

Town of Olive  
County of Ulster  
State of New York  
Monday, February 13, 2012

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, February 13, 2012, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present:           Berndt Leifeld, Supervisor  
                                  Donald VanBuren, 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 and Drew Boggess, Planning Board Chairman

The Town Board audited the bills for the month of January and reviewed the proposed agenda for the February 14<sup>th</sup> meeting.

Town Clerk Rozzelle provided information to the Town Board regarding proper records management procedures for town emails. She stated that any email regarding town business written or received by a town official, elected or appointed, is a town record subject to FOIL requests and NYS Records and Retention Schedule guidelines. She stated this would also apply to any letter or correspondence that is hand written or typed. NYS guidelines and policy suggests that emails received or written that apply to notice of meetings or announcements can be deleted as they are not considered a town record. All others, however, should be printed out and filed with the Records Management Officer. The correspondence will then be assigned its proper records retention code and retained for the appropriate attention period—most being six years. Communications regarding site plans, subdivisions, special use permits, building and zoning plans, ZBA applications and any other records series that is designated as “permanent” would be filed with the referenced file and retained as specified. She requested that all town officials print out their emails and file them with her quarterly as NYS says that messages should not remain in your mailbox for more than 90 days. She stated that though the State provides these guidelines a policy regarding proper use of town emails should be adopted.

Supervisor Leifeld reviewed an email from Charlie Blumstein dated February 10, 2012 and stated he would like to address his questions and concerns at tomorrow night’s meeting.

Board Member Burkhardt and Board Member La Monda stated that after the meeting on the Scenic Byway in Margaretville they both felt it would be beneficial if each Town Board member would review the plan, highlight their concerns, and then ask that public comment be sent to the Supervisor’s office. Board Member La Monda stated that the Clerk to the Supervisor would then put all this information together and send it to the Catskill Collaborative.

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

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Sylvia Rozzelle, Town Clerk

Town of Olive  
County of Ulster  
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Tuesday, February 14, 2012

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Members Present:           Berndt Leifeld, Supervisor  
                                  Donald VanBuren, 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; Drew Boggess, Planning Board Chairman; Bill Cook, Sole Assessor; Tim Cox, Town Justice; Stephanie Basalone, Zoning & Building Clerk; Carla Madsen, Assessor Clerk; Susan Horner, Supervisor Clerk; John Ingram, Code Enforcement Officer; Brenda Van Leuvan, Deputy Court & Deputy Town Clerk; Jennifer Vasta, Highway Clerk; Susan Henderson, Deputy Town Clerk; Tim Cox & Ron Wright, Town Justices; Janice Lanzarotta, Bookkeeper; Helene Grant, David Jones, Ed Maldonado, and David Sorbellini, Planning Board Members;

On a Burkhardt/La Monda motion the Town Board approved the January minutes as submitted by the Town Clerk. Town Clerk Rozzelle entered correspondence #11-12 from Glenda McGee which stated that Ms. McGee was told the December 13, 2011 minutes quoting her are incorrect. She writes "At the meeting with the CCCD Regional Planner, I said to Helen Chase (this can be verified with the video posted by Cindy) "You could have blood on your hand. Not you Have. It was not addressed to Mr. Selkowitz."

The following correspondence was read and filed:

#12-12

Supervisor Leifeld stated Mr. Doug Warden is present this evening to present an application for T-Mobile to install antennas on the existing 140 ft. tower on High Point Mountain. Mr. Warden stated T-Mobile simply wants to add an antenna to the existing tower noting there are four other ones there now. He stated that by locating on the existing tower it would alleviate the need for another tower. On a Leifeld/La Monda motion and unanimous roll vote the Town Board approved accepting the application presented by T-Mobile. Roll vote being: VanBuren, yes; Burkhardt, yes; La Monda, yes; Friedel, yes; and Leifeld, yes.

