

Town of Olive
County of Ulster
State of New York
September 12, 2011

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, September 12, 2011, 7:30 pm at the Town Meeting Hall in Shokan, NY.

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: Jimmy Fugel, Highway Superintendent; Susan Horner, Supervisor Clerk

The Town Board audited the bills for the month of August.

Town Clerk Rozzelle presented Town Board members with all public comments on the draft Comprehensive Plan.

Supervisor Leifeld stated the Town Board is adding another residence to the Boiceville Sewer System. He stated the resolution will be available from the attorney for tomorrow night's meeting. He addressed Michael Copelton by saying the Town Board has already informally agreed to do this; however, the Town Board needs to decide on the hook up fee. He noted in the law the hook up fee is stated as \$10,000.00, but, the Town Board may adjust or modify the connection fee by resolution on a case by case basis. He stated this is the first one the town has done so there is no set rule. Mr. Copelton stated he is not disputing the rules, but, he has three neighbors that are all in the district and the remaining parcels around him are DEP property. He stated he has three manholes within 50 ft. of his property, the closest one being 30 ft. from the property. Supervisor Leifeld stated that when establishing the sewer district the question came up as to why they were excluding that piece of property. He stated that all of the board members felt it a bit strange. He stated there were two things possibly responsible for this. The original owner of the property had a problem with being in the district and the amount of funding the district was receiving from the City of New York. Supervisor Leifeld stated he felt that Mr. Copelton's property should be given a welcome sign to come into the district. Board Member La Monda stated that the sewer district was not really drawn to the needs; it was drawn by how much money was allocated from the City of New York for the system. Board Member Burkhardt stated that by allowing him into the system the Town Board will be setting a precedent though each case has to be handled separately.

Supervisor Leifeld made a motion to reduce the fee to \$8,000.00. Board Member Burkhardt stated she was thinking more of \$5,000.00. There was no second to the motion. Discussion occurred on the fee. In response to a question from Board Member La Monda, Mr. Copelton stated it would cost him around \$10,000.00 to physically do the work to hook up as he owns his own equipment to do the job. Board Member La Monda stated he feels that a \$2,500.00 fee to join the district would be acceptable as it's important to encourage people into the system. Board Member Friedel asked what a septic system would cost, to which Mr. Copelton stated around \$25,000.00 to \$30,000.00. Supervisor Leifeld stated that the hook up money would go into a special account as a form of capital reserve in case an emergency repair is needed.

Supervisor Leifeld made a motion to reduce the hook up fee for Mr. Copelton's property (SBL 36.7-2-22) from \$10,000.00 to \$5,000.00. Board Member Rank seconded the motion. There were all eyes on the motion.

Charlie Blumstein stated he would like to write up a proposal for building a new office building in West Shokan as there are a lot of people who feel it is needed. He stated it could be done at low cost and be locally done just as the pavilion was done in an adjoining town. He stated that they would be doing a wood frame building to the south of the existing building in West Shokan, then move into the new building, and then demolish the old building. He stated he would like to know if the Town Board would be interested in pursuing the project. He noted that Peter Manning, Regional Planner of the CCCD in Arkville, has suggested since the grant money for the picnic park is fading the money could be used for this project. He stated that manufacturers would donate the materials as they want to be involved in unique projects and use that for advertising purposes. He stated there are people who are interested in working on the project and he would put together a prospectus. Supervisor Leifeld stated that the issue we are having now is that we can't even get the money to clean out the Bushkill Stream and the existing building is in a flood plain. Charlie Blumstein stated that everything would be donated or received through grants. Board Member La Monda stated that to bring the building up to all codes is not a simple project and is different than building a pavilion; but, he would like to see his prospectus. Supervisor Leifeld stated he will stop in and speak to Mr. Manning and asked Mr. Blumstein to go ahead with the prospectus. Town Clerk Rozzelle suggested he speak to each department to see how much space each office would require. Highway Superintendent Fugel stated there has to be two separate buildings as you can't have trucks in the same building as employees.

Anne Hass asked why we can't have cell towers in Samsonville. Board Member La Monda stated that companies come in and build the towers and then lease space to the telecommunication companies. It was noted that a Town Board meeting was held a year or two ago with information being provided about possible tower locations and their coverage. A couple of residents contacted companies; but, no company expressed interest.

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

Sylvia B. Rozzelle, Town Clerk

Town of Olive
County of Ulster
State of New York
September 13, 2011

Minutes of the monthly meeting of the Town Board of the Town of Olive held Tuesday, September 13, 2011, 7:30 pm at the Town Meeting Hall in Shokan, NY.

