

Town of Olive
County of Ulster
State of New York
Monday, December 11, 2023

Minutes of the audit meeting of the Town of Olive Town Board, held Monday, December 11, 2023 at 7:00 pm at Bostock Road, Shokan, NY 12481

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

Present: Brian Burns, Highway Superintendent, Gene Sorbellini, Building & Recreation Director

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

The Town Board audited the monthly bills and reviewed the agenda for the Tuesday night's meeting. The following items were also discuss:

- John Ingram suggested a speed change for County Route 2A. The road is currently posted at 40 mph, the County suggested more police patrol for the roadway.
- Dog Control Office- Our current Dog Control Officer is from the Town of Rochester and has expressed that she no longer wishes to come to Olive. Supervisor Sofranko spoke with the Town of Shandaken for a shared services arrangement.
- ZBA- Fred Perry has expressed interest in being the ZBA Chairman and Chet Scofield the current Chair has no problem with the change.
- Supervisor Sofranko briefly touched on the telephone system upgrade for the town.

On a **Sofranko/Read** motion the Town Board went into executive session to discuss the employment history of town employees at 7:46 pm and Kelly Caldwell a Human Resource Officer was invited into the session.

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

On a **Sofranko/Edinger** motion the Town Board adjourned from executive session at 9:33 pm.

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

No further pertinent business needing to be discussed the meeting adjourned on a **Boggess/Read** motion at 9:34 pm.

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



Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Tuesday, December 12, 2023

Minutes of the Regular Meeting of the Town of Olive Town Board, held Tuesday, December 12, 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; Brian Burns, Highway Superintendent; Supervisor Sofranko called the meeting to order at 7:00 pm.

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

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

Correspondence: #103-23

David Stoutenburgh- Resignation from the Police Department

On a **Boggess/Sofranko** motion, the Town Board requested a letter of appreciation be sent to Officer Stoutenburgh.

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

#104-23

Paul Wright- Reappointment to the Planning Board and Transfer Station concerns

#105-23

Debbie Downes- Olive Day Committee Chairman

On a **Sofranko/Read** motion, the Town Board appointed Debbie Downes as Olive Day Coordinator.

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

Budget Modifications:

General Fund:

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

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

Transfer \$8,953 from A1990.4 Contingent Account to the following:

A1375.4 Credit Card Fees	\$46.00
A1440.4 Engineering- Contractual	\$3,671.00
A1620.4 Buildings- Contractual	\$2,901.00
A1910.4 Unallocated Insurance	\$749.00
A8160.4 Refuse & Garbage- Contr.	\$1,585.00

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

Aye: Boggess, Kelder, Edinger, Read and Sofranko	Nay:	Absent:
Transfer \$1,803.00 from A5132.4 Garage- Contractual to the following:		
A7110.4 Parks- Contractual	\$977.00	
A7180.4 Pool- Contractual	\$826.00	

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

Aye: Boggess, Kelder, Edinger, Read and Sofranko	Nay:	Absent:
Transfer \$39,600.00 from A9060.8 Health Insurance to:		
AO200.2 Payroll Account to fund HSA	\$39,600.00	

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

Aye: Boggess, Kelder, Edinger, Read and Sofranko	Nay:	Absent:
Highway Fund:		
Transfer \$52,800.00 from D9060.8 Health Insurance to:		
AO200.2 Payroll Account to fund HSA	\$52,800.00	

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 #582-#634	\$192,480.45	
Highway Fund Vouchers #227-#252	\$140,208.19	
Special Fire #3	\$356,440.00	

October Cash Received: \$34,065.26

September Interest: \$22,648.38

Additional Business:

The Town Board reviewed the SEQR EAF for the Zoning Map and on a **Sofranko/Kelder** motion, the Town Board determined that the proposed action will not result in any significant adverse environmental impacts.

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

On a **Boggess/Read** motion, the Town Board authorized the Supervisor to sign the SEQR EAF for the Zoning Map.

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

On a **Sofranko/Edinger** motion, the Town Board approved the public hearing for the Zoning Maps to be held on January 9, 2024 at 6:45 pm.

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

**Town of Olive
Resolution # 20 of 2023**

Resolution Designating a Hearing Officer in Accordance with Section 75 of Civil Service Law

WHEREAS, on November 14, 2023, a Notice of Discipline was issued against Jason Huppert, an employee of the Town of Olive, in accordance with Section 75 of the Civil Service Law; and,

WHEREAS, on November 17, 2023, Jason Huppert, through his attorney Keith Byron, notified the Town Supervisor that he was exercising his rights under Section 75(2) of the Civil Service Law that there be a hearing on this matter; and,

WHEREAS, Section 75(2) of the Civil Service Law provides for a hearing upon the stated charges be held by the officer or body having the power to remove the person against whom such charges are preferred, or by a deputy or other person designated by such officer or body in writing for that purpose;

NOW THEREFORE LET IT BE RESOLVED, the Town Board does hereby appoint Monte Klein, Esq. as its designated hearing officer pursuant to Section 75(2) of the Civil Service Law to hold a hearing on the charges set forth in the Notice of Discipline (attached); and

BE IT FURTHER RESOLVED, that the Hearing Officer Monte Klein is to make a record of such hearing which shall, with written recommendations, be referred to this Town Board for review and decision; and,

BE IT FURTHER RESOLVED that Monte Klein, Esq. be paid his usual and customary fee for services rendered in this matter.