Mr. Selkowitz asked about carriers on why we can't get Virgin Mobile. Board Member La Monda stated that the reason they aren't on the tower is that they haven't requested being there. He stated that if Virgin Mobile had presented an application before T-Mobile then they would be on the tower. Ms. Purdy stated since this tower is full is it possible to get another tower on the other side of the mountain. Supervisor Leifeld stated whether this tower was full or not it would take another tower on the other side of the mountain since the Samsonville area can't get any service from this one. He noted that service for Samsonville would probably have to come in from an adjoining town. Board Member La Monda stated there hasn't been any interest lately from any of these companies to put up a tower and it would take a company to

build a tower to get carriers on it. He stated there were many companies several years ago; but, in the last couple of years there simply hasn't been any interest from cellular companies.

#### #13-12

NYS DEC Regional Director William C. Janeway stated that on January 13<sup>th</sup> regional staff from the NYS DEC and Ulster County Soil and Water Conservation met with a group of concerned property owners regarding large woody debris deposited in the Bushkill Stream located on State owned Forest Preserve lands along Watson Hollow Road. This woody debris was deposited as a result of Hurricane Irene. As a result of the meeting the DEC has determined to remove the large woody debris found within the stream channel beginning at the footbridge located on the High Point Trail near the Kanape parking area and continue northeast for approximately 2/3 mile to the State boundary.

#### #14-12

In response to a letter requested written by the Town Board to the NYS DOT regarding the need for a safety assessment of Route 28 through the Town of Olive the DOT responded by stating they conducted a comprehensive study with the three year accident history review indicating that the majority of accidents were vehicle/animal crashes. They state the accident rate for this section of Route 28 is just below the statewide average for this type of highway. They reviewed the most recent serious accidents noting that these traffic accidents were a result of driver behavior not deficiencies in the roadway features. A review of the speed limits on Route 28 found them to be proper and correct for the existing conditions. To mitigate some operational issues, the following actions will be taken as a result of their study: DuBois Road—adjust and upgrade the existing signing to better emphasize the intersection. Bonnie Brae Road/Longyear Road—install chevrons to emphasize the curve to eastbound Route 28 motorists. Town Clerk Rozzelle stated that Charles Schaller of the Ulster County Traffic Safety Board (UCTSB) contacted her on February 6<sup>th</sup> stating that he met with Mark Morano of the NYS DOT and they travelled Route 28 to review the roadway. He stated there isn't any physical problems with Route 28 since they put in the new shoulders noting that accidents have been primarily driver error and you can't fault the road for this. Mr. Schaller stated the Ulster County Traffic Safety Board did ask to extend the 45 mph zones in two places—east to Fabulous Furniture and east to DuBois Road—and both were turned down by the DOT. She stated that Craig Grazier of Shokan has recently been appointed to the UCTSB. Board Member La Monda requested this letter from the NYS DOT be forwarded to Mr. Grazier to insure the placement of a speed trailer at certain locations on Route 28 to emphasize the actual speeds that motorists are travelling.

#### #15-12

Gretchen Rae of Shokan thanked the Town Board and extends her gratitude for acknowledging the difficulties of the December 13, 2011 Board meeting. She stated a recent article in the WOODSTOCK TIMES stated the Town Board addressed during the January 2012 meeting their concerns regarding the behavior of townspeople at the December meeting. She stated that differing opinions are valuable and useful; but, believes that voices can only be heard correctly if opinions are given in a respectful tone and with thoughtful responses.

Supervisor Leifeld stated he received a lot of phone calls about the December 13<sup>th</sup> meeting with many wanting the board to implement Roberts Rules of Order. He stated that reading it he feels that these rules are too restrictive and something the town doesn't need. He stated we need to have participants address the Town Board and not back and forth between the public. He stated speakers will be given five minutes. He stated that hopefully we can get back on keel again. He stated he would like to see that people turn off their cell phones and stop the texting back and forth on what to say. We're all Town of Olive people and we all pay taxes. He stated

that to live in this town his drive is to keep the taxes down and everyone who sits on this board feels that way. He stated he doesn't have any further ambitions and all we want to do is help the town. He stated the Town Board doesn't come to these meetings and sit up here and take the people calling us corrupt. He stated it would be nice to get back to the way it was noting we can all disagree but it's not necessary to call this administration corrupt. He addressed Charlie Blumstein by stating that he has five minutes to respond. Charlie Blumstein stated he has been ordered to remain silent while the litigation is being prepared. Supervisor Leifeld stated that a recent email from Charlie Blumstein called this administration corrupt. Charlie Blumstein stated "That's true" and we will prove that.

