

Town of Olive
County of Ulster
State of New York
Thursday, October 5, 2023

Minutes of the Tentative Budget Meeting of the Town of Olive Town Board, held Thursday, October 5, 2023, 3:00 pm at the Town Office, West Shokan, NY.

Members Present: James Sofranko, Supervisor
Drew Boggess, Board Member
Scott Kelder, Board Member

Members Not Present: David Edinger, Board Member
Victoria Read, Board Member

Recording Secretary: Dawn Giuditta

Others Present: Marlies Rosier, Bookkeeper; Gene Sorbellini, Buildings & Recreation Director

Supervisor Sofranko called the meeting to order at 3:00 pm.

The Town Clerk presented the 2024 Tentative Budget and Local Law #3 of 2023 a Local Law to Override the Tax Levy Limit to the Town Board Members present. The Town Board was also presented with Marlies Rosier, Bookkeeper's Statement of Expenditures, and Encumbrances & Appropriations for the month ending 8/31/2023. **(#86-22)**

Supervisor Sofranko commented that the budget as it stands now is at a 3.707% tax levy. The tax cap is at 2.079%, which puts the Tentative Budget over the tax cap by \$53,177.00.

Some budget notes were from 4% payroll increase, MVP Health Insurance increase of 7%, NYMIR Liability Insurance increase of 12%, and this budget includes \$38,000 for paving the town parking lot.

On a **Sofranko/Boggess** motion, the Town Board set the following budget meetings if needed: 10/17/23, 10/24/23, and 10/30/23 at 6:30 pm in the Town Hall on Bostock Road in Shokan

AYE- Boggess, Kelder, Sofranko

Nay

Absent- Read, Edinger

All pertinent business having been discussed the Town Board on a **Boggess/Kelder** motion adjourned the meeting at 3:37 pm.

AYE- Boggess, Kelder, Sofranko

Nay

Absent- Read, Edinger

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Thursday, October 5, 2023

Minutes of the Informational Meeting for the Zoning Map adjustments of the Town of Olive Town Board, held Thursday, October 5, 2023, 7:00 pm at the Town Office, West Shokan, NY.

Members Present: James Sofranko, Supervisor
Drew Boggess, Board Member
Scott Kelder, Board Member
Victoria Read, Board Member

Members Not Present: David Edinger, Board Member

Recording Secretary: Dawn Giuditta

Others Present: Heidi Emrich, Planning Board; John Ingram, Zoning Code Enforcement Officer

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

There were 2 residents in attendance: Peter Friedel, and Eric Rockwell

Supervisor Sofranko stated that the original zoning map is from 1975 and in the recent past the Town has had difficulty with clarifying certain areas on the map. He stated that he and Heidi Emrich have been working to clarify the map and these questionable areas. Supervisor Sofranko stated that the map itself is not being changed.

Supervisor Sofranko introduced Heidi Emrich who is a Planning Board Member and is employed by Ulster County Department of Environment. She has reviewed the 1975 map and found 3 areas that should be clarified for zoning. The three areas are: the end of Moonhaw Road, the end of Haver Road and the end of Lang Road. Heidi explained the reasoning for adjusting the lines in these areas and stated the changes made have a minimal impact across the board.

After a short discussion the meeting adjourned on a Sofranko/Read motion at 7:30 pm.

AYE- Boggess, Kelder, Read, Sofranko

Nay

Absent- Edinger

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Tuesday, October 10, 2023

Minutes of the Regular Meeting of the Town of Olive Town Board, held Tuesday, October 10, 2023, 7:00 pm at the Town Office, West Shokan, NY.

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

Recording Secretary: Dawn Giuditta

Others Present: Gene Sorbellini, Facilities & Recreation Director; Timothy Cox, Town Justice; Simon Strauss, OCAC

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

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

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

Correspondence: #87-23

Ternice Winne- Resignation from the Olive Day Committee

On a **Sofranko/Boggess** motion, the Town Board request a letter of thanks be sent to Ternice Winne.

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

#88-23

Bill Melvin- Concerning Zoning Map

Budget Modifications: On a **Sofranko/Read** motion, the Town Board approved the following budget modification in the General Fund:

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

General Fund:

Transfer \$5,500 from Reserve D- Parks and Playgrounds Equipment to:

A7110.2 Parks- Equipment \$5,500.00

(Resolution #13 of 2023 – Picnic Tables)

Transfer \$32,769.00 from A1990.4 Contingent Account to the following:

A7110.2 Parks- Equipment \$28,769.00

A8160.4 Refuse & Garbage Contr. \$4,000.00

Increase A8090.4 Environmental Control- Contractual \$125.00

(OCAC) Expenses being paid from 2022 NYSERDA Grant)

On a **Sofranko/Edinger** motion, the Town Board approved the following budget modifications for the Highway Fund:

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

Highway Fund:

Transfer \$45,880.00 from Reserve A Machinery to the following:

D5130.2 Machinery Equipment \$45,880.00

(Resolution #10 of 2023)

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 #472-#523 \$ 67,088.59

Highway Fund Vouchers #182-#204 \$127,697.64

Special Lighting Vouchers #8 \$ 81.87

August Cash Received: \$37,954.60

August Interest: \$23,081.46

Additional Business:

On a **Sofranko/Read** motion, the Town Board appointed Gemma Young to the Zoning Board of Appeals for the term that ends 12/31/26.