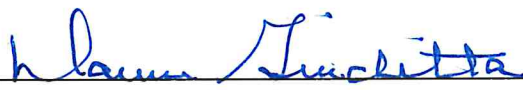
AND MOVES ITS ADOPTION

Motion made by: Board Member Boggess
Seconded By: Board Member Edinger

A Vote was Duly Taken:

	Aye	Nay
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 12th day of December 2023,



Dawn Giuditta, Town Clerk

Town of Olive
Resolution # 21 of 2023

Commitment to Meet Matching Fund Requirements for the Localized Flood Risk Reduction Project
known as "Butternut Creek Road-Stream Crossing Improving Hydraulic Capacity for Flood Risk
Reduction"

WHEREAS, on February 13, 2019 the Town Board adopted the "Town of Olive Local Flood Analysis, Appendix C: Town-Wide Flood Hazard Mitigation Plan" hereafter referred to as the "Town-Wide Plan"; and

WHEREAS, within the Town-Wide Plan, it is noted that "Butternut Stream at Bostock Road has filled in with sediment and accumulation of woody debris; parts of culvert are completely corroded; culvert is undersized"; and

WHEREAS, the recommended action of replacing the Bostock Road crossing across Butternut Creek was given high priority within the "Town-Wide Plan"; and

WHEREAS, as of this date, the Town of Olive has participated in the Ulster County Multi-Jurisdictional Hazard Mitigation Plan update, herein after referred to as the "HMP Update", and a draft jurisdictional annex is available for public comment; and

WHEREAS, within the HMP Update, the draft annex includes Mitigation Action No. 007, "Correctly size the Bostock Road crossing over Butternut Creek where hydraulic constriction exists"; and

WHEREAS, the town engaged with SLR Consulting with funding from the Ashokan Stream Management Program for the Butternut Creek Culverts Concept Plan and Feasibility Report; and

WHEREAS, the town received an opinion of probable cost for the preferred design alternative of approximately \$1,020,000; and

WHEREAS, based on the opinion of probable cost, the town has elected to submit a grant sub-application to the New York State Division of Homeland Security & Emergency Services for Localized Flood Risk Reduction under the category of Mitigation Projects under the Building Resilient Infrastructure and Communities Grant Opportunity, herein after referred to as "BRIC," through the FEMA Go online platform; and

WHEREAS, if awarded, the BRIC grant provides up to 75% of eligible project costs.

NOW THEREFORE, BE IT RESOLVED, as follows:

The Town of Olive shall submit the grant application, requesting 75% of the total amount of cost of construction, \$1,020,000, to be submitted to the New York State Division of Homeland Security & Emergency Services for review on or by December 15, 2023; and

The Town of Olive shall supply a written commitment to meeting match fund requirements for the flood reduction project, in the amount of approximately \$255,000.

AND MOVES ITS ADOPTION

Motion Made by: Board Member Read

Seconded by: Board Member Kelder

A Vote was Duly Taken:

	Aye	Nay
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 12th day of December 2023



Dawn Giuditta, Town Clerk

On an **Edinger/Kelder** motion, the Town Board authorized the Supervisor and Deputy Supervisor to sign the Collective Bargaining Agreement with the Town of Olive Police Benevolent Association for the years 2024-2026.

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

On a **Sofranko/Edinger** motion, the Town Board approved a change in the Town Office Hours to be Monday-Friday 8am-3pm starting January 1, 2024 and requested that it be announced on the Town Facebook page and website prior to the January 1st so the public will have time to prepare.

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

Updates:

Flood Buyout Program-

Ronson Piano Hammer- had the appraisal and is heading to contract.

Maverick West- has gone to contract

Firehouse- in appraisal stage, the town owns the land but deed states that if there is no firehouse it can revert back to NYCDEP. Supervisor Sofranko is in discussions with NYS DEC to make a parking lot for fishing.

Old Stockade (Land Mark) - was in contract until owner backed out.

Partners for Climate Action Grant- Simon Gruber has completed the grant application to replace ceiling tiles and spray foam the attic space. The grant has been submitted.