Supervisor Leifeld stated a letter was received from NY State requesting an update on the Board of Ethics members. On a Leifeld/La Monda motion the Town Board confirmed the existing members of the Board of Ethics—Arthur Sampsen and Bob Overton—and appointed Sylvia Rozzelle as the law states a town employee is required to be on this board. These members serve at the pleasure of the board and have no term limits.

On a Leifeld/La Monda motion the Town Board approved payment of the following audited bills: Highway Vouchers #1-48, \$36,847.38; General Fund Prepaid Voucher #1-#4, \$7,850.27; General Fund Vouchers #5-#68, \$188,461.30; Special Fire Voucher #1, \$119,419.96; Special Lighting Prepaid Voucher #1, \$55.13; Special Lighting Voucher #2, \$56.31; Special Wastewater December 11<sup>th</sup>, \$24,144.51; and Special Wastewater January 12<sup>th</sup>, \$34,381.76.

Supervisor Leifeld noted cash received for December 2011 was \$144,716.52 and interest for December 2011, \$662.29.

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

Transfer \$465.00 from A1990.4 Contingency to 3310.4 Traffic

Transfer \$2,337.00 from Reserve Boiceville Storm water O & M to 8140.4 Storm Sewers

Supervisor Leifeld stated the Town Board advertised for members on the Board of Assessment Review and the Planning Board.

On a Leifeld/La Monda motion the Town Board appointed Dan LeFever to serve as member of the Planning Board. He will fill the unexpired term created by Robert Tischler's resignation. His term will expire 12/31/13.

On a Leifeld/Burkhardt motion the Town Board unanimously approved the appointment of Heather Martin as member of the Board of Assessment Review. She will fill the term created by Bert Ketchum's resignation. Her term will expire 9/30/14.

Supervisor Leifeld stated that Charlie Blumstein requested being on the February 14<sup>th</sup> agenda to present a petition to the Town Board. (#16-12) Mr. Blumstein stated the petition is coming next month.

Board Member La Monda stated that since Mr. Blumstein is apparently in litigation with the town we would like to have his attorneys' names in case we need to contact them. Charlie Blumstein stated the town will find out who his attorneys are when the town is served.

Charlie Blumstein asked when Supervisor Leifeld is going to answer his questions.

Ternice Winne stated she was present at the caucus when Charlie Blumstein gave a nice nomination for Berndt Leifeld. She asked why he is in such an uproar now. Charlie Blumstein responded that Berndt Leifeld has a wonderful legacy that is being destroyed by malfeasance and that will all be made public soon.

Supervisor Leifeld stated he would like to enter into the Minutes all correspondence (#17-12) comprised of twenty-three (23) pages received from Mr. Blumstein over the past few months. Supervisor Leifeld introduced correspondence #18-12 from Charlie Blumstein dated February 10, 2012 and responded to his first concern by stating that he is not a computer expert but believes that Mr. Blumstein can ask for a receipt when the recipient receives the email. He stated that he is not putting people to work to answer his emails or those from anyone else. Mr. Blumstein stated that was fair enough. Supervisor Leifeld stated that Mr. Blumstein can always pick up the phone and talk to him.

Supervisor Leifeld stated regarding Mr. Blumstein's statement that "I have not received any communication from Justice Cox. Our attorneys have said that a letter of recusal in such a matter is routine. Please advise us as to whether it will be forthcoming. (we now assume that an order will be needed to accomplish this)" he spoke with Town Justice Cox and there is no legal reason that he has to do this. Charlie Blumstein stated that is correct but he can seek an order to have him issue an order of recusal because he was told by Tim Cox he better not show up in his court room because of when the comprehensive plan unfolded. Supervisor Leifeld stated that Tim Cox has nothing to do with the master plan. Charlie Blumstein stated that he appears before the Town Board to get resolutions passed and the CWC is the one financing the CCC and the Byway. Supervisor Leifeld stated that Tim Cox does not vote on anything at the CWC, the CWC board does.

Town Justice Tim Cox asked for the privilege of the floor stating he lives in Shokan and can assure the Town Board and everyone here that he did not make any threats to Mr. Blumstein regarding his court or his conduct therein and wouldn't even say such a thing in jest.

