

Town of Olive
County of Ulster
State of New York
Tuesday, May 11, 2021

Minutes of the monthly meeting of the Town of Olive Town Board, held Tuesday, May 11, 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; Gene Sorbellini, Facilities & Recreation Director; Timothy Cox, Town Justice; Sean Ryan, Police Chief; Josh Caliendo, Police Sargent; Simon Strauss, CAC

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

On a **Boggess/Read** motion, the Town Board approved the April minutes.

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

Correspondence: #33-21

Joe Stein resigns from Boiceville Sewer District Committee.

On a **Sofranko /Edinger** motion the Town Board asked that a letter of appreciate be sent to Mr. Stein.

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

#34-21

American Legion invites the Town Board to march in the Memorial Day Parade

#35-21

Deb Cook email concerning her assessment.

Budget Modifications:

On a **Edinger/Boggess** motion, the Town Board approved the following budget modifications:

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

Highway Budget Modifications-

Transfer \$229,232 from Reserve "A" Machinery to D5130.2 Machinery (Equip.)

General Fund Budget Modifications-

Increase Revenue A2680 Insurance Recoveries \$29,599.00

Increase Expense A7140.2 Playground & Recreation Facilities \$29,599.00

Increase Revenue A2705 Gifts & Donations \$5,000.00

Increase Expenses A8989 Other Home & Community Service \$5,000.00

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

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

General Fund Vouchers #149- #190	\$ 46,728.20
Special Lighting Voucher #4	\$ 10.85
Highway Fund Vouchers #80- #110	\$279,618.11
Sewer Fund Vouchers #17056-#17066	\$ 31,147.92

Cash Received March 2021 \$94,687.44

Interest Received March 2021 \$947.25

Additional Business:

On a **Boggess/Read** motion, the Town Board approved Resolution #11 of 2021 Authorizing the Supervisor to execute a contract to buy real estate in connection with Community Sewage Collections System Project.

**Town of Olive
RESOLUTION # 11 of 2021
Authorizing Supervisor to Execute a Contract to Buy Real Estate in Connection with Community
Sewage Collection System Project**

WHEREAS, the Town of Olive (“Town”) has entered into an agreement with the Catskill Watershed Corporation (“CWC”) which provides for the funding for the planning, design, construction and supervision of a community sewage collection system and wastewater treatment plant for the hamlet of Shokan (“Project”); and

WHEREAS, the CWC, through its engineer, Lamont Engineers, has conducted extensive investigation, planning and some design for the sewage collection system and evaluated the alternative treatment technologies; and

WHEREAS, in order to proceed with the planning and permitting for this Project, the Town must acquire property for a wastewater treatment facility; and

WHEREAS, the CWC’s Engineer has selected the location of the wastewater treatment facility which meets certain specified criteria regarding size, location, elevation, environmental, and availability, being certain real property referred to on the Tax Map of the County of Ulster and Town of Olive as Tax Parcel No. 46.5-1-9 (the “Parcel”); and

WHEREAS, the Town desires to purchase the Parcel in connection with the Project and Parcel owner is willing to sell; and

WHEREAS, the Town’s attorney has negotiated an agreement with the Parcel owner’s attorney; and

WHEREAS, it is in the interest of the Town to proceed with this Project and purchase the Parcel.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Olive authorizes the Town Supervisor to execute, on behalf of the Town, a Contract to Buy Real Estate from Samuel Friedman for the purchase price of \$200,000, provided the agreement is approved by the attorney for the Town and is within the approved budget for land acquisition.

Whereupon, the Resolution was put to a vote, and recorded as follows:

Jim Sofranko, Supervisor	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
David Edinger, Town Board Member	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Victoria Read, Town Board Member	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Scott Kelder, Town Board Member	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Drew Boggess, Town Board Member	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

DATED: May 11, 2021

SO APPROVED:

Dawn Giuditta - Town Clerk

Town of Olive
Resolution #12 of 2021

Adoption of the Community Choice Aggregation Local Law #1 of 2021

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, Local Law #1 of 2021 was introduced to the Olive Town Board at its February 9, 2021 Town Board meeting, and a public hearing on Local Law #1 of 2021 was held on March 24, 2021 for the Town Board to hear input from the public,

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

AND MOVES ITS ADOPTION

Motion made by: Board Member Edinger

Seconded By: Board Member Kelder

	Aye	Nay	Absent/Abstain
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 11th day of May, 2021

Dawn Giuditta, Town Clerk

On a **Sofranko/Bogges** motion, the Town Board approved modifications be made to Town Office Septic System.