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

On a **Sofranko/Kelder** motion, the Town Board reappointed Ronald Bergeron to the Board of Assessment Review with a term ending 9/30/28.

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

On a **Sofranko/Boggess** motion, the Town Board approved the retention of Bond Counsel Douglas Goodfriend for legal counsel up to \$3000.00.

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

On an **Edinger/Read** motion, the Town Board gave approval to the Highway Superintendent to sign the Intermunicipal Agreement with Ulster County for equipment shared services.

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

On a **Sofranko/Boggess** motion, the Town Board approved advertising the bulldozer on auctions International for a minimum of \$5,000.00.

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

On a **Boggess/Edinger** motion, the Town Board approved a change in hours for the Transfer Station starting January 1, 2024.

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

Town of Olive
Resolution #14 of 2023

A RESOLUTION TO AUTHORIZE THE SUPERVISOR FOR THE TOWN OF OLIVE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE ULSTER COUNTY SHERIFF'S OFFICE PERTAINING TO THE TRANSFER OF CUSTODY OF ARRESTEES FOR ARRAIGNMENT BEFORE THE ULSTER COUNTY CENTRALIZED ARRAIGNMENT PART LOCATED AT THE ULSTER COUNTY LAW ENFORCEMENT CENTER

WHEREAS, New York State law allows counties to create off-hours, centralized arraignment parts ("CAP courts") to facilitate timely court processing and an individual's right to counsel at first appearance after arrest; and

WHEREAS, CAP courts aim to foster efficiency and ease logistical and administrative burdens by assigning off-hours arraignments to local criminal court judges according to a rotating, predetermined schedule; and

WHEREAS, CAP courts ensures that a judge within the county is always available to handle an arraignment; and

WHEREAS, the Ulster County Magistrate's Association ("UCMA") has approved the creation of a CAP court in Ulster County ("Ulster CAP court") and submitted a proposal to the Hon. Gerald W. Connolly, Administrative Judge New York State Third Judicial District for approval; and

WHEREAS, the Third Judicial District is in the process of approving both the plans and the protocol for the Ulster CAP court to be located at the Ulster County Law Enforcement Center ("UCLEC"); and

WHEREAS, the Ulster County Legislature has approved the funding for the assignment of Court Clerks and a public defender to be available for the Ulster CAP court; and

WHEREAS, a Memorandum of Understanding, ("MOU"), attached as Exhibit A, is now required to be executed between each municipality with a police agency located in Ulster County ("police agency") and the Ulster County Sheriff's Office ("UCSO"); and

WHEREAS, the MOU has been reviewed and approved by the Ulster County Attorney's Office and will be presented to the Ulster County Legislature for formal approval; and

WHEREAS, the MOU will permit the UCSO to take custody of the arrestees of a police agency and temporarily house the arrestee within the UCLEC; and

WHEREAS, the UCSO agrees to safely, and securely, maintain custody of these individuals under the terms and conditions of MOU; and

WHEREAS, the Ulster County CAP court shall assure consistency in representation as well as the after-hours schedules of the city, town and village justices; and

WHEREAS, the Ulster County CAP court will result in a more efficient and effective police agency by removing the burdensome and time-consuming task of attempting to recruit a local Judge and public defender to perform an afterhours arraignment; and

WHEREAS, the Ulster County CAP court will allow the members of a police agency to more quickly return to other duties once the arrestee has been processed and transferred to the UCSO; now

THEREFORE, BE IT RESOLVED, that the Town of Olive hereby authorizes the Supervisor to execute the MOU.

AND MOVES ITS ADOPTION

Motion made by: Board Member Read

Seconded By: Board Member Edinger

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 10th day of October, 2023

Dawn Giuditta, Town Clerk

**Town of Olive
Resolution #15 of 2023**

Transfer of Reserve Funds for a Parks and Playgrounds

Whereas, the Town Board of the Town of Olive in Resolution #12 of 1996 established General Fund Reserve D - Parks and Playgrounds pursuant to Section 6-c of the NYS General Municipal Law to provide funding for the acquisition of equipment for the Town of Olive Parks and Playgrounds, and

Whereas, the Town Board of the Town of Olive, at its September 12, 2023 meeting, authorized by motion to allow the Facilities Director, with approval of the Supervisor, to locally source and purchase a previously owned truck for use in the parks with a maximum purchase amount of \$30,000.00, and

Whereas, the Facilities Director found a 2019 Chevrolet Colorado 4x4 truck at Sawyer Motors in Saugerties for the purchase price of \$28,769 and made arrangements, with the approval of the Supervisor, for its purchase, and

Now, Therefore, Be It Resolved, the Town Board of the Town of Olive authorizes a transfer not to exceed \$28,769 from Reserve Fund D Parks and Playgrounds for the purchase of a 2019 Chevrolet Colorado 4x4 truck for use in the parks to AO7110.2 Parks - Equipment, and

Be It Further Resolved; this resolution is subject to permissive referendum pursuant to Section 6-c of the General Municipal Law.