Charlie Blumstein stated there is a steady flow of him being libeled. He stated he has been libeled for years as he is into transparency and not everyone here is.

Board Member La Monda asked for an example of the libel. Charlie Blumstein stated his publisher tells him that an elected official says that he's mentally ill and not on his meds and most libel occurred during this past election. He stated the Byway and the Comprehensive Plan are the main things here. Supervisor Leifeld stated since Mr. Blumstein is bringing up the election, this past election wasn't the nicest on him either and he's been through a few. He stated this is all nonsense and has had as much directed at him personally as anyone else.

Continuing with Mr. Blumstein's February 10<sup>th</sup> letter, Supervisor Leifeld stated Mr. Blumstein requested he reserve the school auditorium for this meeting. Charlie Blumstein responded that is for March, not tonight. Supervisor Leifeld stated that correspondence from Mr. Blumstein dated February 14<sup>th</sup> clearly states for tonight's meeting—the same date the petition was to be presented.

Supervisor Leifeld addressed Mr. Blumstein's request "to effect the proposed staff change at the Planning Board" by saying that you're asking the Town Board to fire someone and have yet to give the Town Board a why, when, how, or what did he do to deserve this. Mr. Blumstein replied that when he lines up the documents and puts them on the website the board will see.

Mr. Blumstein questioned when he can see the 2009 minutes. Supervisor Leifeld stated that the records were in the process of being filmed and the town had to pay \$75.00 to get them returned so that he can review them. Supervisor Leifeld asked Mr. Blumstein when he is giving the town the reason you want this person off the Planning Board. Charlie Blumstein stated the records are so voluminous that it takes time to go through them.

Regarding bylaws, Supervisor Leifeld stated the town is governed by volumes of state laws.

Supervisor Leifeld stated that Mr. Blumstein states he has contacted the County District Attorney, the State Attorney General, THE MIDDLETOWN RECORD, and the Sheriff's Department for a candlelight ceremony at Rotron; but, he has not heard from or been contacted by any of these people. He stated it's all nonsense and addressed Charlie Blumstein saying spend his money, spend the town's money; but, if he takes the town to court he "ain't" letting up.

Supervisor Leifeld presented Resolution #6 of 2012 Adopt Schedule of Park Fees. On a Leifeld/Burkhardt motion and unanimous roll vote the Town Board approved Resolution #6 of 2012. Roll vote being: VanBuren, yes; Burkhardt, yes; La Monda, yes; Friedel, yes; and Leifeld, yes.

Peter Friedel introduced Resolution #7 of 2012 Supporting a Recommendation to Eliminate the Three (3) Elementary School "Bookends" Plan from Consideration by the Onteora Central School District. Board Member Friedel stated the school board has proposed a "bookends" plan which will split the children up in Olive and send them to Woodstock and Phoenica. Board Member Friedel moved to approve Resolution #7 of 2012. This motion was seconded by Board Member VanBuren.

Board Member La Monda stated he would like a discussion. He stated his concerns go back many years with the school board as it was an unwritten agreement that we don't get into the school's affairs and they don't get into our affairs. Because we have an agreement with the City of NY doesn't mean that the large parcel issue will go away. He stated he would like to have something on our side in that we don't get into the school's business. He stated he'd be happier to address fiscal issues as he doesn't feel adequate to make a determination as to what's best for the children.

Board Member Friedel stated the Onteora School Board sent letters and asked each one of the Town Board members to attend their meetings and weigh in on what was said. He stated that most people at that meeting were saying the plan was wrong. He noted Shandaken passed a resolution and Woodstock did also regarding Zena. He stated that what they are doing is splitting up children in Olive and will be costing us more money.

Board Member La Monda stated there is a fiscal responsibility but the 2% tax cap addresses that issue. He stated he understands that Phoenica has the concern of losing a school.

Board Member Burkhardt stated she does not feel qualified as a Town Board member as far as curriculum and how the school board decides to do their job. It has been a long standing understanding that we don't involve ourselves in their business just as they wouldn't tell us how to run our zoning department or any of the regulations in town. She stated that Bennett Elementary is remaining open and it should be pointed out that Zena school is not in the Onteora District. She stated she just doesn't feel we have the expertise to make that determination.