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: Jimmy Fugel, Highway Superintendent; Chris Winne, Olive Fire Chief; Drew Boggess, Planning Board Chairman; Bill Cook, Sole Assessor; Jim Mays, ZBA Chairman; Gene Sorbellini, Recreation Director; Tim Cox, Town Justice; Jim Fugel, Highway Superintendent

On a Burkhardt/La Monda motion the Town Board approved the August meeting minutes as submitted by the Town Clerk.

The following correspondence was read and filed:

#57-11

NYS DOT acknowledges the town's request to conduct a speed limit study on Deerfield Road and notes that an official investigation has been initiated.

#58-11

On a La Monda/Rank motion the Town Board approved the following members to the Olive Fire Department: Michael Novak and Michael O'Connell.

#59-11

Saturday, October 15, 2011 the UCRRA will have a "Free" Household Hazardous Waste, Pharmaceutical Waste and Electronics Collection Event at the facility on Flatbush Road in Kingston.

#60-11

The Ulster County Department of Health will be administering a "Free" Tetanus Vaccine Clinic to adults involved in the post hurricane cleanup efforts at the Phoenicia Fire Company, Route 214, Phoenicia, NY on September 13th from 10-2.

#61-11

Tina Eckert, Director of Special Events for the American Cancer Society Relay for Life, thanked the entire community for the July event which raised \$20,524.75 towards the fight against cancer.

On a La Monda/Rank motion the Town Board approved payment of the following audited bills: Highway Vouchers #250-#297, \$199,657.82; General Fund Vouchers #375-#425, \$40,890.59;

General Fund Prepaid Vouchers #373-#374, \$5,578.20; Special Lighting Prepaid Voucher #8, \$53.67; and Special Lighting Voucher #9, \$56.44.

Supervisor Leifeld noted that cash received for July as \$11,346.94 and interest received for July was \$1,333.47.

On a Leifeld/La Monda motion the Town Board approved the following budget modifications for the General Fund:

- Transfer \$339.00 from 1990.4 Contingency to 1910.4 Unallocated Insurance
- Transfer \$596.00 from 1990.4 Contingency to 3120.2 Police (Equipment)
- Transfer \$2,545.00 from 1990.4 Contingency to 3120.4 Police (Contractual)
- Transfer \$1,036.00 from Reserve "D" Parks to 7110.2 Parks (Equipment)

Under New Business: Ben Rounds will be conducting a fundraiser (#62-11) to benefit the Olive Food Pantry at Ange's Place on Route 213 in Olivebridge on Thursday, September 15, 2011, 7-9 pm. Everyone is to bring a non-perishable canned or boxed food that is "in date".

On a Leifeld/La Monda motion the Town Board empowered the Supervisor to establish a checking and reserve account for the Boiceville Stormwater Retrofit Operation and Maintenance funding.

Amy Friedman, resident of Haver Road, addressed the Town Board regarding the recent storm damage to Haver Road. She stated the road was washed out almost in its entirety and amazingly Sunday evening Highway Superintendent Jim Fugel was there and then on Monday morning the entire highway department was there. She stated that the highway department was trying to do repairs to the road and one of their neighbors was present and threatened a lawsuit and the work was halted. She stated that she and the approximately 20 other Haver Road residents present tonight are here to support the Highway Superintendent in putting the road back the way it was prior to the storm. She stated that Haver Road is a dead end road and it is critical that they be able to have the road passable.

George Gulick stated he is the person that sent a letter of intent to the town because he was concerned about the drainage on his property. He stated his driveway, garden, and garage received water damage; but, there was no damage to his house. He stated when he stopped the highway department they were in the process of upgrading from a 16 inch pipe to a 30 inch pipe. His concern is with the enormous increase in capacity this could destroy his house.

Glenn Jacobsen stated the highway department was simply trying to do their job. Water runs down hill and culverts are necessary. He stated he feels they need to have the road fixed.

Lengthy discussion occurred regarding the Haver Road issue.

Supervisor Leifeld asked if Mr. Gulick had spoken to the Highway Superintendent. Mr. Gulick stated he had not.

Supervisor Leifeld stated he received letters from Haver Road residents Peter Lyons (#63-11), Harriet Black (#64-11), Bill & Susan Erickson (#65-11) supporting the Highway Department's efforts in fixing the road as soon as possible.

