

Town of Olive
County of Ulster
State of New York
Monday, September 12, 2016

Minutes of the public hearing on Proposed Local Law #2 of 2016 a local law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36 held Monday, September 12, 2016, 7:00 pm at the Town Hall in Shokan, NY.

Members Present: Sylvia Rozzelle, Supervisor
Scott Kelder, Board Member
James Sofranko, Board Member
Peter Friedel, Board Member
Drew Boggess, Board Member

Recording Secretary: Dawn Giuditta

Others Present: Brian Burns, Highway Superintendent

Supervisor Rozzelle called the meeting to order at 7:00 pm.

The Town Clerk read the legal ad placed in the Daily Freeman.

Supervisor Rozzelle asked for public comments on Local Law #2 of 2016. There were no comments from the one resident in attendance.

On a Rozzelle/Boggess motion, the Town Board adjourned the Public Hearing on Local Law #2 of 2016 at 7:04 pm.

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

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Monday, September 12, 2016

Minutes of the Town Board audit meeting of the Town of Olive, held Monday, September 12, 2016, 7:00 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Sylvia Rozzelle, Supervisor
James Sofranko, Deputy Supervisor
Drew Boggess, Board Member
Scott Kelder, Board Member
Peter Friedel, Board Member

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: Brian Burns, Highway Superintendent

Supervisor Rozzelle called the meeting to order at 7:05 pm.

The Town Board audited the monthly bills.

The Town Board reviewed the agenda for September 13, 2016 meeting.

The upcoming budget meeting dates are as follow: 10/13/16. 10/17/16 & 10/20/16

All pertinent business having been discussed the meeting adjourned on a Rozzelle/Boggess motion at 8:30 pm.

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent**

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Tuesday, September 13, 2016

Minutes of the monthly meeting of the Town of Olive Town Board, held Tuesday, September 13, 2016, 7:00 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Sylvia Rozzelle, Supervisor
Jim Sofranko, Deputy Supervisor
Drew Boggess, Board Member
Scott Kelder, Board Member
Peter Friedel, Board Member

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: Brian Burns, Highway Superintendent; Gene Sorbellini, Recreation Director; Bill Cook, Assessor; Don Baker, Police Chief

Supervisor Rozzelle called the meeting to order at 7:00 pm.

On a Boggess/Rozzelle motion, the Town Board approved the August 2016 minutes.

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent** **Abstained-**

Correspondence: **#103-16**
NYS Office of Real Property-Equalization Rate for Olive 100%.

#104-16
Ulster County Executive- Cultural Heritage Week: Oct. 21st- Oct. 30th.
#105-16

Hon. Kevin Cahill- Response to Town Letter to DEP on Route 28A
#106-16

Helen K Chase- Central Catskill Chamber of Commerce website.
On a Rozzelle/Sofranko motion, the Town Board approved the reimbursement of membership fees to the Central Catskill Chamber of Commerce website.

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent** **Abstained-**
#107-16

Ulster County Planning Board- Lead Agency under SEQRA in Ashokan Rail Trail Project.
#108-16

Keith Byron, Attorney at Law, PERB Case Nos.: U-385138, 39, 40, and 41 hearings rescheduled to Oct. 27th.
#109-16

Paul Bojarsky- Expresses gratitude for Town swimming pool.

Budget Modifications: On a Rozzelle/Friedel motion, the Town Board approved the following budget modifications.

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent**

General-
Increase A2705 (Donation) \$25
Increase A3120.4 Police (Cont.) \$25
Increase A3089 Other General Revenue \$98.44
Increase 7550.4 Celebrations \$98.44
Increase 3989 State Aid \$5,407
Increase 1440.4 Engineering \$5,407
Transfer \$22,600 from Reserve "C" Police to A3120.2 Police (Equip.)

Approve Payment of Audited Bills: On a Rozzelle/Sofranko motion, the Town Board approved the following payments:

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent**

Approve Payment of Audited Bills:

General Fund Voucher #389-#441	\$ 93,026.12
General Fund Prepaid Vouchers #388	\$ 914.13
Highway Vouchers #272-#311	\$130,857.07
Sewer District Vouchers #16175-#16192	\$ 34,785.63
Special Lighting Voucher #8	\$ 58.25
Special Lighting Voucher #9	\$ 60.55

Cash Received:

Cash Received for July 2016	\$ 83,041.69
Interest Received for July 2016	\$ 38.08

Additional Business:

On a Rozzelle/Friedel motion, the Town Board approved Resolution # 17 of 2016 adopting Local Law #2 of 2016 for Flood Damage Prevention as authorized by the NYS Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36.

