

Town of Olive
County of Ulster
State of New York
Tuesday, November 14, 2017

Minutes of the regular monthly meeting of the Town of Olive Town Board, held Tuesday, November 14, 2017 7:00 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Sylvia Rozzelle, Supervisor
Peter Friedel, Board Member
Drew Boggess, Board Member
Jim Sofranko, Board Member
Scott Kelder, Board Member
Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: Brian Burns, Highway Superintendent; Earla Van Kleeck, Police Commissioner; Bill Cook, Assessor; Gene Sorbellini, Recreation Director, Ternice Winne, Olive Day Committee; Don Baker, Police Chief; Timothy Cox, Town Justice

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

On a Boggess/Sofranko motion, the Town Board approved the October minutes.

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle **Nay:** **Absent:**

Correspondence: **#120-17**

On a Rozzelle/Friedel motion, the Town Board approved Steven Loughlin and William Clark as new members of the Olive Fire Dept.

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle **Nay:** **Absent:**

#121-17

NYCDEP 2018 Boiceville Sewer District O&M Budget acceptance.

#122-17

Lisa Treasure thanked the Town for the free use of Davis Park for Stamp out Cancer

#123-17

Paul Lenz, NYCDEP, reference property ID # 297

#124-17

NYS Dept. of Public Service received Town comments on Central Hudson Rate Increase

#125-17

Paul Lenz, NYCDEP, Land Consultation Process Property ID #4268 (South Hollow) On a Rozzelle/Kelder motion the Town Board approved NYCDEP Property ID # 4268 for recreational use.

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle **Nay:** **Absent:**

Budget Modifications:

On a Rozzelle/Sofranko motion, the Town Board approved the following budget modifications:

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle **Nay:** **Absent:**

On a Rozzelle/Kelder motion, the Town Board approved a letter written by Supervisor Rozzelle to NYCDEP concerning Route 28A. (#130-17)

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle **Nay:** **Absent:**

On a Rozzelle/Friedel motion, the Town Board approved Resolution #23 Authorizing Supervisor to Execute LTAP Contract with CWC for Boiceville Feasibility Study & Community Planning Grant.

Resolution #23 of 2017
Town of Olive
Authorize Supervisor to Execute LTAP Contract with CWC for
Boiceville Feasibility Study & Community Planning Grant

WHEREAS, on August 8, 2017 the Town Board by Resolution #13 of 2017 approved an application to the Catskill Watershed Corporation (CWC) under the Sustainable Communities Program Local Technical Assistance Program (LTAP) for community planning in Boiceville; and

WHEREAS, the project has been reviewed by the CWC Wastewater Committee and the CWC Board of Directors who have determined it to be an eligible project for funding under the Local Technical Assistance Program; and

WHEREAS, pursuant to Resolution Number 3166, the Board of Directors of the CWC approved funding to the Town of Olive in an amount not to exceed twenty thousand dollars (\$20,000) for the project;

THEREFORE, BE IT RESOLVED, the Olive Town Board empowers the Supervisor to execute said Agreement between the Catskill Watershed Corporation for Local Technical Assistance Sustainable Communities Program for the Boiceville Feasibility Study & Community Planning Project.

AND MOVES ITS ADOPTION

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

A Vote was Duly Taken:

	AYE	NAY	ABSENT
Sylvia Rozzelle, Supervisor	_X_	_____	_____
Jim Sofranko, Board Member	_X_	_____	_____
Andrew Boggess, Board Member	_X_	_____	_____
Scott Kelder, Board Member	_X_	_____	_____
Peter Friedel, Board Member	_X_	_____	_____

Dated this 14th day of November, 2017

Dawn Giuditta, Town of Olive Town Clerk

On a Rozzelle/Friedel motion, the Town Board reappointed Mary Anne Shepard to the Board of Assessment Review—term to expire 9/30/22

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle **Nay:** **Absent:**

The Town Board approved Resolutions #24, #25 & #26 supporting participation in the NYC Funded Flood Buyout Program for the following properties: 4042 Rt. 28, 4084-4092 Rt. 28 & 4076 Rt. 28.

**Town of Olive
RESOLUTION #24 of 2017**

**SUPPORTING PARTICIPATION IN THE
NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR
4042 State Route 28 Boiceville, NY**

WHEREAS, the Town of Olive is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Olive has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for flood buyout, and

WHEREAS, the property at 4042 State Route 28, Boiceville, NY (SBL 36.11.1.29) has been recommended for consideration for buyout in the LFA and the Town has been approached by Judy and Ron Girard, the owners of the property, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

WHEREAS, we understand that this City-owned property will be managed by the New York City Department of Environmental Protection (the “DEP”) as open space. Minimal management of the property will be performed such as maintaining boundary lines, posting signs, and annually inspecting the property. At some point in the future, should the Town want the property actively managed; i.e., mowing, snow plowing, constructing and maintaining permissible recreational facilities, the City will consider issuing the Town a revocable land use permit to address these activities or any other maintenance requested by the Town. However, the City has the right to approve or reject any such request.