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

On a **Sofranko/Edinger** motion, the Town Board approved Gary Beck Jr. be added to the Building Departments list of approved electrical inspectors.

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

On a **Sofranko/Read** motion, the Town Board approved the appointment of Steve Norman to the Boiceville Sewer District Committee.

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

On a **Sofranko/Kelder** motion, the Town Board approved the use of the Legion Hall by the Ulster County Election Board for early voting.

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

On a **Sofranko/Edinger** motion, the Town Board empowered the Supervisor to sign a contract with KAN for the Boiceville Use Plan.

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

On a **Sofranko/Bogges** motion, the Town Board appointed Lori Matteson Town Board Liaison with Cynthia Nikitin and KAN recipients of the Mentor Program Grant from Nature Conservancy.

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

On a **Sofranko/Kelder** motion, the Town Board appointed Paul Wright to the Town of Olive Planning Board.

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

On a **Sofranko/Edinger** motion, the Town Board approved the Lime Energy Proposal for the highway garage and cold storage garage.

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

Board Member Bogges introduced two new local laws to the Town Board. Local Law # 2 of 2021 amending Zoning Code Chapter 155 and Local Law # 3 of 2021 amending Subdivision Code Chapter 133.

On a **Bogges/Sofranko** motion, a Public Hearing was scheduled for June 7th at 6:45 pm for Local Law # 2 of 2021.

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

On a **Bogges/Read** motion, a Public Hearing was scheduled for June 7th at 6:30 pm for Local Law # 3 of 2021.

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

On a **Bogges/Sofranko** motion, the Town Board appointed Josh Caliendo Sargent of the Town of Olive Police Department.

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

On a **Sofranko/Bogges** motion, the Town Board approved the use of Davis Park Facilities for Onteora Booster Club Senior Picnic, the 6th grade moving up picnic and OCS Soccer.

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

On a **Sofranko/Read** motion, the Town Board waived the Park fee for the Coalition to Save Catskill Preserve. **(#36-21)**

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

On a **Edinger/Kelder** motion, the Town Board waived the Park fee for the Methodist Church on July 18th at Davis Park.

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

On a **Boggess/Kelder** motion, the Town Board approved the amended 284 Agreement with the Highway Superintendent.

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

On a **Sofranko/Edinger** motion, the Town Board empowered the Supervisor to sign the contract for NYC DEP Flood buyout with Stucki Embroidery.

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

The Town Clerk present the Town Board with the 2020 Planning & Zoning Board Training Report. **(#37 & #38-21)**

Supervisor Sofranko advised that interviewing for the Building and Zoning Clerk position being open due to Brenda VanLeuvan's retirement has begun. They had 6 application to date 5 have been interviewed and 1 failed to show.

Board Member Boggess reminded the Board that when Helen Grant resigned from the Planning Board she also resigned as alternate on the Ulster County Planning Board. It was suggested that the Planning Board be approached for a volunteer.

Committees, Commission, Department Reports:

Cable Franchise Negotiations Committee—Jim Sofranko, Chair

Supervisor Sofranko reached out to Charter/Spectrum concerning 3 roads that are pretty long runs for cable. He asked for a price for buildout on Chase, Peck and Freeman Avery Rd.

Parks & Recreation Committee—Scott Kelder, Liaison

Little league and girls' softball are underway, also the men's and woman's softball. Tackle Football was a big draw at Tongore Park. Pool operations will have a meeting next week. The pool is operational and will have a soft opening Thursday before Memorial Day Weekend. First full day of operation will be Saturday of Memorial Day weekend. The pool will probably be open on weekends in June until lifeguards get out of school and then we will probably be open full time until Labor Day. Day Camp is 45 days behind in preparations, and there have been no guidelines yet. The playground equipment is back logged at the factory 2 to 3 weeks.

Highway Superintendent—Brian Burns

Winter equipment has been washed and put away. Roads have been cleaned up and dirt roads graded up. Ditch work is being completed. There has been a lot of trees and wires down. The Highway Department is getting ready for construction season. They have also taken delivery of a new plow truck.