Resolution #17 of 2016
Adopt Local Law #2 of 2016
A Local Law for Flood Damage Prevention

WHEREAS, the Town of Olive has participated in the floodplain management since 1984 and amended the Flood Damage Prevention Law on August 4, 1989; and

WHEREAS, in May of 2013 the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided Olive with Preliminary and Revised Preliminary copies of the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) for Ulster County; and

WHEREAS, the Town of Olive participated in the 90 day appeal period and revised preliminary flood panels were received; and

WHEREAS, the Town of Olive is desirous of participating in the National Flood Insurance Program (NFIP); and

WHEREAS, the Town of Olive has until October 18, 2016 to approve legally enforceable floodplain management measures in accordance with Title 44 Code of Federal Regulations Section 60.3(d); and

WHEREAS, proposed Local Law #2 of 2016 has been reviewed and approved by NYS DEC Floodplain Management; and

WHEREAS, a legally advertised public hearing was held on proposed Local Law #2 of 2016 on September 12, 2016 7 pm at the Town Meeting Hall.

THEREFORE, BE IT RESOLVED the Town Board of the Town of Olive adopts Local Law #2 of 2016 A Local Law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36; and

BE IT FURTHER RESOLVED, the Town Clerk shall file the legal documents and local law as required with the NYS Department of State and with the NYS DEC Floodplain Management. It should be noted the NYS DEC will also require a paper copy of the NYS Department of State Acknowledgement letter.

AND MOVES ITS ADOPTION

Motion made by: Supervisor Rozzelle

Seconded By: Board Member Friedel

	Aye	Nay
Sylvia Rozzelle, Supervisor	<u> X </u>	_____
Drew Boggess, Board Member	<u> X </u>	_____
Scott Kelder, Board Member	<u> X </u>	_____
Jim Sofranko, Board Member	<u> X </u>	_____
Peter Friedel, Board Member	<u> X </u>	_____

Dated this 13th day of September 2016

Dawn Giuditta, Olive Town Clerk

On a Rozzelle/Sofranko motion, the Town Board approved the reappointment of Drew Boggess to the Ulster County Planning Board and Helene Grant as alternate.

Resolution #18 of 2016
Town of Olive
Reappointments of Member and Alternate Member to the
Ulster County Planning Board

WHEREAS, the Town Board of the Town of Olive has authority to recommend a member and alternate member to serve on the Ulster County Planning Board; and

WHEREAS, said recommendation must be approved by the Ulster County Legislature;

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Olive recommends the following person be reappointed as member to the Ulster County Planning Board:

Drew Boggess, Town of Olive Town Board Member
28 Ralis Road
Shokan, NY 12481
845-657-9735
dboggesstownofolive@gmail.com

AND, BE IT FURTHER RESOLVED, the Town Board of the Town of Olive recommends the following person be reappointed as alternate member to the Ulster County Planning Board:

Helene Grant, Town of Olive Planning Board Member
9 VanSteenburgh Lane
Shokan, NY 12481
845-657-3350
heleneq3@aol.com

AND MOVES ITS ADOPTION

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

	Aye	Nay	Abstain
Sylvia Rozzelle, Supervisor	<u> X </u>	_____	_____
Drew Boggess, Board Member	_____	_____	<u> X </u>
Scott Kelder, Board Member	<u> X </u>	_____	_____
Jim Sofranko, Board Member	<u> X </u>	_____	_____
Peter Friedel, Board Member	<u> X </u>	_____	_____

Dated this 13th Day of September 2016

Dawn Giuditta, Town Clerk

On a Rozzelle/Friedel motion, the Town Board approved the authorization of the Town Supervisor and Town Justices to apply for a JCAP grant.

Resolution #19 of 2016
Town of Olive
Approving the application for JCAP Grant

WHEREAS, funding is available to eligible municipalities under the Justice Court Assistance Program (JCAP), wherein eligible projects can receive up to \$30,000.00 in grant monies; and

WHEREAS, the Town of Olive desires to make application for the 2016 JCAP Grant Round to purchase office furniture in the amount of \$6144.60.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Olive hereby authorizes the Town of Olive Supervisor and Town of Olive Justice Court to make application to the JCAP grant for purchase of office furniture.

