

Town of Olive  
County of Ulster  
State of New York  
Monday, June 11, 2012

Minutes of the monthly audit meeting of the Town Board of the Town of Olive held Monday, June 11, 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 Rozzelle, Town Clerk  
Others Present:     Drew Boggess, Planning Board Chairman

Supervisor Leifeld discussed the agenda and resolutions to be presented at the June 12<sup>th</sup> Town Board Meeting.

Town Clerk Rozzelle presented the work-related record of activities' calendars submitted by Town Board Members VanBuren and Friedel, and recertification form #RS2419 submitted by Town Justice Ronald Wright. It was noted that the Town Board should review the calendars prior to passing the Standard Work Day and Reporting Resolution form #RS2417-A.

Supervisor Leifeld noted there will be a Scenic Byway informational meeting sponsored by the Catskill Collaborative for the towns of Olive, Hurley, and Shandaken on June 19<sup>th</sup>, 1 pm at the Town Meeting Hall. He stated the byway plan is still being revised and asked if the Town Board's position is still to not make any determination until the plan is finalized. The Town Board was in agreement.

Town Clerk Rozzelle reminded Town Board members that their individual work related emails, both incoming and outgoing, should be filed with the Town Clerk every ninety days with the next filing due date being June 30<sup>th</sup>. She noted that these town records must be made available for Freedom of Information Law requests and will primarily be filed under NYS code 10.10 [b] which requires these records be retained for six years. She reminded Town Board members that the town owns all emails that they create and receive in conducting of town business.

All business pertinent having been discussed the Town Board adjourned at 8:10 pm on a Leifeld/La Monda motion.

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Sylvia B. Rozzelle, Town Clerk

Town of Olive  
County of Ulster  
State of New York  
Tuesday, June 12, 2012

Minutes of the monthly meeting of the Town Board of the Town of Olive held Tuesday, June 12, 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 Rozzelle, Town Clerk

Others Present:       Bill Cook, Sole Assessor; Drew Boggess, Planning Board Chairman;  
Gene Sorbellini, Recreation Director;

On a Burkhardt/Friedel motion the Town Board approved the May minutes as submitted by the Town Clerk.

The following correspondence was read and filed:

#68-12

The USDA Natural Resources Conservation Service along with Ulster County Soil and Water were involved with Olive after Hurricane Irene in surveying the Bushkill Creek as sites that might be taken care of by NRCS. This work would involve doing long term restoration that would be necessary. In our case the NRCS did not deem it necessary. He stated that he has spoken with Ulster County Soil & Water and there is an appeal procedure.

Under New Business: Supervisor Leifeld noted there will be a Primary Election for Republicans and Democrats on June 26<sup>th</sup>. All polling places will be open from noon until 9 pm.

He noted the Central Catskill Collaborative will be having a meeting at the Town Meeting Hall on June 19<sup>th</sup> at 1 pm. He noted that NY State representatives will be present.

On a La Monda/Burkhardt motion the Town Board approved payment of the following audited bills: Highway Vouchers #181-#234, \$233,024.78; General Fund Prepaid Vouchers #196-#197, \$356.00; General Fund Vouchers #198-#262, \$137,381.26; and Special Lighting Voucher #6, \$53.43.

Supervisor Leifeld stated that April cash received totaled \$30,452.53 and April interest received totaled \$638.86.

On a Leifeld/Burkhardt motion the Town Board approved the following budget modification:  
Transfer \$86,740.00 From Reserve "A" (Equip.) to 5130.2 Machinery (Equip.)

On a Leifeld/La Monda motion the Town Board approved the following budget modification:  
Transfer \$128.00 from 1620.4 Buildings (Cont.) to 1720.2 Buildings (Equip.)

Supervisor Leifeld introduced Resolution #11 of 2012: Alternate Appointment to Ulster County Planning Board. On a Leifeld/La Monda motion and unanimous roll vote the Town Board appointed Dan LeFever as Alternate Member to the Ulster County Planning Board. Roll vote being: VanBuren, yes; Burkhardt, yes; La Monda, yes; Freidel, yes; and Leifeld, yes.