Margaretville Telephone Company- They are installing fiber along the 28 corridor. The town gave them an easement and in exchange they provide a generator for the Town Hall and fiber to the Town Hall, Legion Hall, Fire Department and Olive First Aid.

Committees, Commission, Department Reports:

Parks and Recreation Committee- Scott Kelder, Liaison

Soccer is over and both the youth basketball and adult basketball is underway. The Committee will be discussing the summer camp program and pool policy at their next meeting. The Olive Fire Department have come together to bring Santa Parade back again this year.

Highway Department: Brian Burns, Highway Superintendent

The Highway Department has been busy this month, they have wrapped up the culvert pipes on Bostock Road and they are ready for paving next year. Superintendent Burns stated they are in pretty good shape going into the New Year.

Police – Sean Ryan Chief (#106-23)

November stats
 2023 Total- 4259
 Total November -224
 Arrests- 1 MHL, 1 DWI, 1 Criminal Mischief, 1 Harassment
 Tickets-6

Town Clerk- Dawn Giuditta (#107-23)

October Report: \$18,142.27

Olive First Aid Unit- Virginia Wiswall, Chief (#108-23)

Total calls October- 37
 Olivebridge- 8 Shokan- 12 Boiceville-5 West Shokan-3 Shandaken- 1 West Hurley-7
 Samsonville- 1

Olive Fire Department- Christopher Winne, Chief (#109-23)

November-20
 Auto Accidents- 4 Mutual Aid- 6 Automatic Alarm-2 Smoke Investigation-1 Wires Down-1
 EMS Assist/Rescue-1 Hazardous Materials- 2 Structure Fire-3

Zoning Committee- Drew Boggess, Liaison

The Committee received a modified version of the Subdivision Code, they will meet on the 21st of December to do a deeper dive.

Comprehensive Plane Committee, Drew Boggess, Liaison

They are looking into the business district on the zoning map. They will meet in January & February by zoom.

The Town Board was presented the Statement of Expenditures Report from Bookkeeper Marlies Rosier for the period ending 10/31/23 (#110-23)

The Boiceville Sewer District monthly operating report for November was received from Barry Ruland and is available in the Town Clerk's office. (#111-23)

With no further pertinent business to attend to the meeting adjourned on a **Sofranko/Read** motion at 8:10 pm in memory of Mary Tumasian.

Aye: Boggess, Kelder, Edinger, Read and Sofranko

Nay:

Absent:

Dawn Giuditta, Town Clerk

Town of Olive
County of Ulster
State of New York
Thursday, December 28, 2023

Minutes of the annual audit meeting of the Town Board of the Town of Olive held Thursday, December 28, 2023, 3:00 pm at the Town Offices in West Shokan, New York.

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

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: Brian Burns, Highway Superintendent; Marlies Rosier, Bookkeeper; Timothy Cox, Town Justice; Gene Sorbellini, Facilities & Recreation Director; Amanda Winne, Deputy Town Clerk

Supervisor Sofranko called the meeting to order at 3:05 pm.

On a **Sofranko/Boggess** motion the Town Board approved payment of December bills:

Aye: Boggess, Kelder, Edinger, and Read and Sofranko	Nay:	Absent:
Highway Fund Vouchers #253 - #281	\$24,452.36	
General Fund Vouchers #635- #663	\$37,557.19	
Special Lighting Voucher #11	\$ 82.49	

On a **Sofranko/Kelder** motion, the Town Board approved the following Budget Modification:

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

General Fund

Transfer \$31,105 from A1990.4 Contingent Account to the following:

1110.1 Justices- Personnel	\$991
1440.4 Engineer – Contractual	\$5,731
1620.4 Buildings – Contractual	\$14,008
1670.4 Printing & Mailing- Contractual	\$310
3620.1 Safety Insp. – Personnel	\$1,278
5010.1 Supt. of Highway – Personnel	\$299
5010.4 Supt. of Highway – Contractual	\$60
7020.1 Recreation Admin – Personnel	\$10
7110.4 Parks – Contractual	\$4,730
7180.4 Pool – Contractual	\$500
8010.1 Zoning – Personnel	\$1,293
8010.4 Zoning – Contractual	\$1,308
8160.4 Refuse & Garbage – Contractual	\$587

Cash Received for November 2023	\$120,263.94
Interest Received for November 2023	\$21,441.55

Additional Business:

AUDITING OF BOOKS

Hon. Timothy Cox presented his books to the Town Board for auditing. (#112-23)

Total Closed Cases: 422 Total Fines: \$27,925.00 Surcharges: \$14,509.00
Total Civil Fee: \$73.00

Hon. Margaret Haug presented her books to the Town Board for auditing. (#113-23)

Total Closed Cases: 290 Total Fines: \$24,739.00 Surcharges: \$12,700.00
Total Civil Fee: \$00.00

