

Town of Olive
County of Ulster
State of New York
September 13, 2010

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, September 13, 2010, 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 B. Rozzelle, Town Clerk
Others Present: Bruce Proper, Transfer Station Manager

The Town Board audited the bills for the month of August and discussed the agenda for the September 14th meeting.

Transfer Station Manager Bruce Proper presented information (#55-10) to the Town Board regarding fees charged at the Transfer Station. He stated we've been running in the red because the UCRRA has increased the charges to \$98.00 per ton and also implemented a pull charge for the containers. His suggestion to the Town Board was to keep the permit fee the same but increase the disposal fee to \$3.00 per bag. He stated the volume at the Transfer Station has increased and residents have returned since the new building has been constructed; however, the more volume we have the more money we lose. He noted that most towns are currently charging \$3-\$3.50 per 30-40 gallon bag. After discussion, general consensus of the Town Board was to implement new fees of \$3.00 per bag starting January 1st. The Town Board noted they could re-evaluate the issue in six months if the increased fee doesn't cover the expense charged by the UCRRA.

Supervisor Leifeld stated that Joe DeLessio has asked for permission for the Cub Scouts to sell popcorn at the Transfer Station on weekends. General consensus of the Town Board is to allow the Cub Scouts to conduct a fund raiser there.

All business pertinent having been discussed the Town Board adjourned at 8:30 pm on a Leifeld/La Monda motion.

Sylvia B. Rozzelle, Town Clerk

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Minutes of the monthly meeting of the Town Board of the Town of Olive held Tuesday, September 14, 2010, 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 B. Rozzelle, Town Clerk
Others Present: Jimmy Fugel, Highway Superintendent

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

The following correspondence was read and filed:

#56 -10

Richard Feldman of Shokan addressed concerns regarding the dangerous condition existing along Route 28. He states "Clearly the fatalities and injuries are not only due to speeding, and that makes the problem more difficult to address. However, it is time for New York State to take action to improve safety on Route 28." Supervisor Leifeld read correspondence #57-10 from Senator Bonacic addressed to NYS DOT Region 8 Director asking the DOT to check into Mr. Feldman's concerns. Mr. Feldman personally addressed the Town Board stating, unfortunately, often in rural areas it takes deaths to get the state to do something. He stated there is clearly technology and systems which could be implemented. He stated that more education about Route 28's safety issues and improved engineering technology are needed.

Supervisor Leifeld made a motion to send a letter to the NYS DOT and to the Kingston office asking for a revamp and/or review of Route 28 in hopes that the department will send representatives here to discuss our concerns. Board Member Rank seconded the motion. Supervisor Leifeld stated the Ulster County Traffic Safety Board is also on board with improving safety on Route 28.

On a La Monda/Friedel motion the Town Board unanimously approved payment of the following audited bills: Highway Vouchers #243-#276, \$36,064.97; General Fund Prepaid Vouchers #419, \$264.00; General Fund Vouchers #420-#474, \$33,655.52; and Special Lighting Voucher #8, \$54.99.

Supervisor Leifeld noted the monthly income as cash received for July as \$89,763.58 and interest received for July as \$1,287.09.

On a Leifeld/Burkhardt motion the Town Board approved the following budget modifications:

Transfer \$200.00 from 1990.4 Contingency to 1355.4 Assessor (Cont.)

Transfer \$5,000.00 from 1990.4 Contingency to 3120.4 Police (Cont.)

Transfer \$200.00 from 3620.2 Safety Inspection (Equip.) to 3620.4 Safety Inspection

Transfer \$3,000.00 from 1990 Contingency to 7110.4 Parks (Cont.)

Supervisor Leifeld noted that bids for the highway garage roof were received as follows:

Precision Roofing	\$188,000.00
Shore Construction Corporation	\$139,000.00
Evergreen Mountain Contracting Corporation	\$137,900.00

On a Leifeld/La Monda motion the Town Board unanimously approved acceptance of the lowest bid from Evergreen Mountain Contracting Corporation in the amount of \$137,900.00.