AND MOVES ITS ADOPTION

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

A Vote was Duly Taken:

	AYE	Nay
Sylvia Rozzelle, Supervisor	<u> X </u>	_____
Drew Boggess, Board Member	<u> X </u>	_____
Scott Kelder, Board Member	<u> X </u>	_____
Jim Sofranko, Board Member	<u> X </u>	_____
Peter Friedel, Board Member	<u> X </u>	_____

Whereupon, the motion was duly adopted.

Dated this 13th day of September 2016

Dawn Giuditta, Olive Town Clerk

On a Rozzelle/Sofranko motion, the Town Board approved the application to the Catskill Watershed Corporation for local technical assistance program grant.

Resolution #20 of 2016
Town of Olive
Apply to Catskill Watershed Corporation for
Local Technical Assistance Program Grant
Under the Sustainable Communities Planning Program

WHEREAS, the Town of Olive applied for and received funding from the Ashokan Watershed Stream Management Program (AWSMP) in 2014 to conduct Local Flood Analysis for the Esopus Creek in Boiceville and the Bushkill Creek in West Shokan and to develop a Town Flood Mitigation Plan; and

WHEREAS, by Resolution #8 of 2014 the Town Board supported the creation of a flood mitigation planning process by establishing a Flood Advisory Committee; and

WHEREAS, the Town Board supported coordinated engineering services for Local Flood Analysis and the contractor selection for engineering services was determined in consultation with the Flood Advisory Committee and the Town Board hired Woitd Engineering and Consulting, PC on December 9, 2014; and

WHEREAS, the Olive Flood Advisory Committee had numerous meetings through 2014, 2015, and 2016 reviewing technical data, making onsite visits, and meeting with our engineers; and

WHEREAS, Boiceville's Local Flood Analysis has not been completed but throughout the process enough technical data, public input, and exploration of alternatives has been received to determine that the hamlet of Boiceville requires planning to upgrade existing zoning in order to identify those areas within Boiceville that can serve as new locations for residences and businesses to be moved; and

THEREFORE, BE IT RESOLVED, the Town Board approves application to the Catskill Watershed Corporation under the Sustainable Communities Planning Program Local Technical Assistance Program (LTAP) Grant.

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_	____
Drew Boggess, 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 13th day of September 2016

Dawn Giuditta, Olive Town Clerk

The Town Clerk presented to the Town Board proposed Local Law #3 of 2016 A Local Law to Override the Tax Levy Limit.

On a Rozzelle/Bogges motion the Town Board approved the rental of Roll-off dumpsters from Doug Tyler & Son at \$550/40 yd. plus \$103 ton & fuel surcharge.

AYE- Bogges, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent** **Abstained-**

On a Rozzelle/Kelder motion, the Town Board empowered Supervisor Rozzelle to award RFP for roof trusses & delivery to the lowest bidder.

AYE- Bogges, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent** **Abstained-**

On a Rozzelle/Kelder motion, the Town Board empowered Supervisor Rozzelle to sign the contract with Viridian for an 18 month period.

AYE- Bogges, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent** **Abstained-**

Announcements:

Town Board Special meeting, Wednesday, Oct 5th, 3 pm at the Town Office to formally present 2017 Tentative Budget to the Town Board.

Boy Scout Troop 163 Free Soup Dinner 6pm Olive Free Library- Fourth Thurs. Sept. 22nd.

Blake Overton has completed his Eagle Scout Project of Honeybee observation hive at the Olive Free Library.

Committees, Commission, Department Reports:

Cable Franchise Negotiations Committee—Jim Sofranko, Chair

No Report

Parks & Recreation Committee—Scott Kelder, Liaison

The Committee reviewed the summer programs and are looking at fall activities and reviewing fees for next year. There were 203 Campers registered and the average campers per day were 137.

Highway Department- Superintendent Brian Burns

The Highway department has been continuing to clean ditch lines and repair culverts. They have started chip sealing and have done approximately 10 miles of roadway. Under shared services they have helped the Town of Woodstock with spreading of stone. The old garage roof was removed for replacement and the mason has started with the block work. The paving of Upper Boiceville road has been pushed back to the end of September. Ash trees are still being removed along roadways.

