor Leifeld sated the judge should clean up his own desk prior to attacking his.

All business pertinent having been discussed the Town Board adjourned at 8:20 pm on a Leifeld/La Monda motion in memory of Jeremy Lee Delanoy, David D. Dennison, Bradford Vernon Kelder, Jr., Agnes "Kay" Lock; and Stephen Padusnak III.

Sylvia Rozzelle, Town Clerk