

Town of Olive
County of Ulster
State of New York
Monday, August 10, 2015

Minutes of the monthly audit meeting of the Town of Olive Town Board, held Monday August 10, 2015, 7:00 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Sylvia Rozzelle, Supervisor
 Scott Kelder, Board Member
 James Sofranko, Board Member
 Peter Friedel, Board Member
 Donald VanBuren, Board Member

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present Drew Boggess, Deputy Supervisor & Planning Board Chairman; Jim Mays, ZBA Chairman; Timothy Cox, Town Justice

Sylvia Rozzelle, Town Supervisor called the meeting to order at 6:59 pm.

The Town Clerk presented to the Town Board a copy of local law to override the tax levy limit established in General Municipal Law 3-C.

The Town Board spoke with Dan White, Jim Mays & Maraleen Manos-Jones for the Conservation Advisory Council.

The following topics were discussed by the Town Board:

1. Agenda for August 11, 2015 meeting.
2. UCRRRA
3. Supervisor Rozzelle would like to appoint Wally John to the Flood Advisory Committee
4. Highway Superintendent would like to put the 1999 Crown Victoria on Auctions International.
5. Health Insurance
6. Buildings-
 - A. Cleaning Services
 - B. LaBerge- buildings assessment
 - C. Generator
 - D. Building Dept. office hours
7. Transfer Station Ash Trees
8. Olive First Aid
9. Police Department-
 - A. Hiring of new Officers to replace officers that resigned.
 - B. Upon request of Mr. Dupree Sr. the Town Board discussed why we do not have a shift from 11pm-7am. The Town Board was advised that the lack of calls and funding was the issue.

All business having been completed the Audit Meeting was adjourned at 9:20 pm on a Rozzelle/VanBuren motion.

Dawn Giuditta, Town Clerk

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Members Present: Sylvia Rozzelle, Supervisor
 Donald VanBuren, Board Member
 Scott Kelder, Board Member
 James Sofranko, Board Member
 Peter Friedel, Board Member

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: William Cook, Assessor; Drew Boggess, Deputy Supervisor & Planning Board Chairman; Jim Mays, ZBA Chairman; Rich Ostrander, Police Commissioner; Carl Swenson, Deputy Emergency Management Coordinator; Craig Grazier, Recreation Committee

Supervisor Rozzelle, called the meeting to order at 7:00 p.m.

On a VanBuren/Kelder motion, the Town Board approved the July 2015 minutes.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

On a VanBuren/Rozzelle motion, the Town Board moved the hiring of Police Officer David Kimble up on the agenda.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

On a VanBuren/Rozzelle motion, the Town Board appointed David Kimble as a Town of Olive Police Officer.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

Correspondence: **#90-15**

John Parete, Chairman, UC Legislature support of handicapped access on Ashokan Reservoir

#91-15

James Seward, NYS Senator sent letter to NYC DEP asking their position on handicapped access on Ashokan Reservoir

#92-15

The Town Board received a letter of resignation from David Downes from the Police Dept. The Town Board on a Rozzelle/Friedel motion, request the Town Clerk send a letter thanking him for his service.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

#93-15

UCRRA, Agency Counsel Kenneth Gilligan regarding contract

#94-15

Clark Patterson Lee 2014 Annual Groundwater Monitoring Report for the Landfill.

Budget Modifications:

On a Rozzelle/Friedel motion, the Town Board approved the following Modification.

AYE-	VanBuren, Kelder, Sofranko, Friedel, Rozzelle	Nay
Highway:	Increase D3501 CHIPS State Aid	\$53,437.00
	Increase D5112.2 CHIPS Improvement	\$53,437.00
	Transfer \$87,452.00 from Reserve <u>A</u> Machinery to 5130.2 Machinery (Equipment)	

On a Rozzelle/Sofranko motion, the Town Board approved the following Modification.