Town of Olive  
Resolution #6 of 2012  
Adopt Schedule of Fees  
Pursuant to Chapter 91 of the Town of Olive Code

WHEREAS, the Town of Olive Code Chapter 91-2 provides for a single comprehensive schedule of fees and charges to be levied in the administration of town laws, ordinances, regulations and resolutions; and, that schedule shall be set forth in a resolution to be adopted by the Town Board; and,

WHEREAS, Chapter 91-2 of the Town of Olive Code requires annual review and updating of fees consistent with the annual budgeting process, based on the actual costs to the town of providing those services, by the simple process of adopting and amending, from time to time, a resolution containing such fees; and,

WHEREAS, Chapter 91-3 of the Town of Olive Code states that fees or charges currently levied in other regulations that are not included in this revised fee schedule shall remain effective pending incorporation in this standard schedule.

THEREFORE, BE IT RESOLVED, the Town Board of the Town of Olive adopts the following schedule of fees and charges for parks usage, summer recreation camp, and the swimming pool to become effective for the 2012 season forward or until such time the schedule is updated:

Swimming Pool Fees

Day Use Fees: Adult \$3.00 & Children (under 12) \$2.00  
Season Fees: Single Pass \$45.00 & Family Pass \$75.00  
Guests of Residents: Adults & Children \$5.00

Summer Recreation Day Camp

One (1) Child: \$30.00  
Two (2) Children: \$50.00  
Three (3) Children or More: \$70.00

Park Usage Fees

Park Deposit: \$200.00 (Park Deposit is refunded if park is left clean and free of all party associated trash. A fine of \$25.00 per bag for trash left behind will be charged. All park reservationists are required to pay the Park Deposit fee.)  
Park Rental Fee: \$100.00 per park reservation. (Special circumstances will be considered on a case by case basis.)

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

Dated this 14<sup>th</sup> day of February, 2012

\_\_\_\_\_  
Sylvia B. Rozzelle, Town Clerk

Resolution #7 of 2012

Town of Olive Resolution Supporting a Recommendation to Eliminate the Three (3) Elementary School "Bookends" Plan from Consideration by the Onteora Central School District

WHEREAS, the Bennett Elementary School is located in the Hamlet of Boiceville within the Town of Olive; and

WHEREAS, the Town Board of the Town of Olive recognizes the need for fiscal responsibility during these difficult economic times and strives to ensure that each dollar of Olive taxpayer money is spent in the most efficient way possible; and

WHEREAS, the newly imposed Tax Cap Legislation reduces the amount of revenue made available through taxes; and

WHEREAS, the Onteora Central School District Board hired a consultant to perform a cost analysis of the school district and recommend ways to ensure the financial viability of the District; and

WHEREAS, the consultant recommended elementary school right-sizing as a means of meeting those goals; and

WHEREAS, the Onteora Central School District Board of Education is currently considering three different plans that re-structure the make-up of the District's three elementary schools for the school year 2012-2013; and

WHEREAS, one of those plans under strong consideration by the Onteora Central School District Board of Education is known as the "Bookends" plan which requires that the three facilities in current use continue to be fully maintained and staffed despite the drop-off in enrollment that has rendered the need for all of this square footage superfluous; and

WHEREAS, two other modeling plans under consideration require the continued staffing and maintenance of only two of the current facilities; and

WHEREAS, Boiceville was chosen as the geographical center of the school district at its inception; and

WHEREAS, the Bennett Elementary School currently serves as a central meeting place and community center offering athletic, education and social programs during the afternoons, evening and weekends for all of Olive's children and for all residents of the District; and

WHEREAS, all of the youngest children in our Town are currently educated together at the Bennett School; and

WHEREAS, The Town of Olive lacks a town village or center that could duplicate these services; and

WHEREAS, the "Bookends" Plan is not likely to be fiscally sustainable for more than two years; and

WHEREAS, to re-structure the district again in such a short period will create unnecessary costs; and

WHEREAS, the current Transportation plans for the "Bookends" model draws a line directly through some of the individual hamlets in the Town of Olive, sending some children to one elementary school and neighboring children to the other; and

WHEREAS, the forced separation of the children in any town has never been done in any previous reconfiguration or school closing; and

WHEREAS, the absence of a K-3 school in the Town, the extended travel times and the separation of the Town's children would all have a drastic and negative impact on the property values in the town of Olive; and

WHEREAS, the "Bookends" Plan is the most expensive plan under consideration by the Onteora Central School District Board of Education;

THEREFORE, BE IT RESOLVED, the Town of Olive Town Board requests the Board of Education of the Onteora Central School District reject the "Bookends" Plan or any plan that is not responsive to the study and its recommendations and that blatantly disregards the financial burdens born by the property owners in our school district and more specifically the Town of Olive.

