

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

Minutes of the monthly meeting of the Town of Olive Town Board, held Tuesday, March 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; Cynthia Nitkin; Amanda Winne, Deputy Town Clerk; Sean Ryan, Police Chief; Josh Caliendo, Police Officer; Timothy Cox, Town Justice; Gene Sorbellini, Facilities & Recreation Director

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

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

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

Correspondence: **#16-21**

Tom Oliveri and Jane Kellar- Bushkill Stream Remediation

#17-21

Olive Fire Department - On a **Sofranko/Edinger** motion, the Town Board approved Samantha Citrin as a new member to the Olive Fire Department.

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

Budget Modifications: On a **Boggess/Read** motion, the Town Board approved the following Budget Modifications:

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

Transfer \$1100.00 from Reserve K to 1410.2 Town Clerk (Equip)

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

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

General Fund Vouchers #55- #94	\$ 29,365.94
Special Lighting Voucher #2	\$ 199.80
Highway Fund Vouchers #29- #53	\$ 39,501.07
Sewer Fund Vouchers #17024-#17042	\$ 37,850.31

Cash Received January 2021 \$2,075,421.93

Interest Received January 2021 \$525.63

Additional Business:

**Town of Olive
Resolution #6 of 2021**

A RESOLUTION TO APPROVE THE PLAN FOR OPERATIONS IN THE EVENT OF A DECLARED
PUBLIC HEALTH EMERGENCY INVOLVING A COMMUNICABLE DISEASE

WHEREAS, The Governor of New York State signed legislation S8617B/A10832 on September 7, 2020 requiring State and Local governments, and School Districts, to plan for future State disaster emergencies involving a communicable disease and,

WHEREAS, the Supervisor of the Town of Olive in collaboration with the town labor consultant developed the Town of Olive Plan for Operations in the Event of a Declared Public Health Emergency Involving a Communicable Disease (Plan for Operations) to adequately protect workers in the event of another state disaster emergency involving a communicable disease and,

WHEREAS, the Town of Olive submitted the Plan for Operations within 150 days to the union representatives of the Olive Police Department and the Olive Highway Department for comment as required by the NYS Legislation and,

WHEREAS, the Town of Olive received no comments on the Plan for Operations by the union representatives and,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Olive adopts the Plan for Operations in the Event of a Declared Public Health Emergency Involving a Communicable Disease dated March 4, 2021.

AND MOVES ITS ADOPTION

Motion made by: Board Member Edinger
Seconded by: Board Member Kelder

A Vote was Duly Taken:

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

Dated this 9th day of March, 2021

Dawn Giuditta, Town Clerk

Town of Olive
Resolution # 7 of 2021

To Designate the Conservation Advisor Council as the Climate Smart Communities Task Force

WHEREAS, the Town of Olive passed the Climate Smart Community Pledge on July 12, 2016, resolving to reduce greenhouse gas emissions and to be a Climate Smart Community; and

WHEREAS, the Town of Olive has established a Conservation Advisory Council to undertake a number of tasks involved in supporting the Climate Smart Community Pledge; and

WHEREAS, the New York State Department of Environmental Conservation has encouraged the creation of a local climate change Task Force to provide the Town Board with information about establishing and implementing climate smart initiatives, to provide new ideas to the Town Board, and to identify funding sources for these initiatives.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Olive hereby designates the Town of Olive Conservation Advisory Council to act as the Town of Olive Climate Smart Community Task Force, as appointed by the Town Board.

The Town of Olive Climate Smart Community Task Force appoints Matt Kovner to act as Coordinator.

This resolution will take place immediately.

AND MOVES ITS ADOPTION

Motion made by: Board Member Read

Seconded by: Board Member Edinger

	Aye	Nay	Absent
Jim Sofranko, Supervisor	_X_	_____	_____
Drew Boggess, Board Member	_X_	_____	_____
Scott Kelder, Board Member	_X_	_____	_____
David Edinger, Board Member	_X_	_____	_____
Victoria Read, Board Member	_X_	_____	_____

