

Town of Olive
County of Ulster
State of New York
Monday, July 12, 2021

Minutes of the Public Hearing on Local Law #2 of 2021 a local law amending Chapter 155 Zoning Code, held Monday July 12, 2021 6:30 pm at Davis Park, West Shokan.

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

Supervisor Sofranko called the meeting to order at 6:37 pm.
The Town Clerk advised that the legal ad for the public hearing was placed in the Daily Freeman on June 16, 2021, placed on the website and on the office bulletin board.

There was zero resident in attendance at this meeting.

On a **Boggess/Kelder** motion, the Town Board adjourned the public hearing on Local Law #2 of 2021 amending Chapter 155 town of Olive Zoning Code at 6:44 pm.

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

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Monday, July 12, 2021

Minutes of the Public Hearing on Local Law #3 of 2021 a local law amending Chapter 133 Subdivision of Lands, held Monday July 12, 2021 6:45 pm at Davis Park, West Shokan.

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, OCAC

Supervisor Sofranko called the meeting to order at 6:45 pm.

The Town Clerk advised that the legal ad for the public hearing was placed in the Daily Freeman on June 16, 2021 and placed on the website.

There were two residents in attendance at this meeting.

Mr. Chet Karwatowski commented that he was concerned about the need for a public hearing on Minor subdivisions. He stated he felt it would bog down the Planning Board to do a public hearing for minor subdivisions.

Board Member Boggess responded that it is NYS Law to hold a public hearing on all subdivision minor or major. He stated that our current law does not have it in the procedure that is why we are amending it.

Mr. Karwatowski asked how does this advance the planning process?

Board Member Boggess responded that the purpose of a public hearing is to give the Planning Board additional information that they might not have been aware of.

Supervisor Sofranko stated that a public hearing gives neighbors a chance to weigh in on the process. Board Member Boggess commented the amendment is not anything the Planning Board is not already doing.

Mr. Karwatowski stated he understands, but a public hearing can become a bottleneck for the Planning Board. Vicky Read stated it is required by the state

Drew Boggess commented that our code did not clarify lot line adjustment that's why the change was made to put it in the code. He said this is what the planning board is already been doing.

On a **Sofranko/Boggess** motion, the Town Board adjourned the public hearing on Local Law #3 of 2021 amending Chapter 155 Zoning Code at 7:07 pm.

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

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Monday, July 12, 2021

Minutes of the monthly meeting of the Town of Olive Town Board, held Monday July 12, 2021 7 pm at Davis Park, West Shokan.

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, OCAC; Sean Ryan, Police Chief

Supervisor Sofranko opened the workshop meeting at 7:07pm

The Town Board audited the monthly bills.

The Town Board completed the SEQRA for Local Law # 2 of 2021. On a **Sofranko/Boggess** motion, the Town Board found a negative declaration on the SEQRA for Local Law #2 of 2021 amending the Town Zoning Code Chapter 155.

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

The town Board completed the SEQRA for Local Law #3 of 2021. On a **Sofranko/Boggess** motion, the Town Board adopted a negative declaration on the SEQRA for Local Law #3 of 2021 amending Chapter 133 of the Town Code Subdivision Lands.

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

On a **Kelder/Sofranko** motion, the Town Board approved the pay schedule for Day Camp which will be paid in 2 equal payments: (#54-21)

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

Camp Supervisor- Rene Oakes \$ 2000.00 (Teacher, First Aid & CPR)

Assistant Camp Supervisor- Grace Lawkins \$1,200.00 (CN-Cert. Nurse, Day Care Experience)

Senior Counselors: 4 @ \$850.00 each

1. Adrienne Cox
2. Paige Matteson
3. Zach Fulford
4. Saphie Loizou

Junior Counselors: 4 @ \$750.00 each

1. Darrah Allison
2. Gianna Tisch
3. Ruby Gallin
4. Evan Loizou

Counselors in Training: (CIT) 4 @ \$650.00 each

1. Cole Matteson
2. Jack Wood
3. Ben Cox
4. Liliana DeGondea

The Town Board discussed the agenda for the Tuesday night meeting.

The Town Board set a special meeting to be held on July 26th at the Town Hall 7 pm for the purpose of awarding the bid on the Burgher Road Culvert Replacement.

The Town Board discussed a building permit matter concerning the replacement of a water heater. A resident was charged \$100 for a building permit to replace a water heater. There was some question on the codes for water heaters so Supervisor Sofranko recommended waiving her fee and waiving water heater building permits requirements until Dominick or John goes through the 2019 code change.

On a **Sofranko/Read** motion the Town Board put a moratorium on water heater building permits fees until we restructure the fee structure and return a check for \$100 to Donna Elberg for the building permit, she acquired to replace the water heater in her home.