Resolution #22 of 2023
Town of Olive
Audit of Town of Olive Town Justice Court Records

WHEREAS, the NY State Unified Court System’s ACTION PLAN FOR THE JUSTICE COURTS included initiatives to improve accountability and controls over Justice Court finances and records; and,

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that justices annually provide their court records and dockets to their respective Town Board and that such records then be examined or audited and that fact be entered into the minutes of the board’s proceedings; and,

WHEREAS, the Town of Olive Town Board did audit and examine said records and dockets provided by Town Justice Cox for the fiscal year 1/1/23 to 12/30/23 at the annual audit held on December 28 2023; and

WHEREAS, the Town of Olive Town Board did audit and examine said records and dockets provided by Town Justice Haug for the fiscal year 1/1/23 to 12/30/23 at the annual audit held on December 28, 2023; and

WHEREAS, the Town of Olive Town Board did approve said records and dockets of both justices as submitted on December 28, 2023;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Olive does hereby accept the books of Town Justice Cox and Town Justice Haug and adopts Resolution #22, of 2023.

AND MOVES ITS ADOPTION

Motion made by: Board Member Boggess
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 28THDay of December 2023


Dawn Giuditta, Olive Town Clerk

Town Clerk/Tax Collector Dawn Giuditta presented the Town Clerks Books for 2023.
On a **Read/Edinger** motion, the Town Board accepted the books of the Town Clerk/Tax Collector as submitted. (#114-23)
Aye: Boggess, Kelder, Edinger, and Read and Sofranko **Nay:** **Absent:**
Total Monies Received: \$440,697.30 Tax Collection Settlement: \$9,642,190.16

On a **Boguess/Read** motion, the Town Board accepted the books of the Supervisor as submitted.

Aye: Boguess, Kelder, Edinger, and Read

Nay:

Abstain: Sofranko

Marlies Rosier, Bookkeeper provided to the Town Board the Highway Fund Reserve and Fund Balance Reconciliation (#115-23).

Supervisor Sofranko noted the Highway Fund balance as of 12/28/23 was \$149,255.70. Highway Expenses were \$2,401,936.09 accrued payroll \$8,240.40, accrued liabilities \$630.40; less: Reserve Transfers \$107,107.00 total expenses: \$2,401,699.89. Highway Revenues: \$2,788,937.96 plus accrued Interest \$1,200.00 less accounts receivable (CHIPS) \$192,718.00 less reserve interest \$46,464.37 leaving a balance of \$149,255.70

Closing of the Books- General Fund

Marlies Rosier, Bookkeeper provided to the Town Board the General Fund Reserve and Fund Balance Reconciliation (#116-23).

Supervisor Sofranko noted the General Fund balance as of 12/28/23 as \$228,309.00. General Fund Expenses were \$3,025,336.58; accrued payroll totaled \$7,266.53; accrued liabilities totaled \$555.90; accrued expenses totaled \$43,564.47; less Reserve Transfers \$118,665.00 with total expenditures being \$2,958,058.48 General Fund Revenues \$3,283,280.22; plus interest accrued \$3,100.00; less reserve interest \$100,012.74 leaving an unexpended balance of \$228,309.00.

Reserves and Restricted as of 12/31/2023

HIGHWAY

RESERVE A	MACHINERY	\$468,185.86
RESERVE F	IMPROVEMENTS	\$38,399.48
RESERVE H	HIGHWAY BRIDGES	<u>\$535,670.15</u>
	HIGHWAY FUND TOTAL	\$1,042,255.49

GENERAL FUND

RESERVE B	LANDFILL	\$ 117,534.33
RESERVE C	POLICE	\$ 82,579.11
RESERVE D	PARKS	\$ 248,508.68
RESERVE G	HANDICAPPED	\$ 55,947.16
RESERVE I	TAX STAB.	\$ 134,124.16
RESERVE K	COMPUTERS	\$ 49,850.15
RESERVE L	BUILDINGS	\$1,111,183.08
RESERVE R	RECORDS MANAGEMENT	\$ 37,024.25
RESERVE T	TAX CONSULTANT/LEGAL FUND	\$ 469,870.90
RESERVE X	RETIREMENT	<u>\$ 28,167.13</u>
	GENERAL FUND TOTAL	\$2,334,788.95

DISTRIBUTION OF EXCESS FUNDS

On a **Kelder/Boguess** motion, the Town Board approved the distribution of the Highway Fund unexpended balance of \$149,255.70 as follows: \$29,851.14 was applied to the Unassigned Fund Balance; \$71,404.56 will be transferred into Reserve "A" Machinery; \$48,000.00 will be transferred into Reserve "H" Highway Bridge Repair. (#115-23)

Aye: Boguess, Kelder, Edinger, and Read and Sofranko

Nay:

Absent:

