

Town of Olive  
County of Ulster  
State of New York  
November 12, 2013

Minutes of the monthly meeting of the Town Board of the Town of Olive held Tuesday, November 12, 2013, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present:           Berndt Leifeld, Supervisor  
                                  Don 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: Ronald Wright, Town Justice; Drew Boggess, Planning Board Chairman; Dawn Giuditta, Court Clerk & Town Clerk elect; Jim Sofranko, Town Board Member elect; Jimmy Fugel, Highway Superintendent; Tom Vasta, Police Chief; Scott Kelder, Town Board Member elect; Tim Cox, Town Justice; Chris Winne, Fire Chief; and Bill Cook, Sole Assessor

On a Burkhardt/VanBuren motion the Town Board approved the Minutes of the October meetings as submitted by the Town Clerk.

On La Monda/Friedel motion the Town Board approved payment of the following audited bills: Highway Vouchers #316-#349, \$173,612.57; General Fund Vouchers #476-#477, \$1,270.37; Special Lighting Prepaid Voucher #10, \$58.01; and General Fund Vouchers #478-#532, \$168,069.31.

Supervisor Leifeld noted cash received for September 2013 as \$188,000.11 and interest received for September as \$27.61.

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

- Transfer \$175.00 from 1990.4 Contingency to 1010.4 Town Board (Contractual)
- Transfer \$414.00 from 1355.4 Assessor (Cont.) to 1355.2 Assessor (Equipment)
- Transfer \$360.00 from Reserve "R" Records Management to 1460.4 Records Management (Cont.)
- Transfer \$2,000.00 from 1990.4 (Contingency) to 3120.4 Police (Cont.)
- Transfer \$1,400.00 from 1990.4 (Contingency) to Control of Dogs (Cont.)
- Transfer \$2,000.00 from 1990.4 (Contingency) to 6140.4 Home Relief
- Transfer \$410.00 from 7180.1 (Personal Services) to 7180.4 Pool (Cont.)

Supervisor Leifeld introduced and read Resolution #13 of 2013 Dedicate Hanna Lane as a Town of Olive Town Road. On a Leifeld/Burkhardt motion and unanimous roll vote the Town Board approved Res #13 of 2013. Roll vote being: VanBuren, yes; Burkhardt, yes; La Monda, yes; Friedel, yes; and Leifeld, yes.

Supervisor Leifeld introduced and read Resolution #14 of 2013 Adopt Local Law #3 of 2013 a Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c. On a Leifeld/VanBuren motion and unanimous roll vote the Town Board approved Resolution #14 of

2013 Adopting Local Law #3 of 2013. Roll vote being: VanBuren, yes; Burkhardt, yes; La Monda, yes; Friedel, yes; and Leifeld, yes.

On a Leifeld/La Monda motion and all ayes the Town Board unanimously adopted the 2014 Budget.

Supervisor Leifeld stated the contract for the Olive First Aid Unit is up for review and approval. Ron Wright, on behalf of Olive First Aid, stated the contract between the First Aid Squad and the Town of Olive was first signed in 1973 and is in need of being amended. He stated nothing was removed from the original contract but changes were made to correct the address and typographical errors plus information regarding 911 dispatch was added. He noted it also outlines what the First Aid Unit is responsible for. On a Leifeld/La Monda motion the Town Board empowered the Supervisor to sign the amended contract between the Town of Olive and Olive First Aid.

Supervisor Leifeld introduced Gary Alexander who made a presentation regarding smart meters being installed by Central Hudson. He stated as a journalist he always tried to be objective to present both sides of the issue but this does not have another side. He stated he would be remiss if he did not inform the Town Board about it. Mr. Alexander stated what they are proposing is a global electric grid predicting it will cost 6 trillion dollars to implement; however, it will be wireless. People are becoming ill because of the meters which are installed without people knowing about them. The old analog meters are being replaced with continuous energy which affects the body's cells and changes how bodies operate thus people are getting sick. It is cumulative with some people immediately reacting to it. They have a science going back to the 40's which is corporate science funded by industry with studies being designed for desired results. He stated that corporate science is ruling the day. He stated he has spoken with many people who have these installed and they can't do anything about it. Billions of taxpayer money is going into it. A lot of utilities are being taken over by international companies—one being Central Hudson. People at the core know this cannot work. Scientists have compiled reports showing overwhelming evidence of this effect. There are groups around the country rising up against wireless. There are companies giving incentives for solar panels so towns can grow their own power grids. Mr. Alexander requested the town look into the possibility of installing solar panels to provide electricity for our community. He stated this new system will collapse within the decade and they will have to do something else. He stated this should be community controlled and not petrol controlled.

The following committee reports were submitted:

POLICE Commissioner La Monda submitted October Police Department report #97-13 showing total monthly calls for service as 132 and total activity reported as 288.

HIGHWAY liaison Board Member VanBuren submitted October report #98-13 stating black topping has been finished around town, dead trees are being cut along the roadways, and trucks, plows and sanders are ready for winter.

TOWN CLERK Rozzelle submitted October report #99-13 showing \$12,993.11 in revenues received and disbursed.

FIRST AID UNIT report #100-13 showed a total of 994.4 miles travelled by the three ambulances with 4 Basic Life Support calls and 9 Advanced Life Support calls.

Resolution #13 of 2013  
Town of Olive  
Dedication of Hanna Lane as a Town of Olive Town Road

WHEREAS, the Town Board of the Town of Olive on October 8, 2013 unanimously approved Resolution #12 of 2013 Proposed Dedication of Hanna Lane as a Town of Olive Town Road; and

WHEREAS, said Resolution outlined terms and conditions for dedicating Hanna Lane as a Town of Olive Town Road; and

WHEREAS, these terms and conditions have been met to include a "T" shaped terminus for Hanna Lane to meet Town of Olive Highway Specifications, dedication of a permanent easement over a portion of Lot #7 of Las Acres, a title commitment to the fee and permanent easement portions of Hanna Lane is provided the Town of Olive, and the grantor owners of Las Acres shall provide at the owners'/grantors' expense, a title insurance policy insuring the Town of Olive interests, and

WHEREAS, the Town of Olive Highway Superintendent in correspondence dated October 28, 2013 states that Hanna Lane does meet the minimum standard requirements for a town road; and

WHEREAS, the owners of property have made Application to Lay Out Town Highway known as Hanna Lane; and

WHEREAS, Highway Superintendent James Fugel has executed an Order Laying Out Town Highway known as Hanna Lane.

NOW, THEREFORE, BE IT RESOLVED the Town Board of the Town of Olive does hereby approve the Dedication and Release of Lands for Town Highway known as Hanna Lane.

	Aye	Nay
Berndt Leifeld, Supervisor	<u>  x  </u>	_____
Don VanBuren, Board Member	<u>  x  </u>	_____
Linda Burkhardt, Board Member	<u>  x  </u>	_____
Bruce La Monda, Board Member	<u>  x  </u>	_____
Peter Friedel, Board Member	<u>  x  </u>	_____

Dated this 12<sup>th</sup> day of November, 2013

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Sylvia B. Rozzelle, Town Clerk

Resolution #14 of 2013  
Adopt Local Law #3 of 2013  
A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c

WHEREAS, the Town Board of the Town of Olive has considered Local Law #3 of 2013 A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c and received copies of said proposed local law at the October 15, 2013, Town Board Meeting; and

WHEREAS, the Town Clerk provided written notification of Public Hearing and copies of said proposed local law posted on the town website, and

WHEREAS, legal notice of the Public Hearing was advertised and the Public Hearing on proposed Local Law #3 of 2013 was held on November 7, 2013 with approximately 17 people in attendance and no public comments were offered,

NOW, THEREFORE, BE IT RESOLVED the Town Board of the Town of Olive adopts Local Law #3 of 2013 A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c.

	Aye	Nay
Berndt Leifeld, Supervisor	<u>  x  </u>	_____
Don VanBuren, Board Member	<u>  x  </u>	_____
Linda Burkhardt, Board Member	<u>  x  </u>	_____
Bruce La Monda, Board Member	<u>  x  </u>	_____
Peter Friedel, Board Member	<u>  x  </u>	_____

Dated this 12<sup>th</sup> day of November, 2013

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Sylvia B. Rozzelle, Town Clerk

Proposed Local Law #3 of 2013  
Town of Olive  
County of Ulster  
A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Olive pursuant to General Municipal Law 3-c, and to allow the Town of Olive to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Olive, County of Ulster is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law 3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Board Member La Monda stated the auction house on Route 28 burned down and the owner has been extremely ill and had no insurance. He stated there will be a fund raiser with a tentative date of November 30<sup>th</sup> at the Boiceville Inn.

Board Member La Monda stated that Carl Stone had been a member of the Olive Fire Department for 20 years and was instrumental in implementing the Fire Numbers program for the Town of Olive. On a Leifeld/La Monda motion the Town Board requested a page in the Minute Book be dedicated in Carl's memory.

All business pertinent having been discussed the Town Board adjourned at 8:10 pm on a Leifeld/La Monda motion in memory of Louise Becker and Carlton H. Stone, Jr.

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Sylvia B. Rozzelle, Town Clerk

This Page Dedicated

in Memory of

**Carlton H. Stone, Jr.**

Resident of the Town of Olive for 31 years

Olive Fire Department Member for 20 years

Volunteer for Little League

Olive Softball League 15 years

A volunteer with the American Red Cross and the United  
Methodist Church

Though he moved out of Olive to be closer to his family,  
he never moved out of our hearts.