

Town of Olive  
County of Ulster  
State of New York  
Tuesday, February 9, 2021

Minutes of the monthly meeting of the Town of Olive Town Board, held Tuesday, February 9, 2021 7 pm  
via ZOOM link: <http://bit.ly/olivetownboard>.

Members Present: Jim Sofranko, Supervisor  
Drew Boggess, Board Member  
Scott Kelder, Board Member  
David Edinger, Board Member  
Victoria Read, Board Member

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: Brian Burns, Highway Superintendent; Simon Strauss, CAC; Daniel White, CAC; Ingrid Haeckel, NYS DEC; Daniel Dagen; Cynthia Nitkin; Andy Simon; Jerry Plotkin; Nancy April; Gregory Keyes; Amy Kallal; Anthony Borelli

Town Supervisor Jim Sofranko called the meeting to order at 7:00 pm.

On a **Boggess/Edinger** motion, the Town Board approved the January minutes.

**Aye:** Boggess, Kelder, Edinger, Read, and Sofranko      **Nay:**      **Absent:**

On a **Sofranko/Read** motion the Town Board made the following correction to the December 30, 2020 minutes:

Budget Modification: Transfer \$3871.00 to 8010.1 Zoning (Personal Service) instead of \$5871.00

**Aye:** Boggess, Kelder, Edinger, Read, and Sofranko      **Nay:**      **Absent:**

**Correspondence: #7-21**

Catskill Watershed Corporation, Danyelle Greene Environmental Specialists—Operation and Maintenance Report 2020, Boiceville SSIP Storm Water Retrofit Project

**#8-21**

R Daniel Mackay, Deputy Commissioner for Historic Preservation—Al Held Home and Studio

**#9-21**

Olive Fire Department- letter requesting Town Board approve the revised County Mutual Aid Plan

**Budget Modifications:** On a **Sofranko/Edinger** motion, the Town Board approved the following Budget Modifications:

**Aye:** Boggess, Kelder, Edinger, Read, and Sofranko      **Nay:**      **Absent:**

Transfer \$1.00 from 1990.4 Contingency to A9040.8 Workers Compensation

**Approve Payment of Audited Bills:** On a **Sofranko/Boggess** motion, the Town Board approved the payment of the following audited bills:

**Aye:** Boggess, Kelder, Edinger, Read, and Sofranko

**Nay:**

**Absent:**

General Fund Vouchers #6- #54	\$239,640.25
Special Lighting Voucher #1	\$ 129.63
Highway Fund Vouchers #1- #28	\$ 55,364.87

Cash Received December 2020 \$123,535.83  
 Interest Received December 2020 \$458.55

**Additional Business:**

Resolution #2 of 2021

Resolution approve the Ulster County Mutual Aid Plan

**RESOLVED**, that the Town of Olive approves participation by the Olive Fire Department in the Ulster County Fire Mutual Aid Plan (“Plan”), as amended from time to time, and further certifies Ulster County, through its Deputy Director of Emergency Services/Fire Coordinator, that it shall comply with the provisions of the Plan; and be it further

**RESOLVED**, that there are no resolutions in effect that restrict outside service and training by the named Fire Agency; and be it further

**RESOLVED**, that there are currently no limitations, conditions or restrictions on the Fire Agency from providing prompt assistance, and the Deputy Director of Emergency Services/Fire Coordinator shall be notified in writing if any such limitations are imposed subsequent to the adoption of this resolution; and be it further;

**RESOLVED**, that the named Fire Agency shall respond to all calls for assistance from another Fire Agency through the Ulster County Communications Center also known as UC911; and be it further

**RESOLVED**, that the Town of Olive hereby acknowledges and accepts its financial responsibility pursuant to applicable law; and be it further

**RESOLVED**, that a copy of this resolution shall be filed with the Ulster County Department of Emergency Services.

**AND MOVES ITS ADOPTION**

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

	Aye	Nay	Absent
Jim Sofranko, Supervisor	<u>  X  </u>	_____	_____
Drew Boggess, Board Member	<u>  X  </u>	_____	_____
Scott Kelder, Board Member	<u>  X  </u>	_____	_____
David Edinger, Board Member	<u>  X  </u>	_____	_____