BE IT FURTHER RESOLVED, that we strongly encourage the Onteora Board of Education to seek solutions that will exhibit fiscal responsibility as well as keep the Town of Olive's children together.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to each member of the Onteora School Board of Education, Superintendent Phyllis McGill and the Supervisor in each of the school district's member towns.

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

Dated this 14<sup>th</sup> day of February, 2012

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Sylvia B. Rozzelle, Town Clerk

Judith Boggess stated she was product of the Kingston consolidation in the 60's and to this day she doesn't go to any reunions. She stated that is because they split that community down the middle. She stated she was rejected because there were these cliques and was never accepted, the Kingston group went first and the Rosendale group next.

Mary Ann Shepard stated she supports this resolution because the Board of Education is almost totally members from the Town of Shandaken. She stated they are not addressing the issue of fiscal responsibility further stating she feels that Olive needs to be vocal and at least make a statement that you stand with the parents in Olive.

Board Member Burkhardt stated she would feel more comfortable saying that the Town of Olive would like to support their children; but, would not like to state how the curriculum should be handled.

Wendy Wolfenson stated as a parent of a Bennett child and a high schooler she noted it is a Shandaken School Board and the model they are proposing is the only one that will keep Shandaken open. She stated it will cost us a lot of money. She stated the resolution says nothing about curriculum, and, if we don't do something then we will use up our reserves to keep Phoenicia open and the district will be bankrupt in a few years. She stated we have the highest per student cost of any district at \$35,000.00 per student as most are around \$26,000.00. She stated they have numerous signatures on a petition and we need our town to support us.

Board Member La Monda stated on the second page, 1<sup>st</sup> paragraph, the second line states this plan could lead to poor academic performance and doesn't feel comfortable with this.

Kathleen Ruiz stated that many of her neighbors are educators and under no circumstances do they want to have their children split up. She states she understands the large parcel law as it really does affect us here and hopes the board can work with the complexity of this issue.

Sharon Wood, President of the Bennett PTA, stated when the Board of Education presented the proposal to them in November along with test scores, they had admitted there is no proof that this plan will improve scores. She stated that moving a 3<sup>rd</sup> grader and then again in 4<sup>th</sup> grade won't improve scores. She stated that Tuesday the 21<sup>st</sup> is the last school board meeting before the vote on this issue.

Al Studt stated we have to look at the fact that the school district needs to start closing some of these schools reiterating that the whole picture is we need to close a school. He stated we can't just sit back and do nothing. He stated if the Town Board can't agree with all of the resolution, then sit down, revise it, and do something to support the community.

Board Member La Monda asked where the information came from that this plan is the more expensive plan. Sharon Wood stated the consultant presented the report in September to the public and the Town Board received copies in December. She stated the information is from a report that the school board hired a firm to prepare.

Board Member Friedel stated when Dr. McGill and Dan Spenser came to the Town Board in November they were not supportive of the "bookends" plan at that time; but, they changed their minds since the current board is technically a Phoenicia board.

Wendy Wolfenson stated they are telling us that the plan is more expensive; but, not that much more; but, the money they will need to put into the building is extensive. She stated that even their numbers say it's a more expensive plan.

Supervisor Leifeld stated that somewhere he heard that if they close Phoenicia school it could save a million dollars. Wendy Wolfenson stated it will save \$800,000.00 the first year plus the infrastructure cost of a million dollar renovation. She stated this doesn't count the boiler which needs replacing and with the State financing that then it will tie you up into not being able to close the school.

Board Member La Monda stated on the second page, first paragraph of the resolution he is not comfortable with the second line. He suggested a period after the first line.