Supervisor Leifeld introduced Resolution #12 of 2012: NYS Retirement Standard Work Day and Reporting Resolution form RS 2417-A. On a Leifeld/Burkhardt motion and unanimous roll vote the Town Board approved Resolution #12 of 2012. Roll vote being: Van Buren, yes; Burkhardt, yes; La Monda, yes; Freidel, yes; and Leifeld, yes.

Under Old Business: Supervisor Leifeld stated that he, Deputy Supervisor La Monda, Planning Board Chairman Drew Boggess, and Attorney Peter Graham will be attending a law conference in Albany on June 15<sup>th</sup> on the issue of hydro-fracking.

Supervisor Leifeld introduced Christina Humberger who gave an update on hydro-fracking. She stated that ODAF is thrilled they will be attending June 15<sup>th</sup> but be aware that it is very heavy oil and gas industry who will have all their big guns there. She stated you will hear that it is safe and is good for the economy. She stated you will learn a bit about land use laws and ODAF is putting things together for the Town Board to review. The community bill of rights is something they have finished and thanked the Town Board for talking to the CDEDF.

Anne Hass stated the rights based ordinance is important because the zoning laws are based on State's rights and whatever the state gives they can also take away. The new zoning laws in Middlefield and Dryden regarding shale gas extraction could still be changed by the State. She noted this has happened in Pennsylvania which has taken these rights away from the towns and lets the state decide where fracking can take place. She stated this is a way of totally denying the rights that states had previously given to the municipality; but, it actually has happened and that is why we need the community rights based ordinance as it is based on the constitution and so far no one has overturned that.

Supervisor Leifeld stated the Town Board does not intend "not" to do this. He stated we would like to work on the two together and it is important to get it rewritten. He stated they had a teleconference this afternoon and there will be changes made. Board Member La Monda noted the revised law was just received via email.

Board Member La Monda stated it was indicated the zoning law should go first; however, since the zoning law could take some time the community rights law should take less time.

Supervisor Leifeld stated that Bill Ruge of the DEC and Nancy Alexander, NYS Scenic Byway Program Director, are the state reps the Catskill Collaborative will have at their meeting on the 19<sup>th</sup> of June. The Collaborative has invited three towns to attend, Olive, Hurley, and Shandaken. He stated the town offered the use of our building for the meeting.

It was noted that Relay for Life will be June 16<sup>th</sup> and 17<sup>th</sup> at Grant Avery Park in Shokan. Opening ceremonies will begin at 11 a.m. with cancer survivors being provided a lunch. Grand Marshall, Pat LaGorga and Caregiver Survivor, Margaret Jones will be honored.

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Resolution #11 of 2012  
Town of Olive Recommendation for  
Appointment of Alternate to  
Ulster County Planning Board

Whereas, pursuant to Ulster County Legislature Resolution No. 99 of 1963 and Resolution No. 259 of 1996, the Ulster County Legislature appoints members and alternate members to the Ulster County Planning Board, and

Whereas, appointment of members to the Ulster County Planning Board requires the recommendation of the local governing body, and,

Whereas, appointment of an alternate member to the Ulster County Planning Board requires the recommendation of the local governing body and the incumbent County Planning Board member; then,

Therefore, be it resolved, the following person is recommended for appointment as an alternate o the Ulster County Planning Board:

Daniel J. LeFever  
283 Mountain Road  
Shokan, NY 12481  
845-657-6826  
DJLeFever@hvc.rr.com

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

Dated this 12<sup>th</sup> day of June, 2012

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Sylvia B. Rozzelle, Town Clerk



Office of the New York State Comptroller  
 New York State and Local Retirement System  
 Employees' Retirement System  
 Police and Fire Retirement System  
 110 State Street, Albany, New York 12244-0001

# Standard Work Day and Reporting Resolution

RS 2417-A

(12/10)

BE IT RESOLVED, that the Town of Olive \_\_\_\_\_ / Location code 30480 \_\_\_\_\_ hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not Submitted (Check box if no record of activities completed or timekeeping system)
<b>Elected Officials</b>									
Town Board	Peter Friedel	[REDACTED]	[REDACTED]	7	1/1/12-12/31/15	N	4.05	<input type="checkbox"/>	<input type="checkbox"/>
Town Board	Donald VanBuren	[REDACTED]	[REDACTED]	7	1/1/12-12/31/15	N	1.72	<input type="checkbox"/>	<input type="checkbox"/>
Town Justice	Ronald C. Wright	[REDACTED]	[REDACTED]	7	1/1/12-12/31/15	N	4.21	<input type="checkbox"/>	<input type="checkbox"/>
<b>Appointed Officials</b>									
								<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>

If additional rows are needed, please use form RS2417-B and attach.

On this 12th day of June, 2012, \_\_\_\_\_ Date enacted: 06/12/2012

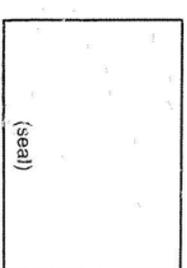
I, Sylvia B. Rozzelle, \_\_\_\_\_, clerk of the governing board of the Town of Olive \_\_\_\_\_, of the State of New York, do hereby certify that I have

compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 12th day of June, 2012 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the Town of Olive \_\_\_\_\_ (Name of Employer)

This document consists of 1 page(s) (see additional RS2417-B forms attached).



The following committee reports were submitted:

PARKS & RECREATION liaison Board Member Burkhardt submitted June report #69-12 noting the recreational staff has been hired for the summer program, the pool opened Memorial Day weekend, eleven Olive kids enrolled in the Barracuda Swim team, and summer recreation will run July 2<sup>nd</sup> through August 9<sup>th</sup>. She noted that a dedication of "Legends Rock" was held in Shokan Park with the names of Fred Tetta, Domenick Vanacore, and Cindy VanBuren being placed on the stone.

POLICE Commissioner La Monda submitted May report #70-12 showing 154 monthly calls for May.

FIRE DEPARTMENT May report #71-12 noted 42 responses by the five companies during the month. Town Clerk Rozzelle noted the installation of fire department officers was held on June 9<sup>th</sup> with Sonny Davis, Everett Cook, and Bill Osterhoudt being honored with 65 years of service in the department.

HIGHWAY liaison Board Member VanBuren stated that Highway Superintendent Jim Fugel is away at school and the recently purchased backhoe has been delivered.

TRANSFER STATION liaison Board Member Friedel submitted May report #72-12 showing total revenues of \$6,945.00 and \$6,432.30 in total expenses for the month.

TOWN CLERK Rozzelle submitted report #73-12 showing \$25,479.34 in monthly revenues for May. She stated that on June 8<sup>th</sup> all tax collections were settled with the Ulster County Department of Finance. She stated a new exhibit is being sponsored by the Ulster County Clerk's office and will run through August. Said exhibit will be at the Archives Gallery on the second floor of the main county building and will feature the Persen House Museum & Cultural Heritage Center located on John Street.

Carole La Monda stated that the American Legion recently recognized Town Clerk Sylvia Rozzelle with the award of being Citizen of the year.

Cindy Johansen asked if there is anything to be done about flood mitigation in Boiceville. She stated something has to be done to protect our business district as well as the homes along the Bushkill.

Supervisor Leifeld stated he has been talking to Ulster County Emergency Coordinator Art Snyder and as yet they have not come up with anything. He stated in spring there is a new round of grants coming out for which we might qualify. Supervisor Leifeld stated they always hear the same thing "there is no money". The Town has spent \$220,000.00 so far noting that FEMA isn't the golden egg in this town. He stated they were up on the Bushkill Stream with five different groups from the same agency and each group would tell you something different.

Cindy Johansen stated the flood mitigation issue in Ellenville took care of the problem. Board Member La Monda stated he isn't a stream mitigator; but, feels we're looking at multi millions of dollars of which the town would have to come up with 25%.

Board Member La Monda stated the Coalition of Watershed Towns (CWT) has been discussing negotiating with the City on a buy out or swap for land in flood zones. The buy out would be to take some of the land that the city bought and do a swap with land in flood zones. He stated

there may be places that qualify but would probably be geared more for residential. This is still being negotiated and may not even be worked out.

Supervisor Leifeld stated that all we can do is work with Art Snyder and see what's available. He noted he is in total agreement, but, the money not being available is the problem.

Board Member VanBuren commended Gene Sorbellini and Primo Strapoli for the plaque at Shokan Park for Cindy VanBuren, Dom Vanacore, and Fred Tetta.

All business pertinent having been discussed the Town Board adjourned on a Leifeld/La Monda at 8:25 pm in memory of Michael J. Gartner.

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Sylvia B. Rozzelle, Town Clerk