Victoria Read, Board Member

  X        \_\_\_\_\_      \_\_\_\_\_

Dated this 9<sup>th</sup> day of February, 2021

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Dawn Giuditta, Town Clerk

Resolution #3 of 2021  
Town of Olive  
Adopting the Natural Resource Inventory for the Town of Olive

WHEREAS, the Town of Olive Conservation Advisory Council (“CAC”) has prepared the Olive Natural Resources Inventory dated February 2021 (the “NRI”) to assist the Town, its various agencies and boards and the public in identifying and considering important natural resources located within the Town; and

WHEREAS, the NRI includes maps displaying the Town mineral, water, biological, and recreation resources and their significance to the Olive community; associated data; and a descriptive report summarizing the inventoried resources, findings, and recommendations; and

WHEREAS, the purpose of the NRI is to provide information for comprehensive land use and conservation planning, and to allow natural resource information to be considered in local planning and zoning decisions; and

WHEREAS, the NRI can provide information to designate critical environmental areas, develop and implement a municipal open space plan, amend existing zoning and subdivision regulations assist in the evaluation of the effects of proposed land use and zoning changes, inform environmental review of development proposals, and document current conditions so changes over time can be assessed; and

WHEREAS, the NRI was prepared by members of the Olive CAC at no cost to the Town through a partnership with DEC Hudson River Estuary Program and Cornell University, Ashokan Watershed Stream Management Program and Cornell Cooperative Extension of Ulster County, and Ulster County Department of the Environment; and

WHEREAS, the adopted NRI will be available on the Town’s website for access by the public, and

WHEREAS, the adoption of the NRI is a Type 2 Action under the New York State Environmental Quality Review Act (“SEQRA”), pursuant to 6 NYCRR 617.5(c)(18) for which no further action under

SEQRA is required.

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Olive hereby approves and adopts the Olive Natural Resources Inventory dated February 2021, created by the Town’s Conservation Advisory Committee as an inventory of data collection identifying important natural and community resources within the Town of Olive; and

BE IT FURTHER RESOLVED, that the acceptance and approval of the NRI and any recommendations regarding municipal actions which may be taken, as provided therein, shall in no way be deemed binding upon the Town’s various boards or agencies with regard to present or future actions. By adopting the Natural Resources Inventory, it is the intent of the Town Board that this valuable and comprehensive inventory of the

Town’s natural resources be referred to often by the Town boards, agencies and the public to assist in the development, management and protection of these invaluable resources. It is the further intent of the Town Board, to periodically update and/ or amend this Inventory every 10 years or as may be appropriate in the future; and

BE IT FURTHER RESOLVED, that the Town Clerk is requested to upload this Resolution and the NRI to the Town’s website and provide a copy of this Resolution and website link to the members of the Town of Olive Planning Board and Zoning Board of Appeals and to the Ulster County Department of Planning; and

BE IT FURTHER RESOLVED, that the Town Board requests the Conservation Advisory Council to present the NRI to the Town of Olive Planning Board and Zoning Board of Appeals, which presentation the Town Supervisor has determined shall count towards the training required by New York General City Law §§ 27(7-a) and 81(7-a).

**AND MOVES ITS ADOPTION**

Motion made by: Supervisor Sofranko

Seconded by: Board Member Edinger

	Aye	Nay	Absent
Jim Sofranko, Supervisor	<u>  X  </u>	_____	_____
Drew Boggess, Board Member	<u>  X  </u>	_____	_____
Scott Kelder, Board Member	<u>  X  </u>	_____	_____
David Edinger, Board Member	<u>  X  </u>	_____	_____
Victoria Read, Board Member	<u>  X  </u>	_____	_____

Dated this 9<sup>th</sup> day of February, 2021

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Dawn Giuditta, Town Clerk

Resolution #4 of 2021

Town of Olive

Introducing the Community Choice Aggregation Local Law for the Town of Olive

WHEREAS, the Town of Olive is interested in promoting energy efficiency, greenhouse gas reduction, and local renewable energy generation, and also in reducing energy costs for its residents, and