Al Studt of Deerfield Road submitted a petition (#58-10) requesting the speed limit on Deerfield Road be reduced to 20 mph. He stated there are signatures from every house on the road. He noted that since the last Town Board meeting they have had this tragedy on their street and residents here tonight would like to have a discussion on this issue as to what the town and police can do to help. On a La Monda/Friedel motion the Town Board requested the petition be sent to the NYS DOT with a request that the speed limit be lowered. Supervisor Leifeld stated we need to stress that these incidences are not isolated and have been ongoing.

Joe Stein stated we want some help and safe coverage along our roads. This is not the first time this has been addressed and we want it changed and changed now.

Supervisor Leifeld stated the town does not have the authority to change a speed limit noting this authority lies with the NYS DOT.

Lou Chartrand stated the issue on Deerfield Road is pretty much from two houses. He stated that just before law enforcement came there were problems; but, as soon as law enforcement comes there are no problems. Board Member La Monda stated that at the Police Commissioners' meeting on Thursday night they will discuss doing a traffic road check stop on Deerfield Road which would apply to anyone who travels that road.

Rob Klein stated we haven't had a shooting problem in Boiceville in over 20 years. He noted there is a high crime area in two homes on Deerfield Road and we need more patrols. He stated we need the local police department to get out of their cars and bang on doors and tell them they have had a complaint. He stated road checks checking on inspections, safety checks, lights working, etc., and ticketing when we are in default would be welcomed. He stated

we need to instruct our police how to do law enforcement in our town. He stated by doing this the offenders will not like this and will move on.

Board Member La Monda stated we will knock on the doors but we need to have complaints and calls from individuals in order to do that. Rob Klein stated calls have been made to both the town, state, and sheriff departments and he has issues with all three police departments. Board Member La Monda stated we have only one police officer and we have to patrol the entire town. Rob Klein suggested contacting the Sherriff's department and the state police and ask them to work together on this.

Board Member La Monda stated he will stress at Thursday night's meeting to patrol and respond to all complaints on Deerfield. Rob Klein stated the department's need to take a more proactive approach.

Lou Chartrand stated that while the police were there for two days everything cleared up; but, as soon as the police left then the problems came back.

Supervisor Leifeld stated he would like to invite Rob Klein to come to the Police Commissioner's meeting on Thursday and offer suggestions and communicate with all departments so we can get some of this stuff ironed out.

Ken Cayea stated his concern is more than the speeding in that these people are inviting in the crime element from Kingston and unless it is nipped in the bud, it will escalate. He noted this is another level that we haven't seen before and it will be something else next.

Supervisor Leifeld stated we will have police there and check your cars. Board Member La Monda stated the Police Department will address this issue in a more proactive way.

Glen Buckinger stated he has worked with the sheriff's department since 1998 and have been dealing with the Butler's since 2002. He noted the person was shot in a planned event. Everyone that is going into that house should be stopped and checked. He noted there are ties to gangs and he would identify 79 Deerfield Road as Beirut. He stated he came up here two years ago to get away from Kingston. He gave everyone in attendance his phone number and requested they call him at home; he will get in his car, and address the issue.

Lloyd Humphrey stated he would like to make an observation that since last Wednesday night he has noticed all four agencies up and down the road and since then things have improved. He stated he would like to thank the agencies for an item that is getting their attention. All present expressed appreciation for this, but, are afraid this will be short lived.

Board Member La Monda stated if you call in a complaint our officer will go to the house, knock on the door, and address the issue with the person in the house and no names will be mentioned. He stated the Police Department will do the best they can to improve the situation.

Resolution #15 of 2010
To Transfer Town of Olive Land

At a meeting of the Town Board of the Town of Olive, Ulster County, New York, held at the Town Meeting Hall, in Shokan, New York, in said Town of Olive on the 14th day of September, 2010 at 7:30 pm.