Board Member VanBuren made a motion to remove the first paragraph on the second page. Board Member Friedel seconded this motion. Board Member La Monda stated he would leave the first line and remove the second line of that paragraph. In agreement to this, on a VanBuren/Friedel motion the Town Board unanimously approved Resolution #7 of 2012 Supporting a Recommendation to Eliminate the Three (3) Elementary School "Bookends" Plan from Consideration by the Onteora Central School District. Roll vote being: VanBuren, yes; Burkhardt, yes; La Monda, yes; Friedel, yes; and Leifeld, yes.

Steve Cadette stated there are two seats on the school board open and election is May 15<sup>th</sup>.

David Sorbellini thanked Board Member Friedel. He stated he got the impression that the Town Board was going to sit back and do nothing. He stated our children are our most precious aspect and thanked Board Member Friedel for stepping up.

Supervisor Leifeld stated that when he came here tonight he didn't know how he was going to vote; but, after tonight's meeting he was able to make his decision and thanked those for being here presenting their views.

On a Leifeld/Friedel motion the Town Board requested a letter of thanks be sent to Sgt. CJ Polacco for training the Town in the NIMS Program.

Supervisor Leifeld stated that Robert Selkowitz of the Central Catskill Collaborative requested commenting to the Town Board.

Mr. Robert Selkowitz recognized Helen Chase as the other Olive member on the Central Catskills Collaborative, Peter Manning who is no longer on the staff at the CCCD and Carol O'Beirne, Chairperson of the Central Catskill Chamber of Commerce. He stated there has been a lot of entanglement of the Scenic Byway with the Town Comprehensive Plan. He stated the Collaborative is a group of seven municipalities along the Route 28 Corridor and one of the projects they came up with is a Scenic Highway designation. His initial reaction was why do we have to prove that the highway through the Catskills is scenic as it is so obvious. In putting the draft together there was suspicion in the wording and he understands the fear and resentment due to taking of lands. The Scenic Byway is not a finished plan, it is a draft and subject to change. The Byway has no authority to change anything, the local zoning boards and planning boards have control. The Town of Andes supported the Byway designation this afternoon. Fleischmanns, Margaretville, and all of Delaware County have approved going forward with this application. The application is non-binding and it is a participatory program. If you feel suspicious about it come to the Collaborative and talk about it. He gave out his home address

and phone number. He stated that page 103 was singled out because it mentions other examples of over arching organizations. The Scenic Byway is for tourism and enjoyment of people, including its residents. He stated the kiosk in Shandaken tells you something about the area. We're in a state park. Nothing in the byway is any stricter than what we already have. He believes that what he is doing has possible benefit, if we act on it. It could be the beginning of the next ice age before the State acts on it. We have a smooth road, now let's try to smooth out some of the vacant properties along Route 28. He stated he wants to separate the scenic byway from the other documents it is being confused with.

Board Member La Monda stated he and Board Members Burkhardt and Friedel went to the recent meeting of the Collaborative. He thanked the Collaborative as he had an entirely different feeling after leaving the meeting. He stated he appreciated Mr. Selkowitz's candor. He stated that after all three Town Board members attended the meeting they all felt the byway is positive; but, the document needs to be tweaked. He stated if board members will highlight what they don't like, give it to Clerk to Supervisor Sue Horner, then it will be presented to the Collaborative and they will address these issues. He stated he would like to see references to EEOA and Tug Hill and issues about shared driveways taken out. Board Member Friedel stated he would like to have public input also. It was suggested that public comments be sent to the Supervisor's Office.

Kathleen Ruiz thanked the citizens of our community for their work on our behalf. She stated that we could use something here to help businesses and community.

Charlie Blumstein stated on page 83 of the Byway plan the Catskill Access Plan from 1999 is mentioned and he has not been able to locate this document and hasn't been able to locate the SEQR documents for the byway plan. Peter Manning stated that it is not necessary to do SEQR on the Scenic Byway Plan.

Glenda McGee stated that to many people who haven't read this plan it sounds great. It's not just a corridor; it's anything adjacent or visible. The implication is that you're talking about Route 28 and a tremendous part of Route 28A. She stated the title itself it misleading.