Dated this 9th day of March, 2021

Dawn Giuditta, Town Clerk

Town of Olive
Resolution #8 of 2021
SUPPORTING PARTICIPATION IN THE
NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR
4072 NYS 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 4072 State Route 28 (SBL 36.11-1-27.111) has been recommended for consideration for buyout in the LFA and the Town has been approached by the equal partners of Old Stockade Development, LLC, Stefan Sanzi and Greg Berardi, the owners of the property, requesting to participate in the NYCFFBO program under the Hydraulic Study category, and

WHEREAS, the Town of Olive has the option to decline ownership of the property choosing instead to own this property for future flood mitigation activities, and

WHEREAS, the Town of Olive understands that this Town-owned property will be managed by the Town in conjunction with a Re-Use Plan prepared by the Town that identifies the community’s long-term plan for the management, use, and development of this parcel. All activities are to be subject to and consistent with the restrictions in Flood-Prone Areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-funded Flood Buyout Program, Page 5 (1) a., i., ii., iii., iv., and v.

NOW, THEREFORE BE IT RESOLVED, the Town of Olive Town Board approves owners of 4072 NY State 28, Boiceville, NY 12412. Old Stockade Development, LLC, 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.

BE IT FURTHER RESOLVED, the Town of Olive Town Board opts to retain ownership of the parcel for future flood mitigation activities

AND MOVES ITS ADOPTION

Motion made by: Board Member Edinger

Seconded by: Board Member Boggess

A Vote was Duly Taken:

	AYE	NAY	ABSENT
Jim Sofranko, Supervisor	<u> X </u>	_____	_____
Victoria Read, Board Member	<u> X </u>	_____	_____
Andrew Boggess, Board Member	<u> X </u>	_____	_____
Scott Kelder, Board Member	<u> X </u>	_____	_____

David Edinger, Board Member
Dated this 9th day of March, 2021

 X _____ _____

Dawn Giuditta, Town Clerk

**Town of Olive
Resolution #9 of 2021**

**A RESOLUTION TO APPROVE THE PLAN OF ACTION FOR THE OLIVE POLICE DEPARTMENT
SUBMITTED BY THE OLIVE COMMUNITY POLICING TASK FORCE**

WHEREAS, The Governor of New York State issued Executive Order # 203 on June 12, 2020 establishing the NYS Police Reform and Reinvention Collaborative and,

WHEREAS, the Supervisor of the Town of Olive, following the directives of Executive Order #203, appointed the Olive Community Policing Task Force (OCPTF) a committee made up of community stakeholders including residents, leadership of the Olive Police Department, a representative of the faith-based community and local elected officials, and,

WHEREAS, the OCPTF was tasked to collaboratively examine the policies, procedures, and practices of the Olive Police Department for the purpose of addressing the particular needs of our community with an emphasis on race bias and disproportionate policing and,

WHEREAS, the OCPTF held over 70 hours of meetings, including two online public meetings, in order to create a robust community dialogue, educate the public on the policies and procedures of the Olive Police Department, and to hear any experiences, concerns, and comments from the public and,

WHEREAS, these meetings resulted in the drafting of a Plan of Action in order to better foster trust, transparency, fairness, and public outreach while maintaining public safety in the Town of Olive and,

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Olive adopts the Olive Community Policing Task Force Plan of Action, dated March 4, 2021.

AND MOVES ITS ADOPTION

Motion made by: Board Member Read

Seconded by: Board Member Boggess

A Vote was Duly Taken:

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

Dated this 9th day of March, 2021

Dawn Giuditta, Town Clerk

On a **Sofranko/Kelder** motion, the Town Board empowered the Highway Superintendent to sign the contract with Cornell Cooperative Extension of UC for engineering designs of Red Maple and Bostock crossings.

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

On a **Sofranko/Edinger** motion, the Town Board empowered the Highway Superintendent to purchase 2021 Western Star Truck for \$229,232.00

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

On a **Boggess/Read** motion, the hiring of Cynthia Nitkin as Planning Consultant to develop a USE Plan for the two Boiceville Properties.

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

On a **Sofranko/Edinger** motion, the Town Board accepted Andrew Eberhardt proposal for the Town Office septic system in the amount of \$24,895.00.

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

The town received 2 requests for proposal:

- | | |
|-------------------------------|-------------|
| 1. Andrew Eberhardt- | \$24,895.00 |
| 2. Chad Davis Contracting LLC | \$34,590.00 |

On a **Boggess/Kelder** motion, the Town Board empowered the Supervisor to sign a contract with Miracle Recreation Equipment for replacement of playground equipment destroyed in a winter storm for \$64,984.18.