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

The Town Board approved Erich Funccius as a new member of the Town of Olive Police Department on a **Sofranko/Read** motion.

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

The Town Board held a lengthy discussion on the Short Term Rental fine to be instituted into the law.

On a **Boggess/Read** motion, the Town Board approved a \$500 a day fine for non-registered Short Term Rentals.

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

Supervisor Sofranko made some adjustments for Committee liaisons to the Town Board:

On a **Sofranko/Kelder** motion, the Town Board approved Vicky Read new liaison to the Olive Conservation Advisory Committee.

Aye: Boggess, Kelder, Edinger, and Sofranko Nay: Abstain: Read

On a **Sofranko/Read** motion, the Town Board approved David Edinger as new liaison to the Scenic Byway.

Aye: Kelder, Read and Sofranko Nay: Abstain: Edinger, Boggess

There will no longer be a planning board liaison. All meetings from now on will be held at the Town Hall, there will be no more ZOOM or hybrid meetings for all Boards, Committees, Commissions and Councils.

The Town Board members were sent reports from Janice Lanzarotta, Bookkeeper Statement of Expenditures, Encumbrances & Appropriations (5/31/21) #55-21.

All pertinent business having been discussed the meeting adjourned on **Boggess/Sofranko** motion, at approximately 8:37 pm.

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

Dawn Giuditta, Town Clerk

A Vote was Duly Taken:

	AYE	NAY	ABSENT
Jim Sofranko, Supervisor	<u> X </u>	_____	_____
Andrew 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 13th day of July, 2021

Dawn Giuditta, Town of Olive Town Clerk

RESOLUTION #19 OF 2021
RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF OLIVE
Adopting Local Law No. 2 of 2021 Amending the Town of Olive Zoning Code Chapter 155 of the Town of Olive Code

In the Matter of the Adoption of Amendments to the Town of Olive Zoning Code Chapter 155 entitled "Zoning"; and

WHEREAS, the Town Board for the Town of Olive adopted the Zoning Code Chapter 155 as written on June 16, 1975 and adopted by the Town Board of the Town of Olive at time of adoption of Town Code; and

WHEREAS, the Town Board has determined that certain changes in the Law were necessary or convenient to its implementation; and

WHEREAS, the proposed Amendments were presented to the Town Board at least 11 days prior to the Town Board meeting on May 11, 2021; and

WHEREAS, the public hearing on the proposed Local Law # 2 of 2021 Amending Chapter 155 Zoning Code was held on June 7, 2021 and July 12, 2021 at Davis Park in West Shokan; and

WHEREAS, the Town Board reviewed and considered all public comments received on the proposed Local Law No. 2 of 2021; and

WHEREAS, the proposed Local Law #2 of 2021 amending Chapter 155 Zoning Code were on file for inspection at the Town Clerk's office and posted on the Town of Olive website prior to the hearing and during the public review process; and

WHEREAS, the Town Board has caused to be prepared a Full Environmental Assessment Form (EAF) pursuant to the mandates for the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617) for the proposed Local Law No. 2 of 2021 ; and

WHEREAS, the Town Board has issued a negative declaration under SEQRA for the proposed Local Law No. 2 of 2021 thereby complying with the mandates of the State Environmental Quality Review Act; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Olive hereby adopts Local Law #2 of 2021 a local law amending Town of Olive Code Chapter 155 "Zoning Code."

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 13th day of June, 2021

Dawn Giuditta, Town Clerk

RESOLUTION #20 OF 2021

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF OLIVE

Adopting Local Law No. 3 of 2021 Amending the Town of Olive Code for Subdivisions Chapter 133 of the Town of Olive Code

In the Matter of the Adoption of Amendments to the Town of Olive Code Chapter 133 entitled "Subdivision of Land"

WHEREAS, the Town Board for the Town of Olive adopted Subdivision Code Chapter 133 as written about June 16, 1975 and adopted by the Town Board of the Town of Olive at time of adoption of Town Code; and

WHEREAS, the Town Board has determined that certain changes in the Law were necessary or convenient to its implementation; and

WHEREAS, the proposed Amendments were presented to the Town Board at least 11 days prior to the Town Board meeting on May 11, 2021; and

WHEREAS, the public hearing on the proposed Local Law # 3 of 2021 Amending Chapter 133 Subdivision of Lands was held on June 7, 2021 and July 12th at Davis Park in West Shokan; and

WHEREAS, the Town Board reviewed and considered all public comments received on the proposed Local Law No. 3 of 2021; and

WHEREAS, the proposed Local Law #3 of 2021 amending Chapter 133 Subdivision of Lands were on file for inspection at the Town Clerk's office and posted on the Town of Olive website prior to the hearing and during the public review process; and

WHEREAS, the Town Board has caused to be prepared a Full Environmental Assessment Form (EAF) pursuant to the mandates for the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617) for the proposed Local Law No. 3 of 2021 ; and

and other remediation on the landfill when we've had problems. They inspected the landfill in the areas noted in the DEC report and have 30 days to reply to the DEC with a written plan of action.