AYE-	VanBuren, Kelder, Sofranko, Friedel, Rozzelle	Nay
General:	Increase A3089	\$5,491.00
	Increase A3120.2 Police (Equipment)	\$5,491.00

Approve Payment of Audited Bills: On a Rozzelle/Kelder motion, the Town Board approved the following payments: **AYE-** VanBuren, Kelder, Sofranko, Friedel and Rozzelle **Nay**

Approve Payment of Audited Bills:	
Highway Vouchers #236-#271	\$255,264.07
General Fund Voucher #338-#372	\$ 25,265.23
Sewer District Vouchers #15964-#15983	\$ 34,758.00
Special Lighting #8	\$ 56.58

Cash Received	
June cash received	\$135,642.32
June Interest	\$ 37.50

Additional Business:
On a Rozzelle/Friedel motion, the Town Board unanimously approved Resolution #18 of 2015.

Town of Olive
Resolution # 18 of 2015
Olive Consumers' Options to Elect to Not Use Smart Meters
And not be charged a Fee

WHEREAS, the Olive Town Board is supportive of NYS Assembly Bill A4354 and NYS Senate Bill S 5083 An act to amend the public service law, in relation to providing consumers the option to elect not to use transmitting utility meters; and

WHEREAS, it is the intention of the Town Board to allow Olive residents to retain their Electro-Mechanical Analog Utility Meter and not be charged a fee; therefore

Section 1. Definitions

Utility Consumer: Means New York State utility rate payer and non-ratepayer occupants, including, but not limited to renters, business owners and any other consumer of electric, utility services.

Utility Provider: Means an electric company, whether owned privately or publicly, or by another utility providers or other third party contractors/sub-contractors for such purpose.

Electro-Mechanical Analogy Utility Meter: Means an Electro-Mechanical Analog Utility Meter, ANSI approved (hereinafter referred to as “Analog Utility Meter”) relating to, or denoting a mechanical device that is electrically operated. This is a purely mechanical device, using no electronic components, no switch mode power supply, no transmitter, no antenna and no radio frequency emissions.

Transmitting Smart Digital Utility Meter: Means any metering device with electronic components and/or any electric or battery operated meter that is capable of measuring, recording and sending data from a utility consumer or member to a public utility, municipality or cooperative association in a manner utilizing one-way communication, two-way communication or a combination of one-way and two-way communication with any entity or device. Common names include, but are not limited to, AMR, ERT, AMI, LAN, Network, bubble-up, wake-up, “smart meter”, and Power Line Carrier PLC.

Non-Transmitting Digital Utility Meter: Means the digital utility meter currently being offered, with a fee, to residential Utility Consumers, by Central Hudson. It is an electronic digital meter that is the basic platform for the advanced Transmitting Smart Digital Utility Meter system. A meter that the Utility Provider can, at any time, without permission of the Utility Consumer, upgrade to be an advanced Transmitting Smart Digital Utility Meter. It may or may not contain a transmitter.

Trojan Utility Meter: Means Transmitting Smart Digital Utility Meter or any type of transmitter concealed under an Analog Utility Meter face.

Section 2. Resolution

A Resolution petitioning the NYS Public Service Commission to order Central Hudson , an electric Utility Provider, to allow Utility Consumers to retain an Analog Utility Meter and/or to replace any digital meter previously installed, (transmitting or non-transmitting), with a remanufactured, ANSI approved, Analog Utility Meter with no fees or penalties.

Further, Central Hudson shall provide Utility Consumer a 30-day written notice in advance of installing any type of digital meter, at no additional charges (monthly or otherwise). In addition, Central Hudson must fully inform Utility Consumers of their right to retain their Analog Utility Meter. If a Utility Consumer decides to retain their Analog Utility Meter they will not incur any fees or penalties. Central Hudson will also allow Utility Consumer to request removal of a previously installed digital meter with a remanufacture, ANSI approved, Analog Utility Meter, for any reason, with no fees or penalties for such removal.