Police Commission—Drew Bogges, Liaison

Calls for August (#110-16)

Calls for Service: 95

Abandoned 911-	5	Disorderly Subject	1	Medical	4
Domestic Dispute	4	Animal Comp.	2	Fireworks Comp.	1
Automatic Alarm	8	Motorist Assists	4	Civil Matters	2
Larceny	1	Lockout	2	Lost/Found Property	1
Fraud	1	Suspicious Activity	10	Traffic Accidents	4
Traffic Complaints	12	Traffic Hazard	3	Trespass complaint	1
Welfare Check	5	Assist other Agency	15	Abandoned Vehicle	1
Criminal Mischief	1	Shots fired	2	Harassment	2
Burglary	1	Attempt to locate	1	Traffic Detail	1

Residential /Commercial Security Checks: 328

Community Oriented Policing (School): 1

Arrests: 2

Traffic Tickets- 19

Town Clerk---Dawn Giuditta

The Town Clerk Monthly Revenues for August 2016 \$24,433.00 (#111-16)

Olive Fire Department- Chief Christopher Winne (#112-16)

Auto Accidents- 5	Mutual Aid- 2	Automatic Alarm- 4
Smoke Investigation- 1	Wires down- 6	Hazardous Materials-0
Control Burn- 0	EMS Assist- 0	Public Service-0
Good Intent- 0	Vehicle Fire- 0	
Total Calls- 18		
Drills- 6		
Meetings- 3	Work Detail- 1	

Olive First Aid Unit- Chief of Operations Yvonne Fuller (#113-16)

Total number of calls- 34

Total responded to- 34

Abdominal Pain- 1	Chest Pain- 1	Altered Level Consciousness- 1
Back Pain- 1	Dehydration- 1	Behavioral/Psychiatric Disorder- 1
Hypertension 1	Near Syncope- 1	Diabetic Symptoms- 1
Obvious Death- 1	other- 5	Nausea/Vomiting- 2
Pain 1	Seizure- 2	No apparent illness/injury- 2
Other illness/injury- 1	Weakness- 2	Respiratory Distress- 1
Unknown- 4	Unknown Problem- 1	Traumatic Injury- 3

Scenic Byway—Drew Boggess

Olive Day was the 5th of the 6 events being sponsored by the Scenic Byway. The next event will be the Cauliflower Festival in Margaretville held in September. The DOT did approve the Scenic Byway signs and they should be installed in the spring.

Olive Day Committee- Drew Boggess, Liaison

Supervisor Rozzelle acknowledged the great job the committee did planning Olive Day.

Conservation Advisory Council-- Jim Sofranko, Liaison

The Committee had a tent on Olive Day and they were very happy with the response. The UCRRA was present to share their recycling program.

Supervisor’s Report-

Highway Dept. Labor: (#114-16)

	August 2016
Police Dept.	\$ 76.56
Parks/mowing	\$2,076.48
Pool	<u>\$ 692.16</u>
Total	\$2,845.20

The Town received grant money from FEMA for PW#609 4020 Moonhaw Road in the amount of \$7, 4663.71.

Supervisor Rozzelle disbanded the Town Buildings Committee.

On a Rozzelle/Boggess motion, the Town Board adjourned into Executive Session to discuss a personnel matter at 7:50 pm.

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent** **Abstained-**

At 8:47 pm on a Rozzelle/Kelder motion, the Town Board adjourned from Executive Session.

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent** **Abstained-**

At 8:48 pm Supervisor Rozzelle reconvened the regular board meeting.

Supervisor Rozzelle made the following motion in Executive Session:

There is a recognizable discrepancy in the sick leave for paychex ID # 98001. The Town of Olive will suspend any further pay checks for this employee until the Town hears from the employee and the issue is resolved.

Board Member Boggess seconded the motion.

A Vote was Duly Taken:

	AYE	NAY
Sylvia Rozzelle, Supervisor	<u> X </u>	_____
Drew Boggess, Board Member	<u> X </u>	_____
Scott Kelder, Board Member	<u> X </u>	_____
Jim Sofranko, Board Member	<u> X </u>	_____
Peter Friedel, Board Member	<u> X </u>	_____

Whereupon, the motion was duly adopted.

All pertinent business having been conducted, the Town Board on a Rozzelle/Boggess motion adjourned the meeting at 8:49 pm in memory of Madison Marie Creagan and Jonathan Plonski.

AYE- Boggess, Kelder, Sofranko, Friedel, Rozzelle **Nay** **Absent**

Dawn Giuditta, Town Clerk