Consolidated Funding Application for a Comprehensive Plan- Supervisor Sofranko is working with Planner Barbara Johnson from LaBella and Environmental Planner Simon Gruber in getting letters of support from various stake holders in the community, Including UC Executive, Olive Planning Board, local businesses and land conservancies to include in our application.

Shokan Waste Water Management Plan-Letters were sent out to all property owners in the designated sewer district asking for property information. Information about the Shokan Waste Water Management Program is available in the Town Clerk's office in West Shokan with the engineering studies and mapping of the sewer district is available both in the Town Clerk's office and during court hours at the Town Hall in Shokan

Committees, Commission, Department Reports:

Cable Franchise Negotiations Committee—Jim Sofranko, Chair

Supervisor Sofranko stated he is in communication with Spectrum on getting some pricing on build out in case the Board decides to use the American Rescue monies for Broadband, which is one of the options. He received a quote for Freeman Avery Road and Chase Road for \$72,340. He will reach out again to get pricing on the whole town.

Parks & Recreation Committee—Scott Kelder, Liaison

The new playground has been installed. Day Camp has started thanks to the Recreation Committee, there is about 48 kids signed up. Due to a collaborative effort with the Library the Birds of Prey show will be on July 15th at 6 pm. The kids will be doing a stream watch program with one of the parents. Other events planned are a pool party and a concert in the park. Softball is going well; tennis courts are complete. Close circuit TV and cameras have been installed at the pool facilities and back of town office buildings

Highway Superintendent—Brian Burns

Superintendent Burns stated that June has been a busy month paving Mill Road, ½ Brown Road, Hanna Lane and Acorn Hill Road. They are now working on the shoulders of these roads. Bids specs for the Burgher Road culvert Replacement went out and the temporary bypass is in place. There have been lots of wash outs but the guys are doing a great job.

Police Commission—Drew Boggess, Liaison (#60-21)

Total Calls for June-102

Year to date - 471

Property checks- 367

Traffic Tickets-5

Arrests: 1 Warrant

Town Clerk- Dawn Giuditta (#61-21)

June 2021- \$33,364.76

Taxes Collected – \$15,329.86

Olive Fire Department- Christopher Winne, Fire Chief (#62-21)

May Calls-24

Auto Accidents- 6	Mutual Aid- 3	Automatic Alarm-4	Smoke Investigation-2	Wires Down- 2
Ems Assist/Rescue- 6	Brush Fire- 1			

June calls-17

Auto Accidents- 1	Structure Fire- 1	Mutual Aid- 5	Automatic Alarm- 2	Wires Down- 4
EMS Assist/Rescue- 1	Carbon Monoxide- 1	Good Intent- 2		

Olive First Aid- Yvonne Persons, Captain (#63-21)

May Calls-45

Olivebridge- 11 Shokan- 16 Boiceville- 3 West Shokan- 2 Samsonville- 2 West Hurley-1

June Calls- 38

Olivebridge- 19 Shokan- 8 Boiceville- 3 West Shokan- 3 Samsonville- 2 Bearsville-1 Mount Tremper- 1
Shandaken- 1

Scenic Byway- Drew Boggess, Liaison

Board Member Boggess stated they have met, and the Town of Roxbury has asked to have a spur out to the scenic Byway. There is a desire to connect with the Mountain Clove Byway just not sure where the money for that will come from. There is more of an effort being made to get more of the business along the byway listed on the website.

Conservation Advisory Council-David Edinger, Liaison

The CAC shifted their meetings to after the Town Board meeting so nothing new to report.

Zoning Committee-Drew Boggess, Chairman

The two new zoning and subdivision laws have been passed. Next meeting is on Thursday and they plan on discussing tent sites.

Buildings and Grounds Committee- Scott Kelder , Liaison

The Committee has the preliminary designs for the cold storage building.

Barry Ruland, LVDV Operations Chief Operator sent the Town Board the Boiceville Sewer District Monthly Operating Report for May & June 2021. **(#64-21)**

All pertinent business having been conducted, the Town Board on a **Sofranko/Boggess** motion, adjourned the meeting at 7:59 pm in memory of Judith VanGonsic, Sherret Spaulding Chase & Ruth Halstead.