Police Commission—Drew Boggess, Liaison (#39-21)

Board Member Boggess commented that the Police Commission has been working on the Police Task Force suggestions. He also stated that body cameras have been purchase are now being used on the road and for training purposes.

Total Calls for March-75

Year to date - 280
Property checks- 360
Traffic Tickets-6
Arrests: 1

Town Clerk- Dawn Giuditta (#40-21)

April 2021- \$25,291.34
Taxes Collected – \$169,744.64

Olive First Aid-Chief Yvonne Fuller(#41-21)

Total -31
Olivebridge- 8 Shokan- 9 Boiceville- 5 West Shokan- 5 Samsonville- 3 West Hurley-1

Olive Fire Department-Chief Chris Winne (#42-21)

April Calls 2021—22
Structure Fire-2 Mutual Aid- 4 Automatic Alarm- 4 Wires Down-3 Auto Accidents-1
EMS Assist/Rescue-3 Brush Fire- 3 Public Service- 1 Carbon Monoxide-1

Scenic Byway- Drew Boggess, Liaison

The leadership group for the Scenic Byway has still not met. There is no source of money to do anything but they are looking into applying for a Federal Grant.

Conservation Advisory Council-David Edinger, Liaison

The Council has been pretty close to submitting for Bronze status for Climate Smart Communities. Matt Kovner has been getting together massive amount of documentation for that. The CCA local law we just passed will be some points along with the new website once the CAC portion was built out. We think we might have enough points but anything we can add will be good. Board Member Edinger sent out information to the Board about Solarize Ulster County Program which basically if we can sign up at least 10 people to sign up for Community Solar with a 10% discount on your energy bill. This program is set up through NYSEDA and a scoping document on how you will be pursuing this program. Once they approve it, we can start signing people up, and if we can get 10 people the Town can get \$5000. This is based on the first 100 towns joining. The CAC will need a letter from the Supervisor. The only way you cannot sign up is if you already have solar.

The Council is looking into a program called Solarize Ulster County and is requesting Town Board approval to participate. On an **Edinger/Read** motion, the Town Board approved participation in the Solarize Ulster County Program.

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

Board Member Edinger requested Town Board permission to start a Conservation Advisory Council Facebook page. Supervisor Sofranko expressed his concern about having a Facebook page at this time. Supervisor Sofranko stated he knows there is a need , but feels now is not the time. Board Member Read agreed that until there is a social media policy they should wait. There was concern from some Board members about content being placed on the sight and people responding to that content either good or bad.

Zoning Committee-Drew Boggess, Chairman

The Committee believes they have a decent Short Term Rental Code (STR) law. They will send it to the Dan Heppner for review and comments before proceeding any further. Supervisor Sofranko thanked the Committee for all their hard work.

Technology Committee-David Edinger, Chairman

The current website will be locked down while the conversion to the new site is made. The Committee will be working next on a Facebook or social media policy.

Buildings and Grounds Committee- Scott Kelder , Liaison

The Committee did not meet, there was no report at this time.

Planning Board- Victoria Read, Liaison

There was nothing new to report on the Lower Sahler Mill Subdivision they did not have a second meeting last month. They are waiting on paperwork from the developers. There was a public hearing held the first meeting in May on McMillan Road campsites. Discussions have started with Anne Marie Johansson and Chet Karwatowski on their subdivision the Planning Board have asked them to resubmit maps of their site plan. There has not been a SEQR

The Town Board members were sent reports from Janice Lanzarotta, Bookkeeper Statement of Expenditures, Encumbrances & Appropriations (1/31/21) **#43-21**.

Barry Ruland, LVDV Operations Chief Operator sent the Town Board the Boiceville Sewer District Monthly Operating Report for March & April 2021. **(#44 & # 45-21)**

All pertinent business having been conducted, the Town Board on a **Read/Boggess** motion, adjourned the meeting at 9:21 pm in memory of Mae "Steen" Oberkirch, who was one of the founding members of the Olive First Aid Unit, John Hansen, former Code Enforcement Officer (1982-1983), Town Board Member (1996-1999) and Lee Konjas.

Aye: Boggess, Kelder, Edinger, Read and Sofranko

Nay:

Absent:

Dawn Giuditta, Town Clerk