NOW, THEREFORE BE IT RESOLVED, the Town of Olive Town Board approves owners of 4042 State Route 28, Boiceville, NY 12412 to apply for the NYCFFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process.

AND MOVES ITS ADOPTION

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

A Vote was Duly Taken:

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

Dated this 14th day of November, 2017

Dawn Giuditta, Town of Olive Town Clerk

**Town of Olive
RESOLUTION #25 of 2017**

**SUPPORTING PARTICIPATION IN THE
NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR
4084-4092 State Route 28 Boiceville, NY**

WHEREAS, the Town of Olive is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Olive has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for flood buyout, and

WHEREAS, the property at 4084-4092 State Route 28, Boiceville, NY (SBL 36.11-1-16.100) has been recommended for consideration for buyout in the LFA and the Town has been approached by Cindy Johansen, the owner of the property, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

WHEREAS, we understand that this City-owned property will be managed by the New York City Department of Environmental Protection (the “DEP”) as open space. Minimal management of the property will be performed such as maintaining boundary lines, posting signs, and annually inspecting the property. At some point in the future, should the Town want the property actively managed; i.e., mowing, snow plowing, constructing and maintaining permissible recreational facilities, the City will consider issuing the Town a revocable land use permit to address these activities or any other maintenance requested by the Town. However, the City has the right to approve or reject any such request.

NOW, THEREFORE BE IT RESOLVED, the Town of Olive Town Board approves owners of 4084-4092 State Route 28, Boiceville, NY 12412 to apply for the NYCFFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process.

AND MOVES ITS ADOPTION

Motion made by: Supervisor Rozzelle

Seconded by: Board Member Boggess

A Vote was Duly Taken:

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

Dated this 14th day of November, 2017

Dawn Giuditta, Town of Olive Town Clerk

**Town of Olive
RESOLUTION #26 of 2017**

**SUPPORTING PARTICIPATION IN THE
NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR
4076 State Route 28 Boiceville, NY**

WHEREAS, the Town of Olive is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Olive has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for flood buyout, and

WHEREAS, the property at 4076 State Route 28, Boiceville, NY (SBL 36.11.1.17) has been recommended for consideration for buyout in the LFA and the Town has been approached by Jacob & Amber Daniels, the owners of the property, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

WHEREAS, we understand that this City-owned property will be managed by the New York City Department of Environmental Protection (the “DEP”) as open space. Minimal management of the property

will be performed such as maintaining boundary lines, posting signs, and annually inspecting the property. At some point in the future, should the Town want the property actively managed; i.e., mowing, snow plowing, constructing and maintaining permissible recreational facilities, the City will consider issuing the Town a revocable land use permit to address these activities or any other maintenance requested by the Town. However, the City has the right to approve or reject any such request.

NOW, THEREFORE BE IT RESOLVED, the Town of Olive Town Board approves owners of 4076 State Route 28, Boiceville, NY 12412 to apply for the NYCFBBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process.

AND MOVES ITS ADOPTION

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

A Vote was Duly Taken:

	AYE	NAY	ABSENT
Sylvia Rozzelle, Supervisor	_X_	_____	_____
Jim Sofranko, Board Member	_X_	_____	_____
Andrew Boggess, Board Member	_X_	_____	_____
Scott Kelder, Board Member	_X_	_____	_____
Peter Friedel, Board Member	_X_	_____	_____

Dated this 14th day of November 2017

Dawn Giuditta, Town of Olive Town Clerk

On a Rozzelle/Friedel motion, the Town Board approved advertising for bids for snow plowing and sanding of the Boiceville Wastewater Facility.

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle **Nay:** **Absent:**

Committees, Commission, Department Reports:

Highway Department- Superintendent Brian Burns

Hillside Bridge completed. Highway Dept. completed 8 miles of roadway this year along with culvert pipes and ash tree removal.

Police Commission—Drew Boggess, Liaison (#126-17)

Calls for Service in October- 76 Year to Date: 742
 Residential/Commercial Security Checks: 290
 Community Oriented Policing: 0
 Onteora School visits: 3
 Traffic Tickets- 14
 Arrests: (1) Aggravated Unlicensed Operation 3rd

Town Clerk- Dawn Giuditta (#127-17)

Town Clerks Monthly Report- \$16,090.98

Olive Fire Department-(#117, #128-17)

October: 28 calls

Drills: 6

Meetings: 3

Work Detail: 2

Fire Prevention: 2

Olive First Aid Unit-(#129-17)

October calls- 32

Boiceville: 9

Olivebridge: 10

Shokan: 7

West Shokan: 6

Supervisor Report:

Community Rising funded Town Facilities Rehabilitation Project -Installation of the underground propane tank and pad for the generator has been completed.

All pertinent business having been completed the meeting adjourned on motion at 7:50 PM in memory of Mary McGrath Merck, Robert H Rockwell, Jr., Christopher Roser and Sarah VanSteenburgh

Aye: Boggess, Kelder, Sofranko, Friedel and Rozzelle

Nay:

Absent:

Dawn Giuditta, Town Clerk