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

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Monday, July 26, 2021

Minutes of a special meeting of the Town of Olive Town Board, held Monday, July 26, 2021 7 pm at Town Hall, Shokan.

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

Members Not Present: Jim Sofranko, Supervisor

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: Sierra Smith, Highway Secretary; Timothy Cox, Legal Counsel CWC

Town Deputy Supervisor Drew Boggess called the meeting to order at 7:00 pm. The purpose of this special meeting was to award the Replacement of the Burgher Road Crossing.

Deputy Supervisor Boggess commented that the Town Board received the bid amounts as follows:

1. Kingston Equipment Rental, Inc.- Base- \$408,163.75
Alternate- \$416,663.75
2. OCS Industries- Base \$738,283.45
Alternate- \$763,643.45
3. Evergreen Mountain Contracting-Base \$480,526.00
Alternate add \$6,000.00
4. Advanced Enterprises- Base \$454,534.00
Alternate add \$15,000.00
5. Butler Construction Group- Base \$630,193.50
Alternate \$650,193.50

Kingston Equipment Rental was the apparent lowest bidder, the bids were given to SLR Engineering for review and they recommended Kingston Equipment Rental as the lowest bidder. The bid opening was held on July 19, 2021 at 10:00 am.

Resolution # 21 of 2021
Awarding Kingston Equipment Rental, Inc. As Successful Bidder
To Contract with Town of Olive for Replacement of the Burgher Road Crossing
For Catskill Watershed Corporation's (CWC's)
Flood Hazard Mitigation Implementation Program (FHMIP) Grant Funding

WHEREAS, the Town of Olive accepted the Local Flood Analysis (LFA) presented by the Flood Advisory Committee on August 8, 2017 and doing so made the Town eligible for funding for structural and non-structural projects to improve flood resilience; and

WHEREAS, the LFA identified the Dry Brook stream crossing at Burgher Road in West Shokan as an area of concern in need of flood mitigation efforts; and

WHEREAS, on March 13, 2018 the Town Board supported the application to the AWSMP for implementation grant funds for engineering design for the Burgher Road stream crossing.

WHEREAS, the Catskill Watershed Corporation (CWC) Flood Hazard Mitigation Implementation Program (FHMIP) approved the Town of Olive for funding to supplement existing sources of funding for the Burgher Road Crossing project; and

WHEREAS, an Invitation to Bid was advertised on June 25, 2021 with the Town of Olive receiving bids for "Replacement of Burgher Road Culvert over Dry Brook" from 5 contractors by the deadline of 10:00 a.m. on July 19, 2021 and with the bids received, opened, and read aloud at that time at the Town Clerk's Office; and

WHEREAS, all 5 bids for "Replacement of Burgher Road Culvert over Dry Brook" were received and reviewed by SLR Engineering, Landscaping Architecture, and Land Surveying, P.C. and upon completion of their review recommended the town proceed with the lowest bidder of Kingston Equipment Rental, Inc./Baker Brother's Excavating.

THEREFORE, BE IT RESOLVED, after extensive review the Town, based on best value, approves the bid from Kingston Equipment Rental, Inc. in the amount of \$416,663.75 for the alternate bid as the successful bidder for the application to Catskill Watershed Corporation's (CWC's) Flood Hazard Mitigation Implementation Program (FHMIP) Grant Funding; and empowers the Town Supervisor or Deputy Supervisor to sign a contract with Kingston Equipment Rental, Inc. for the "Replacement of the Burgher Road Crossing."

AND MOVES ITS ADOPTION

Motion made by: Board Member David Edinger

Seconded by: Board Member Victoria Read

A Vote was Duly Taken:

	AYE	NAY	ABSENT
Jim Sofranko, Supervisor	_____	_____	__X__
Andrew Boggess, Board Member	__X__	_____	_____
Scott Kelder, Board Member	__X__	_____	_____
David Edinger, Board Member	__X__	_____	_____
Victoria Read, Board Member	__X__	_____	_____

Dated this 26^d day of July, 2021

Dawn Giuditta, Town of Olive Town Clerk

The Town Board discussed an issue arising at the Transfer Station over the weekend due to UCRRA not delivering new bins for the garbage.

Timothy Cox, CWC Legal Counsel discussed the Shokan Waste Water Management Plan, he advised that mid to late fall there will be a meeting to discuss the Shokan Waste Water Management Plan. He suggests that if anyone has questions to have them write them down and ask them at the meeting. They might not be able answer all the questions at that time, but they will make an attempt to answer what they can.

All pertinent business having been discussed the Town Board adjourned the meeting at 7:27 pm on a **Boggess/Read** motion.

Aye: Boggess, Kelder, Edinger, Read

Nay:

Absent: Sofranko

Dawn Giuditta, Town Clerk