Section 3. Purpose

- A. All Utility Consumers shall have the right to retain their Analog Utility Meter at no cost. Each Electric Utility Provider and the New York State Public Service Commission shall adhere to a “no questions asked”, no fee and no time limit imposed by Utility Provider for retaining an Analog Utility Meter.
- B. Electric Utility Providers shall maintain a reasonable supply of refurbished Analog Utility Meters in stock for the Opt-Out Program.
- C. Where Electric Utility Providers have already installed Non-Analog Transmitting Smart Digital Utility Meter(s) or Non-Transmitting Smart Digital Utility Meter(s), Utility Providers shall be required to replace installed Transmitting Digital Utility Meter(s) or Non-Transmitting Digital Utility Meter(s) with remanufactured, ANSI approved, Analog Utility Meter(s), within one week of the Utility Consumer’s request. Each Utility Provider and the New York State Public Service Commission shall adhere to a “no questions’ asked”, no fee and no time limit imposed by Utility Provider for reinstalling an Analog Utility Meter.

- D. In the future, the Electric Utility Consumer's Analog Utility Meter needs repair or has to be replaced for any reason, said Utility Consumer would have the right to a remanufactured, ANSI approved, Analog Utility Meter.
- E. Provide Electric Utility Consumer with prior written notice indicating when a Transmitting Smart Digital Utility Meter--ERT or Non-Transmitting Digital Utility Meter will be installed and inform them of their rights of refusal.
- F. Electric Utility Providers shall be prohibited from penalizing or charging Utility Consumers for any of the above request. Prohibited actions include, but are not limited to, interrupting or threatening to interrupt Utility Consumers' service or any other form of intimidation.
- G. The use of Trojan Utility Meters by Electric Utility Providers shall be prohibited.

Be it Resolved, the Olive Town Board adopts this resolution in its entirety, and further more
 Be it Resolved, the Olive Town Board petitions the Public Service Commission to implement this resolution in its entirety, and furthermore,
 Be it Resolved, the Olive Town Board instructs the Town Clerk to send a certified copy of this Resolution to:

Kathleen Burgess, Secretary
 3 Empire State Plaza, 19th Floor
 Albany, NY 12223-1350

Be it Resolved, the Olive Town Board instructs the Town Clerk to send a certified copy of this Resolution to the following individuals:

Hon. Mike Hein, Ulster County Executive
 Hon. John R. Parete, Chairman, Ulster County Legislature
 Hon. Kevin Cahill, 103rd Assembly District
 Hon. James Seward, 51st Senatorial District
 NYS Public Service Commission
 Central Hudson Gas & Electric

AND MOVES ITS ADOPTION

Motion made by: Supervisor Rozzelle
 Seconded By: Board Member Friedel

A Vote was Duly Taken:

	AYE	Nay
Sylvia Rozzelle, Supervisor	_X_	_____
Don VanBuren, Board Member	_X_	_____
Scott Kelder, Board Member	_X_	_____
Jim Sofranko, Board Member	_X_	_____
Peter Friedel, Board Member	_X_	_____

Whereupon, the motion was duly adopted.

Dated this 11th day of August 2015

 Dawn Giuditta, Olive Town Clerk

On a Rozzelle/Sofranko motion, the Town Board unanimously approved Resolution #19 of 2015.

Approve Barton & Loguidice as Engineering Firm for
Maltby Hollow Brook Stream Feature Inventory and Erosion Site Assessment

WHEREAS, the Town of Olive made grant application to the Ashokan Watershed Stream Management Program (AWSMP) for funds to conduct a stream feature inventory and erosion site assessment on the Maltby Hollow Brook in West Shokan; and

WHEREAS, THE Town of Olive approved Resolution #14 of 2015 Supporting Consulting Services for Maltby Hollow Stream Assessment on June 9, 2015, entering into a Memorandum of Understanding with Cornell Cooperative Extension of Ulster County; and

WHEREAS, the stream feature inventory and erosion site assessment will be conducted within the funding awarded to the Town of Olive through the AWSMP Grant Program; and

WHEREAS, the contractor selection shall be determined by the Town of Olive; and

WHEREAS, the AWSMP will coordinate the funding provision, procurement, and administration of engineering services for the stream feature inventory and erosion site assessment; and