Mr. Selkowitz stated the Catskill Mountains Scenic Byway is specifically designed to be open ended to capture that. You want to give tourists a reason to stay in the area. The corridor is specifically open ended by definition because the people who drafted the plan wanted it that way. It would be a greater draw to include these scenic locations adjacent to the corridor. Mr. Selkowitz stated the promenade and the top of the dam is a way of making that acceptable.

Board Member La Monda stated it's important to remember that what we are reading is a draft plan. It means we have work to do with it; but, it's a workable plan.

Charlie Blumstein asked where the 1999 Access plan is to which Mr. Manning stated he has his personal copy. Mr. Blumstein asked for Mr. Manning's copy to which he responded he would be glad to make a copy for Mr. Blumstein tonight if there is a copy machine available.

Charlie Blumstein stated it's been three and a half years and we don't have a copy of this plan.

Glenda McGee stated this is the legislative equivalent of a contract. The notion of you people not having read something that is a part of it and then you're going to make a commitment and reshape this document. Secondly, pulling apart the Comprehensive Plan from the Byway Plan—they are hand in glove—an invasive zoning oversight. She stated that the plan is seeking

to destroy the small farmer. She stated in looking at these plans you have to step back. There is a concerted push nationwide to replace local government with local boards. She stated the recommended roundabouts, which are designed to coerce people out of their cars, causes a change in the American lifestyle. She stated the Master Plan mentions public housing. She stated we do not need regional boards or agencies. The Collaborative is interested in consolidation, mergers, and dissolutions.

Mr. Zellefrow stated he thanked Robert Selkowitz and Peter Manning for their work in trying to see that their work is accomplished.

Supervisor Leifeld asked what happens when towns vote against the Byway Plan and how that impacts the entire project.

Mr. Selkowitz stated that curb cuts and bump outs were specific to an area in Kingston and also in Boiceville, but, feels that this distracts from the real aspect of the Byway plan. They want to limit it to what it is and not lose local control.

Peter Manning thanked the Town Board for being a part of the process noting it has been marked by public participation since 2008. The whole entire process has been open from the beginning and doesn't get started until all the towns agree to participate. In 2008 when he came to the Olive Town Board they put two people on the Collaborative and agreed to go in that direction. When they planned a scenic byway project they came back to the Town Board again and they said yes, again. He stated that economic depression has hit this area and we have put something together that can help this area. He stated they will address and amend concerns.

Charlie Blumstein stated that Olive had a \$43,000.00 grant to the town and didn't use it and asked what is up with the grant and can it still be used. Helen Chase responded, yes, it is designated for the same project of a picnic park. Mr. Blumstein asked who is in charge of the grant to which Ms. Chase responded Dylan Walrath is the one in Albany from the DEC saying grant funds are still viable.

The Town Board dismissed with committee reports with the following reports filed: Recreation report #19-12, Police Department report #20-12, Town Clerk report #21-12, and Highway Department report #22-12.

Drew Boggess stated he needs to say something as he has been under attack personally from Charlie Blumstein since August. He noted that Charlie Blumstein wrote an article in the February 9<sup>th</sup> issue of the TRI VALLEY TOWNSMAN (#23-12) and read from the article: "A group of Olive citizens plans to graciously and with much care and compassion request a change of the Olive Planning Board Chairman, Mr. Boggess..". He stated that contrary to what Charlie Blumstein stated earlier it ends this way "Olive neighbors will be attending the March 2012 Olive Town Board meeting for the purpose of checking on progress made under the Planning Board renovation program, to be initiated at the February Olive Town Board meeting." He stated he has personally been under attack by Charlie Blumstein since August of last year. He stated it's not good for him personally, not good for the town, and not good for the Town Planning Board. He stated that Charlie Blumstein has yet to accuse him of anything that he can address. He stated he has done nothing wrong, nothing illegal, or anything unethical regarding the town. He asked the Town Board with whatever power they may have to either have Charlie Blumstein to put up or shut up.

Charlie Blumstein stated he will put up with papers served within 60 days from today.

All business pertinent having been discussed the Town Board adjourned at 9:30 pm on a Leifeld/La Monda motion in memory of John Adsit.

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Sylvia Rozzelle, Town Clerk