

Town of Olive
County of Ulster
State of New York
Monday, December 12, 2011

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, December 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

Others Present: Drew Boggess, Planning Board Chairman; Jimmy Fugel, Highway Superintendent; Don VanBuren, Board Member Elect

The Town Board audited the bills for the month of November and discussed the agenda for the December 13th meeting.

Sharon Wood, President of the Bennett PTA, and Wendy Wolfenson addressed the Town Board and presented information (#86-11) regarding potential decisions of the Onteora School Board. Information they presented included proposals by the Onteora Board of Education regarding the Bookend Plan, the Princeton Plan, and the K-6 plan with Phoenicia being closed. Ms. Wolfenson's letter to the Superintendent of Onteora states the Bookend Plan should be rejected immediately as it appears to have been created simply to keep Phoenicia Elementary open. Ms. Wood states that a K-6 plan keeping only two schools open can work. They stated their concerns are that the school board wants to split up the children from Olive who attend Bennett and send them either to the Phoenicia or the Woodstock school. It was noted that the impression given by the school is that Olive doesn't have a community center and it would be less of an impact. However, Mrs. Wood and Mrs. Wolfenson felt this decision would impact Town of Olive school children more than the children in the other communities in the Onteora District.

All business pertinent having been discussed the Town Board adjourned at 9:15 pm on a Leifeld/La Monda motion.

Sylvia Rozzelle, Town Clerk

Town of Olive
County of Ulster
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Tuesday, December, 13, 2011

Minutes of the monthly meeting of the Town Board of the Town of Olive held Tuesday, December 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 B. Rozzelle, Town Clerk

Others Present: Drew Boggess, Planning Board Chairman; Bill Cook, Sole Assessor; Jimmy Fugel, Highway Superintendent; Susan Henderson, Deputy Town Clerk; Janice Lanzarotta, Bookkeeper; Susan Horner, Supervisor Clerk; Don Van Buren, Board Member Elect; Jennifer Vasta, Highway Superintendent Clerk; and Ron Wright, Town Justice

On a Burkhardt/La Monda motion the Town Board approved the minutes of the November meetings as corrected on page 101 of the November 18th meeting minutes.

The following correspondence was read and filed:

87-11

On a La Monda/Friedel motion the Town Board approved Aron Thomas of Olivebridge as member to the Olive Fire Department, Inc.

#88-11

Supervisor Leifeld stated that several acres of NYC DEP land on Dancing Rock were clearcut and no one knows who cut the timber on the DEP property. He noted this letter from the NYC DEP is in response to that issue. Todd Baldwin, Watershed Forester, stated that project #5036 will soon be commencing as a firewood project to salvage harvest approximately two acres that were clear cut in a trespass incident.

On a La Monda/Burkhardt motion the Town Board approved payment of the following audited bills: Highway Vouchers #380-#413, \$22,116.27; Prepaid Voucher #519, \$264.00; General Fund Vouchers #520-#560, \$29,005.73; Special Lighting Voucher #12, \$54.76; Special Fire District #3, \$217,250.00.

Supervisor Leifeld noted cash received for October as \$40,835.51 and interest earned for October as \$934.88.

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

- Transfer \$97.00 from 1990.4 Contingency to 1220.4 Supervisor (Contractual)
- Transfer \$55.00 from 1990.4 Contingency to 1460.4 Records Management (Contractual)
- Transfer \$4,200.00 from 1990.4 Contingency to 3120.4 Police (Contractual)
- Transfer \$167.00 from 1990.4 Contingency to 3510.4 Control of Dogs (Contractual)
- Transfer \$768.00 from 1990.4 Contingency to 5182.4 Street Lighting (Contractual)

Under New Business: On a Leifeld/La Monda motion the Town Board reappointed Drew Boggess as member to the Planning Board. His term will expire 12/31/18.

On a Leifeld/La Monda motion the Town Board reappointed Jim Mays as member of the Zoning Board of Appeals. His term will expire 12/31/16.