AND MOVES ITS ADOPTION

Motion made by: Board Member Boggess

Seconded By: Board Member Kelder

A Vote was Duly Taken:

Aye Nay

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

Dated this 10th day of October, 2023

Dawn Giuditta, Town Clerk

On a **Sofranko/Read** motion, the Town Board approved the retention of the services of Simon Gruber as a consultant to write a grant(s) for funding of the insulation and heat for the Town Hall for up to \$1500.00.

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

On a **Boggess/Sofranko** motion, the Town Board approved the Town of Olive Short Term Rentals 2024 Permitting, Fire, and Safety Inspection Fee Schedule.

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

On a **Sofranko/Read** motion, the Town Board approved the retention for services of Gregory Keyes to write a policy and procedures with a proposed fee schedule for the additional inspections required under the adoption of the 2022 NYS Uniform Code for up to \$2000.00.

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

On a **Boggess/Edinger** motion, the Town Board approved the payment of services to Gregory Keyes at \$150.00 per inspection for Short Term Rental Inspections.

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

On an **Edinger/Kelder** motion, the Town Board authorized the Supervisor to sign a contract with Into the Catskill Cleaning for facility cleaning services of up to \$1600/month.

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

On an **Edinger/Boggess** motion, the Town Board approved the use of the American Legion by New Genesis Productions on November 18, 2023.

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

On a **Sofranko/Read** motion, the Town Board approved the adjustment of the mileage as needed in alignment with the Internal Revenue Service issued standard mileage rates.

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

Supervisor Sofranko introduced Resolution #16 of 2023 adopting CEA Beaverdam Creek and Rochester Creek, and Resolution #17 of 2023 CEA Pacama Vly to the Town Board.

On a **Boggess/Read** motion, the Town Board scheduled two public hearings for Resolution #16 & 17 for November 14th at 6:30 pm and 6:45 Pm.

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

The Town Board acknowledged and thanked Matt Kovner and the OCAC for Olive being recognized by the NYSERDA Climate Smart Program as Bronze certified for the work done.

On a **Read/Edinger** motion, the Town Board requested a letter of appreciation be sent to the OCAC.

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

On a **Sofranko/Boggess** motion, the Town Board set a public hearing for the Olive First Aid Contract for 11/9/23 at 6:30 pm.

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

On a **Sofranko/Kelder** motion, the Town Board set a public hearing for Local Law #3 of 2023 A local law to override the tax cap for 11/9/23 at 6:45 Pm.

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

Committees, Commission, Department Reports:

Parks and Recreation Committee- Scott Kelder, Liaison

The Committee is drafting a new pool use policy, they are updating the code of conduct due to some residents not being so nice to staff. They hope to have it to the Town Board by the New Year. Soccer is starting, Tongore was paved. Gene is shutting down parks in a couple of weeks and he is working with the School for adult basketball/volleyball and youth basketball.

Highway Department: Brian Burns, Highway Superintendent

The Highway Department finished up Freeman Avery Road last month, they are doing some prep work for paving. The two small trucks have been received. The Sahler Mill Road crossing will have to wait until Spring due to the excessive amount of rain we've had. The precast has been ordered and will be held by the company until spring.

Town Clerk- Dawn Giuditta (#89-23)

August Report: \$29,019.58

September Report: \$29,768.78

Olive First Aid Unit- Virginia Wiswall, Chief (#90-23)

Total calls September- 33

Olivebridge- 14 Shokan- 5 Boiceville-5 West Shokan-1 Shandaken- 1 West Hurley-4
Samsonville- 2 Woodstock- 1

Zoning Committee- Drew Boggess, Liaison

The Committee met with the consultant Nan Stolzenberg on the subdivision code. They presented her with documents they received from the other committees. Board Member Boggess hopes to have something for the Town Board by November.

OCAC- Vikki Read, Liaison

The Council received bronze status in the Climate Smart Community Program for the Town of Olive. Simon Strauss said there might be some good gap grants available, however; applications are due in November.

Buildings & Grounds- Scott Kelder, Liaison

Board Member Kelder stated he walked around the buildings in West Shokan and found a couple rotten doors that need to be replaced. Gene will be addressing the doors replacement.

CWT- David Edinger, Liaison-

The State Dec will be pressuring NYCDEP for better stewardship of purchased lands. CWT brought changes to the conservation easements and they are being redone.

On a **Sofranko/Bogges** motion, the Town board adjourned into executive session to discuss property for sale of interest to the Town at 7:53 pm

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

On a **Sofranko/Bogges** motion the Town Board closed executive session at 8:40 pm

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

With no further pertinent business to attend to the meeting adjourned on a **Kelder/Edinger** motion at 8:41pm in memory of Robert Blair.

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

Dawn Giuditta, Town Clerk