WHEREAS, the AWSMP sought request for proposals from engineering firms for these services to which five firms submitted proposals: Baron and Loguidice, Inter-Fluve, Milone & McBroom, Woit Engineering, and Timmons Group; and

WHEREAS, Technical Proposal Evaluation Criteria sheets were completed for each of the five firms and lengthy discussion and review of said evaluations were conducted;

THEREFORE, BE IT RESOLVED, the Town Board of the Town of Olive does hereby approve the hiring of Barton and Loguidice, 10 Airline Drive Suite 200, Albany, NY 12205 for the abovementioned services in the amount of \$30,214.00 and does hereby support submission of this amount and this firm selection as part of the AWSMP Grant Program.

AND MOVES ITS ADOPTION

Motion made by: Supervisor Rozzelle
Seconded By: Board Member Sofranko

A Vote was Duly Taken:

	AYE	Nay
Sylvia Rozzelle, Supervisor	_X_	____
Don VanBuren, Board Member	_X_	____
Scott Kelder, Board Member	_X_	____
Jim Sofranko, Board Member	_X_	____
Peter Friedel, Board Member	_X_	____

Whereupon, the motion was duly adopted.

Dated this 11th day of August 2015

Dawn Giuditta, Olive Town Clerk

On a Rozzelle/Kelder motion, the Town Board appointed Dominick Covello Community Rating System Coordinator.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

Supervisor Rozzelle appointed Wally John to the Flood Advisory Committee

On a Rozzelle/Sofranko motion, the Town Board appointed Daniel White, Maraleen Manos-Jones and Jim Mays to the Conservation Advisory Council with a term ending 12/31/2017.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

On a Rozzelle/VanBuren motion, the Town Board approved a change in hours for the Building, Planning & Zoning Dept. to Monday, Wednesday & Friday 9 am -2 pm.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

On a Friedel/VanBuren motion, the Town Board appointed Jason Huppert as a Town of Olive Police Officer effective October 1st.

AYE- VanBuren, Kelder, Sofranko, Friedel, Rozzelle **Nay**

Announcements:

Senator James Seward will be attending September 8th Town Board meeting.
Samsonville UMC Chicken BBQ will be held Saturday, August 15th from 4-6:30 Adults \$14.00
PBA Meeting September 10th 2:30 pm, Town Meeting Hall
Budget workshop meeting August 27th 7pm Town Meeting Hall
Police Commission meeting August 14th 6 pm. Police Commission meeting for August 27th canceled.

Committees & Commission Chairs & Liaisons:

Town Buildings—Jim Sofranko & Scott Kelder, Co-Chairs

No Report at this time.

Olive Wastewater Advisory Committee—Don VanBuren, Chair

No Report at this time.

Cable Franchise Negotiations Committee—Jim Sofranko, Chair

The Committee has been in negotiation with Time Warner Cable. The Committee has submitted some information to Time Warner to be eligible for Broad Band for All. Sahler Mill Road now has cable available or will soon and the Committee is working on Brown Road.

Parks & Recreation Committee—Scott Kelder, Liaison

Day Camp has ended and it was a good season. There was a nice write up in the Kingston Freeman about our local pool by Stan Fischler.

Police Commission—Peter Friedel

Calls for June

Property Damage- 9 Domestic Disputes-2 911 hang ups-4 automatic alarms-10 animal compl.-4
Neighbor compl.-2 dog compl.-1 found property-1 suspicious activity-9 traffic compl.-15
Medical emergency-10 burglaries-2 shots fired-3 community oriented policing-6 assisting other
agencies-5 lockouts-4 trespassing-1 harassment-3 fireworks-1 criminal mischief-1
Order of protection served-1 aggravated unlicensed operation-3 mental health law-1
Uniformed traffic tickets-18 security checks-192

Town Clerk---Dawn Giuditta

The Town Clerk Monthly Revenues for July \$17,055.22

Transfer Station----Sylvia Rozzelle

No Report

Olive Fire Dept.-

July report of calls

Auto accidents- 4 Mutual Aid- 2 Smoke in Structure- 1