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

The town received four quotes:

- | | |
|--------------------------------|------------------------------------|
| 1. Miracle Recreation Option 1 | \$64,984.18 |
| 2. Miracle Recreation Option 2 | \$59,910.83 |
| 3. Pro Playgrounds | \$36,999.00 |
| 4. MRC | \$44,820.05 plus labor \$20,109.76 |

On a **Sofranko/Read** motion, the Town Board approved 4 hours of training be applied to all the Planning Board Members for 2021 in recognition of all their hard work.

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

On a **Boggess/Sofranko** motion, approved an event permit for Aaron Smith for 1000 people with strict guidelines to follow all COVID protocols from the CDC and NYS at the time of the event.

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

Committees, Commission, Department Reports:

Cable franchise Negotiations committee—Jim Sofranko, Chair

No Report at this time.

Parks & Recreation Committee—Scott Kelder, Liaison

The Committee is waiting on guidelines for Day Camps. The spring sports will be underway soon if possible.

Highway Superintendent—Brian Burns

Superintendent Burns commended the Highway Department employees for a fabulous job this winter clearing roads.

Police Commission—Drew Boggess, Liaison (#18-21)

Total Calls for February- 6473

Year to date - 137

Property checks- 394

Traffic Tickets-22

Arrests: 0

Court is back open in person.

Town Clerk- Dawn Giuditta (#19-21)

February 2021- \$11,016.23

Taxes Collected – 1,640,997.16

Olive First Aid-(#20-21)

Total -28

Olivebridge- 7 Shokan- 6 Boiceville- 6 West Shokan- 4 Samsonville- 3 West Hurley- 2

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

February Calls 2021—13

Structure Fire-1 Mutual Aid- 6 Automatic Alarm- 2 Wires Down- 1 Public Service- 1

Carbon Monoxide-2

Scenic Byway- Drew Boggess, Liaison

No report at this time.

Conservation Advisory Council-David Edinger, Liaison

CAC member Matt Kovner will file the documents to get points with Climate Smart. The Community Choice Aggregation Program will allow the town to apply for grants. The Council will be looking into a solar code.

Zoning Committee-Drew Boggess, Chairman

The Short Term Rental Code (STR) is 85-90% complete. The committee will be working on getting it more finalized and hope to get it to the Board in late spring early summer.

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Technology Committee-David Edinger, Chairman

The website should be ready soon they are working on a color scheme. The Committee will look into the Policy procedure for Facebook and purchase a couple new domain names.

Planning Board- Victoria Read, Liaison

The Planning Board has continued working on the Lower Sahler Mill Subdivision. Bread Alone site plan has been approved and McMillian Road camping site plan has received some push back from people in the community.

The Town Board members were sent reports from Janice Lanzarotta, Bookkeeper Statement of Expenditures, Encumbrances & Appropriations (1/31/21) **#22-21**.

Barry Ruland, LVDV Operations Chief Operator sent the Town Board the Boiceville Sewer District Monthly Operating Report for December 2019. **(#23-21)**

On a **Sofranko/Edinger** motion, the Town Board approved a page in the minutes be made in honor of Vincent "Dutch" Barringer.

All pertinent business having been conducted, the Town Board on a **Sofranko/Read** motion, adjourned the meeting at 9:02 pm in memory of Claire Kassor and Arlos R Every.

Aye: Boggess, Kelder, Edinger, Read and Sofranko

Nay:

Absent:

Dawn Giuditta, Town Clerk

This page is dedicated

In Memory of Vincent "Dutch" Barringer

Dutch lived in the Town of Olive most of his life only leaving in the last couple years to live in Kingston.

He loved the Town of Olive.

He was Town Justice from 1970-1973, he held court from his home in Samsonville.

As an employee of NYCDEP for 30 years he found time to continue working for the residents of the Town of Olive.

Vince was Town Supervisor from 1976-1981 and again

Became Town Justice from 1986-2010

He was a fair and respected Judge for the Town of Olive.
Vince served his community for 34 years and will always be
remembered.

He was a loving Husband, Father, Grandfather, Brother and
Friend to the entire Town of Olive Community.

This Town Clerk will miss you!

Dawn Giuditta