Supervisor Leifeld noted the following upcoming Town Board meetings:

Annual Audit of the Books, 12/29/11, 3 pm at the Town Office Building, West Shokan
2012 Organizational Meeting, 1/3/12, 7:30 pm at the Town Meeting Hall, Shokan

Supervisor Leifeld introduced Scoutmaster Keith Davis who presented the members of Boy Scout Troop 163. Supervisor Leifeld commended the Scouts and Scoutmasters for completing the incredible feat of hiking and biking to New York City via the aqueduct. Supervisor Leifeld presented Certificates of Appreciation to the following Boy Scouts who made the Trek of 2011. Those Scouts being: Andrew Davis, Billy Davis, Henry Delissio, Hunter Downie, Mike Frasca, Jake Heberle, Anthony Jansen, Gavin Katona, Blake Overton, Brennan Ryan, Daniel Shultis, David Stokes, Joseph Strauss, Damon Wells, and Andrew Wright.

Scoutmaster Keith Davis stated Troop 163 started at the Ashokan Reservoir and walked to NY City on the aqueduct doing approximately 30 miles on bike through West Chester County. The DEP offered them tours of their facilities. In addition to touring Stewart Air Force Base and West Point, the Troop crossed the Hudson River and then toured Bannerman Castle, Constitution Island, and Hanover Farm. They started their bike ride from there to Kensico Dam and received presentations from the DEP. He stated they hiked 12-13 miles most days and walked right into NYC and met up with a Scout Troop from the Bronx who walked them through that area. The last night they stayed in the Museum of Natural History. The presentation in Central Park was cut short due to Hurricane Irene. Scout Master Davis personally thanked those who helped them get there and presented patches and Certificates of Appreciation to Sylvia Rozzelle, Henry Rank, Berndt Leifeld, Bruce La Monda, Linda Burkhardt, Peter Friedel, Tim Cox, Ron Wright, and Jimmy Fugel. He stated the Troop's closing ceremony was last Saturday at the Ashokan Methodist Church where parents and volunteers were recognized. He stated that tonight, however, he would like to thank those who weren't acknowledged at that time. He personally thanked Dave and Heather Stokes, who transported all the bikes via his flatbed truck. He stated the kick off ceremony was a wonderful send off and thanked everyone for their attendance and support.

Supervisor Leifeld introduced Peter Manning regarding the proposed scenic byway designation for the Route 28 corridor. Peter Manning stated he is the regional planner with the Catskill Center for Conservation and Development and has been involved with regional planning since 2008 working towards the scenic byway. He stated he had asked the Town Board to appoint two persons to represent Olive on this committee. Helen Chase and Robert Selkowitz were appointed by the Town Board to the Catskill Collaborative and still remain active in this capacity today. He noted all the communities along the corridor have joined the collaborative. In 2008, New York State had funding for the project and then by the end of that year there was no funding. So, they then applied to the CWC for funding which was at a quarter of the original amount. He stated all the communities stepped up and the communities themselves expressed to the state what makes their community unique. In this project they found out that the Route 28 communities fit all five categories to meet New York State's definition of a scenic byway. He stated a scenic byway is an economic development program tool. If you received this designation, it is then signed into effect by the Governor. You then would be eligible for federal

funding as communities working together. He stated when you put all this together it becomes a corridor management plan and all the members of the group have endorsed it. Now he is here to get the Town Board's support for a resolution that has been presented to the board.

Supervisor Leifeld asked what the time limit is for Town Board action. Mr. Manning responded there is no time limit. Supervisor Leifeld stated the last couple of months have been a bit hectic with FEMA issues and he hasn't had a chance to read through the entire thing. He asked about Shandaken's concern about the sign issue. Peter Manning stated that since you are in the Catskill Park then you are not allowed an off premise sign—an advertisement for your business that is not on your property. He noted the law is already in effect in the Catskill Park and the DEC is the one to enforce this.

Board Member La Monda stated he does have a problem with the draft resolution where it says the town will not issue permits or permission to construct new outdoor advertising off-premise signs along the byway. He stated he also has not yet had a chance to read the entire document. Peter Manning stated this is the only phrase that comes from the State as a requirement that there are no off premise signage or billboards. Board Member Burkhardt asked if the signs that are grandfathered in will stay grandfathered in. Mr. Manning stated that all off premise signs have been documented and will be grandfathered in. He stated even if you don't adopt the scenic byway you still have to adhere to the state law that is already in place. Board Member Burkhardt stated that the town's zoning also restricts off-premise signs.