WHEREAS, the New York State Public Service Commission, in April 2016, authorized the development of Community Choice Aggregation (CCA) programs, which allows participating local governments to work together through a shared purchasing agreement to procure natural gas and/or electric energy supply on behalf of their residents and small businesses, and

WHEREAS, Community Choice Aggregation allows the exercise of local control to negotiate lower, more stable and predictable energy prices, to increase the percentage of renewable energy in the fuel mix, to promote energy efficiency, and to encourage local renewable energy development and local job growth, and

WHEREAS, residents and small businesses that are not interested in participating in CCA energy procurement are able to opt out and purchase their energy through Central Hudson or another energy provider of their choice, and

WHEREAS, with a CCA program, Central Hudson will still provide delivery of electricity and will maintain the grid to ensure safe, reliable electric service, and Central Hudson will provide Service of Last Resort in the event a CCA supplier does not perform, and

WHEREAS, in order to create a Community Choice Aggregation program for New York State's municipalities, the New York State Public Service Commission has to approve the creation of any new CCA district, and

WHEREAS a village, town or city must pass a local law to establish participation in a CCA program, and

WHEREAS, the Town of Olive works to identify procurement opportunities to provide better service and lower costs to our residents,

NOW, THEREFORE, BE IT RESOLVED the Town Board of the Town of Olive introduces Local Law # 1 of 2021 - A Local Law to Enable Community Choice Aggregation in the Town of Olive, and

THEREFORE BE IT RESOLVED, the Town Board of the Town of Olive agrees to accept copies of the proposed law via email and have the Town Clerk post the email addresses of the Town Board members on the Town Office bulletin board,

**AND MOVES ITS ADOPTION**

Motion made by: Board Member Edinger

Seconded By: Board Member Read

	AYE	NAY	Absent
Jim Sofranko, Supervisor	<u>  X  </u>	_____	_____
Drew Boggess, Board Member	<u>  X  </u>	_____	_____
Scott Kelder, Board Member	<u>  X  </u>	_____	_____
David Edinger, Board Member	<u>  X  </u>	_____	_____
Victoria Read, Board Member	<u>  X  </u>	_____	_____

Dated this 9th day of February, 2021

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Dawn Giuditta, Town Clerk

Resolution #5 of 2021  
 Approve Milone & MacBroom as Engineer  
 for Design of Red Maple and Bostock  
 Road Crossings  
 For Ashokan Watershed Stream  
 Management Program SMIP  
 Implementation Grant

WHEREAS, the Town of Olive accepted the Local Flood Analysis (LFA); Appendix C: Town-wide Flood Hazard Mitigation Plan (FMP) on February 12, 2019 and doing so made the Town eligible for funding for structural and non-structural projects to improve flood resilience; and

WHEREAS, the FMP identified stream crossings at Red Maple and Bostock Roads as areas of concern for flood mitigation efforts; and

WHEREAS, on July 10, 2020 the Town of Olive Highway Department submitted application to the AWSMP for implementation grant funds for engineering design for the abovementioned stream crossings; and

WHEREAS, a Request for Proposal was advertised on December 10, 2020 with the Town of Olive receiving RFP's from three engineering firms by the deadline of January 6, 2021 and with the RFP's received and opened in the Town Clerk's Office on January 6, 2021; and

WHEREAS, three proposals were received and reviewed as follows:  
 Milone & MacBroom/SLR, \$145,660; the Chazen Companies, \$58,800; Tighe & Bond, \$125,500.

THEREFORE, BE IT RESOLVED, after extensive review the Town, based on best value, approves the proposal from Milone & Mac Broom, Inc., in the amount of \$145,660 as the engineering firm for the application to the Ashokan Watershed Stream Management Program SMIP Implementation Grant Application.