Jane Keller asked if there is a way this group can get together to mediate this issue. Supervisor Leifeld stated his office is always open.

David Norton stated he feels that Mr. Gulick is holding the people uphill hostage and feels the road needs to be fixed as soon as possible.

Highway Superintendent Jimmy Fugel spoke directly to Mr. Gulick stating that he should have simply come to talk to him. He further stated that his plans are to return to work on Haver Road this Monday morning. Supervisor Leifeld reassured those present that the town is not going to abandon Haver Road.

On a Leifeld/Burkhardt motion and unanimous roll vote the Town Board unanimously approved Resolution #9 of 2011 Sewage Allocation for Michael Copelton SBL 36.7-2-22. Roll vote being: Rank, yes; Burkhardt, yes; La Monda, yes; Friedel, yes; and Leifeld, yes.

Fire Chief Chris Winne submitted a special Fire Department report #66-11 outlining the members work during the two full days of Hurricane Irene. He noted the department responded to 116 calls in two days. He stated he did not get a chance to do a breakdown of the man hours. Marty Giuliano asked what the company's policy on pumping cellars is. Chief Winne stated that the Fire Department is encouraging repeat people to install pumps themselves so the fire department does not have to do repeat sessions. He noted that this hurricane was a bit different in that there was no power for the pumps and in the middle of this they lost their telephones.

Cindy Johansen stated she saw trucks from all over the state going up the road. Chief Winne stated that the resources up the line were maxed out and people came in from as far away as Buffalo. He stated the Olive Fire Department just sent four members from our department to Tioga County which was hit by Tropical Storm Lee. He stated there are three highway department members who are also on the fire department and the town is good to them to allow mutual aid to other towns. Chief Winne stated there are 108 active members on the books through our five stations. He stated members are needed in Boiceville.

Steve Fuller, Assistant Chief, stated that we really want to thank our lucky stars that we have a cell facility with a generator which allowed them contact.

Town Clerk Rozzelle thanked Suellen Elmendorf and the Ladies Auxillary for their work in preparing meals for volunteers, families, and the elderly.

Supervisor Leifeld stated he has a list of computer items (#67-11) totaling \$3,420.00 in value which were donated to the Town Police Department from Monaco Computer Systems in Saugerties. He stated that Police Officer Barry Creagan was responsible for these items being donated and thanked Officer Creagan for his contact with Mr. Monaco. On a LaMonda/Burkhardt motion the Town Board approved sending a letter of thanks to Nick Monaco of Monaco Computer Services.

Under Comments: Marty Giuliano stated he would like to see the Town Board entertain the idea of putting a small generator in at the town garage. Board Member La Monda stated there should be an automatic propane generator to operate both the office and the garage. Supervisor Leifeld stated the Town Board agrees that this will be done.

Marie Jaeck asked what's going to happen with all the trees along Watson Hollow Road. She stated that something has to change as we're losing land like crazy, not to mention bridges and private properties.

RESOLUTION #9 of 2011

WHEREAS, the Town Board of the Town of Olive has received an Application from Michael Copelton for Sewage Allocation Pursuant to Article 13 of the Town's Sewer Use Law; and

WHEREAS, the Sewage Allocation is requested for property located at Tax Map 36.7-2-22 which consists of a two lot subdivision found in Deed Book 4647 at Page 123;

WHEREAS, the Town Board has given due consideration to the Application and reviewed the criteria set forth and hereby votes to approve the Application subject to the following terms and conditions:

1. The Applicant executes the Sewer Use Agreement attached to the Application; and
2. The Applicant agrees to pay \$5,000.00 as approved by the Town Board.

WHEREUPON, the Resolution was put to a vote, recorded as follows:

	Aye	Nay
Berndt Leifeld, Supervisor	_____	_____
Henry Rank, Board Member	_____	_____
Linda Burkhardt, Board Member	_____	_____
Bruce La Monda, Board Member	_____	_____
Peter Friedel, Board Member	_____	_____

Signed this 13th day of September, 2011

Sylvia B. Rozzelle, Town Clerk

Supervisor Leifeld stated the DEP has the jurisdiction from the new bridge to their property line noting it's the DEC that says we can't get in the stream after October 1st. He stated the town is doing what we can do as we are second cousins to Shandaken and Phoenicia noting they have been working for two years to get into that stream.

Martha Frankel stated she feels there is a lot to do because it was clear to her that Supervisor Leifeld was overwhelmed. She stated she has been on the phone and we need to do something or we are going to lose our homes and properties. Let's all get together and work on this and we need to get the stream cleaned out. Martha stated we are under siege here.