Helen Chase stated in the Town of Olive we only have one billboard left. She stated the sign inventory was done a year ago. Mr. Manning stated that religious and not-for-profit signs are not included. Robert Selkowitz stated the new Catskill Park logo signage has been installed and they are looking at ways to advertise on the main route for attractions that may be located off the main route. He stated we certainly should be recognized as the Catskill Park Scenic Byway and asked for it to not be put by the wayside. Peter Manning stated this project belongs to the communities and the communities have said that they want this.

Board Member Friedel asked about who decides about the qualified economic activities. Peter Manning stated that phrase was pulled from the NY City Watershed Agreement. He stated that basically the plan says we need to connect with our environment and focus on our natural resources. Board Member Burkhardt stated she believes that is referring to the previous paragraph and Belleayre. Board Member Friedel asked where the money is coming from. Peter Manning stated there is a requirement that if you want to have the designation then you have to show financial support. He noted there are a few projects they have done that have been done with volunteer help. He stated money is important but there are enough talented people in our community to make this happen. He stated the communities are not benefiting from the forest preserve if we don't acknowledge it. Board Member La Monda stated this plan would also include kiosks and picnic parks and who will pay for this. Peter Manning stated that would be up to the town to ask for the state to put in a fee for maintenance.

Cindy Johansen stated she has to hide her garbage can so people don't use it; so, if we have a park where do you think the garbage will end up. Peter Manning stated that perhaps a picnic park on Route 28 may not be needed, but, getting people to the forest preserve is important.

Daniel Elemendorf asked about any restrictions regarding election signs and off premise signs. Peter Manning stated the Collaborative asked the State Scenic Byway Director to explain this at a meeting and the only thing that would happen is what was previously stated regarding off premise signs.

Robert Selkowitz stated these are aspirations not restrictions. Daniel Elmendorf stated why do we need more laws when we already have these restrictions. Stephen Cadette asked why we need all these regulations. Glenda McGee stated that three years and 130 pages have produced nothing but a document of restrictions, control, and over arching regulatory policy. She stated she read nothing in this plan to get rid of this 13 member collaborative who want to encourage restrictions. Glenda McGee asked if anyone on the Town Board has served on the first aid unit as they are talking about traffic calming devices which are hideous inconveniences. She stated this document is so ripe with bureaucracy and impediments for democracy and infringes on businesses.

Bob Conyeya stated he has read all of this which is nothing but loss of local control. He outlined numerous issues in the document he has concerns about. He stated that a lot of the things the Town Board took out of the comprehensive plan are back in this document. He stated it is all about loss of local control.

Robert Selkowitz stated he is an artist on Route 28 for 15 years and in Andes for 5 years. He stated that he does not know how to categorize tourism; but, we have this 7,000 acre park we live in and no one on this collaborative wants to control any one. He stated that Peter Manning had to put this document together for the state and he feels it is a shame we have to prove that Route 28 is a scenic byway. Stephen Cadette stated he was up at the kiosk for two hours and no one looked at the sign. There were only dog walkers and another small group of people. Robert Selkowitz stated there are several scenic byways in NYS--Route 23A and Minnewaksa—noting it is just a way to give an entity some character. He stated that Route 28 has just had another traffic fatality and traffic calming could be a welcomed improvement. He asked people present to come to the collaborative meetings.

Glenda McGee stated she doesn't diagnose this audience for fear of another level of government and you say that state grants and federal grants are available; but, we don't want federal money. She stated that Helen Chase's partner has blood on his hands for not wanting cell service in Olive. Board Member Burkhardt stated that Helen did the most amount of work on obtaining cell service for Olive. Cindy Johansen stated that Helen Chase was responsible for moratorium after moratorium preventing cell service.

Gretchen Rae of Shokan stated she was a new resident of Olive and thanked Peter Manning for all his hard work. She stated she does feel that people here tonight deserve more respect from the community.