**AND MOVES ITS ADOPTION**

Motion made by: Board Member Boggess

Seconded by: Board Member Read

	Aye	Nay	Absent
Jim Sofranko, Supervisor	<u>  X  </u>	_____	_____
Drew Boggess, Board Member	<u>  X  </u>	_____	_____
Scott Kelder, Board Member	<u>  X  </u>	_____	_____
David Edinger, Board Member	<u>  X  </u>	_____	_____
Victoria Read, Board Member	<u>  X  </u>	_____	_____

Dated this 9<sup>th</sup> day of February, 2021

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Dawn Giuditta, Town Clerk

On a **Sofranko/Edinger** motion, the Town Board set the date for the Public Hearing on Local Law #1 of 2021 for March 8, 2021 at 6:30 pm via ZOOM link: <http://bit.ly/olivetownboard>.

**Aye:** Boggess, Kelder, Edinger, Read, and Sofranko      **Nay:**      **Absent:**

On a **Sofranko/Boggess** motion, the Town Board appointed Dianna Carchidi, Assessor to the Zoning Committee.

**Aye:** Boggess, Kelder, Edinger, Read, and Sofranko      **Nay:**      **Absent:**

**Committees, Commission, Department Reports:  
Cable Franchise Negotiations Committee- Jim Sofranko, Chair**

There has been no formal negotiation with Spectrum, however; currently being installed there is the largest continuance section along County Road 3.

**Parks & Recreation Committee—Scott Kelder, Liaison**

The Committee has started preliminary discussion of a short term rental fee for the pool. The playground at Davis Park has been destroyed by a tree falling upon it. The insurance company has to value it so we can get new equipment.

**Highway Superintendent—Brian Burns**

The Highway Department has been busy with winter storms, they have been completing ditch work, ash trees.

Superintendent Burns stated the snow has been keeping them pretty busy.

**Police Commission—Drew Boggess, Liaison (#10-21)**

**Total Calls for January- 73**

Year to date - 73

Property checks- 372

Traffic Tickets-24

Arrests: 0

**Town Clerk- Dawn Giuditta (#11-21)**

January 2021- \$14,568.30

**Olive First Aid-(#12-21)**

Total -28

Olivebridge- 8 Shokan- 13 Boiceville- 3 West Shokan- 2 Samsonville- 1 West Hurley- 1

**Olive Fire Department-Chief Chris Winne (#13-21)**

**January Calls 2021—15**

Auto Accident-1 Mutual Aid- 1 Automatic Alarm- 5 Smoke Investigation- 2 Wires Down- 3  
EMS Assist/Rescue- 1 Public Service- 1 Carbon Monoxide-1

**Mutual Aid 2020- 40 (#14-21)**

Phoenicia- 16 Woodstock- 3 West Hurley- 11 Vly-Atwood- 8 Kripplebush- 2

**Scenic Byway- Drew Boggess, Liaison**

No Report at this time.

**Conservation Advisory Council-David Edinger, Liaison**

Board Member Edinger stated you can see by tonight's Resolution what the Council has been doing. The Natural Resource Inventory maps will be on the website soon. The Council is looking into some educational programs. They are also working on a solar code.

**Zoning Committee-Drew Boggess, Chairman**

The Committee is still looking at short term rentals.

**Technology Committee-David Edinger, Chairman**

Board Member Edinger and Dianna Carchidi will meet with Wiltwyck to discuss the website.

**Planning Board- Victoria Read, Liaison**

Board Member Read commented that the Planning Board is extremely busy. There are several site plan applications in process. Bread Alone will be bringing back specialty baking to Olive, they are changing the parking and expanding outdoor eating. The Planning Board is handling a large subdivision on Sahler Mill and some smaller ones.

Barry Ruland, LVDV Operations Chief Operator sent the Town Board the Boiceville Sewer District Monthly Operating Report for December 2019. **(#15-21)**

All pertinent business having been conducted, the Town Board on a **Sofranko/Kelder** motion, adjourned the meeting at 8:06 pm in memory of Claire Kassor and Arlos R Every.

**Aye:** Boggess, Kelder, Edinger, Read and Sofranko

**Nay:**

**Absent:**

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Dawn Giuditta, Town Clerk