The meeting was called to order by Supervisor Leifeld and upon roll being called, the following roll was taken:

	Present	Absent
Berndt Leifeld, Supervisor	<u> X </u>	_____
Peter Friedel, Board Member	<u> X </u>	_____
Linda Burkhardt, Board Member	<u> X </u>	_____
Henry Rank, Board Member	<u> X </u>	_____
Bruce La Monda, Board Member	<u> X </u>	_____

The following motion was offered by Supervisor Leifeld who moved its adoption, seconded by Board Member Rank, to wit:

WHEREAS, the Town of Olive has certain Town lands known as 4073 Route 28, Boiceville, NY, SBL 36.11-1-32.100; and

WHEREAS, said Town land could be sold to the general public; and

WHEREAS, the Town has engaged the services of Michael Bernholz to establish the fair market value of said parcel to be listed with a real estate broker, or by public bid; and

WHEREAS, the Town has no present or future use for the land to be conveyed;

NOW, THEREFORE, BE IT RESOLVED, pursuant to the provision of Section 64 of the Town Law of the State of New York; and subject to a Permissive Referendum, that the Town of Olive transfer a certain parcel of land known as 4073 Route 28, Boiceville, NY, SBL 36.11-1-32.100; and it is further

RESOLVED, that pursuant to Section 82 and 90 of the Town Law of the State of New York, that within ten (10) days from the date of this resolution, the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of this resolution, shall contain an abstract of such resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a Permissive Referendum, and said Town Clerk shall publish such Notice in the official newspaper of the Town of Olive, and in addition thereto the Town

Clerk shall post or cause to be posted on the sign board of the Town of Olive, a copy of such notice within ten (10) days after the date of the adoption of this resolution, and it is further

RESOLVED, that the Supervisor of the Town of Olive be and he hereby is, authorized and empowered to sign on behalf of the Town of Olive any and all further and different documents as may be required and as may be required by law to give full force and effect to this resolution, including the Deed and Gains Tax Affidavit and deliver the same.

The question of the adoption of the foregoing resolution was only put to a vote on roll call which resulted as follows:

	Aye	Nay
Berndt Leifeld, Supervisor	<u> X </u>	_____
Peter Friedel, Board Member	<u> X </u>	_____
Linda Burkhardt, Board Member	<u> X </u>	_____
Henry Rank, Board Member	<u> X </u>	_____
Bruce La Monda, Board Member	<u> X </u>	_____

The resolution was duly adopted.

Dated this 14th day of September, 2010

Sylvia B. Rozzelle, Town Clerk

Town Clerk Rozzelle stated there will be a proposition (#59-10) on the ballot in November for 414 status for the Olive Free Library. The proposition on the ballot will read "Shall the annual contribution of the Town of Olive for the operating budget of the Olive Free Library Association be the sum of one hundred twenty-nine thousand (\$129,000.00) annually?" She noted, if passed, this will remain the operating budget for the library and in order to increase it a referendum would again be necessary.

Supervisor Leifeld stated there will be a public meeting for the Olive Master Plan Technical Input Group October 2nd, 10 a.m. at the Olive Free Library in West Shokan. A Public Hearing on the issue is scheduled for 2 p.m. on the same day.

Supervisor Leifeld stated the sewage treatment plant in Boiceville is up and running and now the property in front which has been subdivided from the original property is to be sold. Supervisor Leifeld stated that funds from the sale of this property will not go to the Town of Olive but to the Catskill Watershed Corporation (CWC) since they purchased the property. He stated the property is in a floodplain area which could make a difference to potential buyers. The property was appraised about a year ago and it came in about \$180,000.00.

On a Leifeld/Rank motion the Town Board unanimously approved Resolution #15 of 2010 Roll vote contingent on corrections being made to the resolution. Roll vote being: Rank, yes; Burkhardt, yes; La Monda, yes; Friedel, yes; and Leifeld, yes.

Supervisor Leifeld stated that all towns, villages, and cities in NYS must have a workplace violence policy. If it is not done by the 23rd of this month then the state will fine us \$250.00 per day. On a Leifeld/Burkhardt motion the Town Board accepted the Town of Olive Workplace Violence Policy as submitted. (#60-10)

On a Leifeld/La Monda motion the Town Board approved closing the Leigh Ann Way/Boyd Subdivision Maintenance Escrow Account.

On a Leifeld/Burkhardt motion the Town Board dispensed with the committee reports. The following committee reports were filed: Town Clerk August Revenue Report #61-10, Police September Activity Report #62-10, Fire Department August Report #63-10.

On a Leifeld/La Monda motion the Town Board adjourned at 8:50 pm in memory of Arthur Will.

Sylvia B. Rozzelle, Town Clerk