The following committee reports were submitted:

POLICE Commissioner La Monda submitted November report #89-11 showing a total of 106 calls for the month of November.

TOWN CLERK Rozzelle submitted report #90-11 showing \$11,440.67 in revenues for the month of November. She noted that beginning January 1st the Town Clerk's Office will be issuing burn permits during normal office hours. She also stated that the Onteora School District has donated a book from the Winchell School District from 1882 through the 1930's outlining meeting information and school attendance records. She stated a thank you would be sent to the Onteora District for donating this vital record to the Town Archives.

Supervisor Leifeld stated the fuel tanks were damaged during the flood and 75% of this will be paid by FEMA. He noted the town re-advertised for bids which were received as follows:

APECCO	\$71,726.00
Northeast Petroleum Technologies, Inc.	\$69,200.00
EnvironClean	\$71,500.00

On a Leifeld/La Monda motion the Town Board approved the lowest bid of \$69,200.00 from Northeast Petroleum Technologies, Inc.

Supervisor Leifeld stated that FEMA has two programs, residential and municipal, and at this point as of December 2nd FEMA (#91-11) has expended the following funds to nongovernmental applications:

Boiceville	32 applications	\$121,466.00
Krumville	3 applications	\$ 8,976.00
Olivebridge	48 applications	\$134,488.00
Shokan	28 applications	\$ 58,632.00
West Shokan	44 applications	\$142,929.63

Supervisor Leifeld stated that the CWC has funded six businesses in Boiceville in the amount of \$164,000.00. He stated the town has been told by FEMA and NRCS (National Resources Conservation Service) that we are one of the first towns to have our paperwork in and that's why the money has been fast coming to town residents.

Supervisor Leifeld stated that he doesn't know where we are with the Watson Hollow area. He stated the first FEMA group designated 18 sites, the second group came in and there is only 1 site. As far as FEMA is concerned, it doesn't look like they are going to help us too much. He stated that nothing on the Maltby Hollow Stream qualifies; but, Watson Hollow, yes. He stated that Watson Hollow Road not being a town road then the county must be the sponsor for the project. He stated there is then a ten year agreement for the county to keep the rip rap and everything in place once the repairs have been made. He stated our consultant has been wonderful; but, hopefully, we'll get as much as we can get and get it cleaned out. He stated we received bids from national firms and since FEMA disallowed all but one of the sites these firms don't want to come in to do this. Board Member La Monda stated FEMA recently changed us to another category. It was noted the only site that FEMA approved is by Valerie Griffin's place on the Bushkill.

Board Member La Monda stated if we do the whole stream then we are taking care of a potentially hazardous situation; but, if we piecemeal it, this won't improve the situation.

Ed Kahil asked how Tidal Basin gets compensated. Supervisor Leifeld stated the town is on the hook for this; but, he still feels that with the municipal damage to town roads and the fuel tanks then 75% of the fee should be paid by FEMA. Board Member La Monda stated we will probably know by the end of the week whether or not FEMA will change our category. Board Member La Monda stated that Dan Craig of Tidal Basin is working with FEMA to get us in to the recovery versus eminent danger category which would make the project feasible for a bidder to come in from out of state and do it.

Supervisor Leifeld thanked Henry Rank for his time served on the Town Board and service to Olive as member of the Fire Department.

All business pertinent having been discussed the Town Board adjourned at 9:15 pm on a Leifeld/La Monda motion in memory of Robert F. Adsit, Paul Donohue, Anna O. Lawrence, Travis Nissen, Milton E. Schedivy, Joseph D. Scholar, Jr., and Dominick Vanacore, Sr. On the same motion the Town Board requested a page in the Minute Book be reserved in honor of Robert F. Adsit.

Sylvia Rozzelle, Town Clerk

This Page Dedicated

In Memory of

Robert F. Adsit

Lifetime member of the Olive Fire Department

Active in Boy Scouts earning the rank
of Eagle Scout and being a local troop
Scoutmaster

Member of the fraternal order of the Masons

Served as Town of Olive Town Board Member
and
Police Commissioner