Board Member La Monda stated Supervisor Leifeld had an emergency meeting this morning where he obtained a million dollars for assistance to the businesses. He stated in the Supervisor's absence he spoke with Mike Hinchey of the DEP who said the DEP would be cleaning out from their property up and DA Collins from the Bushkill Bridge. He stated when he spoke with George Collins two or three days ago it was stated that they would have people in the stream immediately and, now, they are talking about engineering studies. He stated they need chain saws, cables, and equipment to pull the trees out of there. He stated the problem all along is as we get information then the information changes. He stated they have an engineer who has been walking the Bushkill for two days and just his assessment on the Bushkill is there are over a thousand trees to be pulled out. He stated that contractors can't go out there and work and wait six months for their money. He stated there is an INF fund which is federal money but it has to be requested by the State. He spoke with County Administrator Mike Hein to contact the Governor to request these funds and to talk to the DEC to extend the October 1st deadline. Supervisor Leifeld stated that two of the DEC Regional Director Janeway's understudies will be at his office at 9 a.m. tomorrow morning. He stated it's been frustrating in that you hear one thing from one department and the next day you hear another.

Supervisor Leifeld stated that he was told from FEMA representatives that there is no federal money for fixing bridges but there are SBA low interest loans to be applied for which can be obtained fairly quick.

Martha Frankel stated they are not going to replace their bridges until they take the trees out of the stream above them.

Board Member La Monda stated the scenario from Engineer Henry Lamont this afternoon was not pretty. He stated the Town Board knows how serious the issue is; but, we have to have money to pay contractors.

Pat Conway says that is why County Administrator Hein is to hire the contractors and there is an agreement to hire contractors and to get them paid.

Jane Kellar asked if County Administrator Mike Hein can go to the meeting tomorrow.

Pat Conway stated the town had a friend of her daughters, who was former Deputy Director of FEMA, come give them information. He met with Shandaken Supervisor Rob Stanley who took lots of notes. She stated he also met with Supervisor Leifeld and told him everything to do. She stated he again met in Supervisor Leifeld's office and still everything was not done.

Board Member La Monda stated that when the representative from Senator Gillibrand's office was in West Shokan she viewed the paperwork that the town had filed and was told by the Senator's representative that everything was properly filed and in order.

Carol Robin stated she is one of the people that have no access to fire, emergency services, or oil deliveries. She asked if there is anything the town to do to help them.

Supervisor Leifeld stated that Watson Hollow Road is a county road and the town can't do work along it. Board Member La Monda stated the town cannot fix their private bridge. He stated that is illegal, even though it is an emergency. He noted the SBA loans are coming through very fast and that is what they are for. He stated he couldn't tell you if all those trees are going to be out of that stream; it's very frustrating, but they are doing everything they can.

Mr. Wagner stated in the 1980's the Corps of Engineers came in and they did a fantastic job cleaning out the Bushkill. Is there any way we can get them back? Board Member La Monda stated we had a Structural Engineer, Larry Keller, from the Corps and another guy from FEMA, Sean Smith, to look at the Bushkill. He stated when they got ready to leave the guy from FEMA didn't sound promising.

Carol La Monda stated there would be a fund raiser at the Boiceville Inn on September 25th Sunday afternoon for Town of Olive flood victims. She invited all to come and donate at the door.

Pat Conway asked about Moonhaw Road and all those people on the Maltby Hollow. Board Member La Monda stated that Engineer Henry Lamont started his assessment of that area this afternoon.

Two FEMA representatives were present who reviewed the procedures and explained their function. They stated if you have insurance, call your insurance company. If you have no flood insurance, then contact FEMA. He noted people should register with FEMA and an inspector will come out. He stated it covers contents of houses not outside damage.

Supervisor Leifeld stated that the CWC has voted on a program to help the watershed towns who have suffered flood damage. Ulster County will receive \$1,029,500.00 for the watershed towns in this county. He stated he will be going around to the businesses to see if they qualify. If you have flood insurance then there will be a crimp in the operation. He noted the one million dollars is to be split between the five towns in the watershed.

July Transfer Station Report #68-11 and Town Clerk August Report #69-11 were filed.

All business pertinent having been discussed the Town Board adjourned at 9:00 pm on a Leifeld/La Monda motion in memory of Bruce Duffy, Lois Langthorn, Felix Lazala, Ralph Leiter, and Walter Zielinski.

Sylvia B. Rozzelle, Town Clerk