

Town of Olive  
County of Ulster  
State of New York  
Thursday, November 9, 2023

Minutes of the Public Hearing of the Town Board of the Town of Olive held Thursday, November 9, 2023, 6:30 pm. The purpose of the Public Hearing is to hear all in favor of or those opposed to any item or items in the contract between the Town of Olive and Olive First Aid. Said contract would provide medical protection for the Town of Olive for a two year period beginning January 1, 2024.

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: Gene Sorbellini, Buildings & Recreation Director

Supervisor Sofranko called the meeting to order at 6:30 pm.

The Town Board was presented the Statement of Expenditures Report from Bookkeeper Marlies Rosier for 7/31/23 (#90-23)

The Town Clerk read the legal notice of the meeting placed in the Daily Freeman on November 1, 2023. There were 5 residents in attendance.

Supervisor Sofranko explained to those present that a few years ago the Olive First Aid Unit was all volunteer and was having difficulty getting volunteers and answering calls. Since they have gone to a paid agency they have answered a majority of their calls.

Allison Irwin agreed that it is nice to have them, but had concerns about how it worked and asked if they were getting \$40 a mile and if that was paid by insurance. She asked if they accept insurance.

Debbie Izzo stated she has lived in Olivebridge since 1991 and she loves this town and her home and she stated she knows taxes go up every year, but she was present to say please no override. Supervisor Sofranko advised her this was a public hearing for the Olive First Aid contract and that the public hearing to override the tax levy was next. Ms. Izzo than stated she was totally cool with the First Aid though.

Deb Cook stated that when they are contracted it would be nice that they take you to the hospital of your choice instead of just dropping you off in Kingston.

On a **Boggess/Read** motion, the Town Board closed the Public Hearing on the Olive First Aid Contract at 6:44 pm.

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



Dawn Giuditta, Town Clerk

Town of Olive  
County of Ulster  
State of New York  
Thursday, November 9, 2023

Minutes of the Public Hearing of the Town Board of the Town of Olive held Thursday, November 9, 2023, 6:45 pm at the Town Meeting Hall in Shokan, NY. The purpose of the Public Hearing as stated in the legal notice was to hear all comments either for or against Local Law #3 of 2023 to Override the Tax Levy limit. Established in General Municipal Law 3-C

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

Recording Secretary:                      Dawn Giuditta, Town Clerk

Others Present: Gene Sorbellini, Facilities & Recreation Director

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

The Town Clerk acknowledged that the legal ad for this meeting was placed in the November 1, 2023 issue of the Daily Freeman.

Supervisor Sofranko notes on the budget. He explained that Liability Insurance is up 12%, health insurance is up 7 1/2 % and labor is up 4%. He also commented that the town would be doing a capital project next year which is included in the budget.

Supervisor Sofranko explained that the General Fund is at 5.7851%, Highway Fund at 6.0286%, Special Fire 1.3060%, special lighting 12.5000%. The total tax levy 3.7680% and the tax cap is 2.079%.

Supervisor Sofranko opened the floor for comments from the 5 residents in attendance.

Deb Izzo stated please no, she commented she can see that there are 4% raises, but seniors don't get raises. She commented that social security is a joke, well it's not a joke, but thank God it's there. If it's for the First Aid, okay. You want to rebuild the building that's being beat up, I guess, but you can't answer my questions. Is this every year cause as a teacher, when we let in health insurance that became a negotiation thing every year. We're going to be getting another override for something else. I respect that you're going to try and keep it lower but that you're doing grants and everything possible to keep it lower, but it's still going to hurt.

Board Member Boggess commented that the State started the tax cap about 10 years and they have put it on municipalities and schools but not on themselves.

Debra Cook stated she was happy that the town is getting raises, so she has no problem with that. She did want to say that we no longer live in low taxes Olive. Her assessment doubled. She is actually looking at how much everyone was raised by 50-60 thousand dollars a year or assessed and so everybody's taxes have gone up. Her question to the Board was why hasn't that covered the extra money needed. She believes we have million dollar homes that have been built and being sold and that's great and all the vacant land is now houses, so they get more taxed. So, she just doesn't understand why it's not covering the extra money.

Patty Matus commented that the town should get creative to come up with additional funds when looking at the budget. She noticed STR's on the budget worksheet. She has it at zero for this year although in previous graphs it was \$17,000 and for 2024 it is at \$10,000, so there's a drop of \$7,000 there. Lifting the cap would allow the town to get more STR income and she feels like we have absentee owners that just let their properties fall apart. Perhaps we should consider fining until it's fixed or removed and have those people contribute then to the community, rather than having safety violations and condemning houses. She believes this would be a creative way to add money to our town.

Allison Irwin stated please don't do it.

Patty Matus also stated that her comments were so we won't have to override the tax cap. There are other ways, so we don't have to override what we currently have.

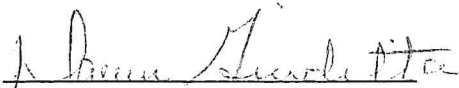
Allison STR to be higher

Deb Cook thanked the Board for all you do.

There were no further comments so on a **Boggess/Edinger** motion the Public Hearing was closed at 7:00 pm.

**AYE-** Boggess, Kelder, Read, and Sofranko      **Nay**

**Absent:** Edinger



Dawn Giuditta, Town Clerk

Town of Olive  
County of Ulster  
State of New York  
Thursday, November 9, 2023

Minutes of the Public Hearing of the Town Board of the Town of Olive held Thursday, November 9, 2023, 7:00 pm at the Town Hall on Bostock Road, Shokan, NY. The purpose of the Public Hearing as stated in the legal notice was to hear all comments on any item or items in the 2024 Preliminary Budget.

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

Recording Secretary: Dawn Giuditta, Town Clerk

Others Present: Gene Sorbellini, Buildings Facilitator and Recreation Director

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

Supervisor Sofranko stated they have worked hard on this budget. Individual departments prepare their budgets and he asked them to go back and revise them. Some gave \$500 and others gave more back.

The tax increase is 3.768%.

The Town Clerk acknowledged that the legal ad for this meeting was placed in the November 1, 2023 issue of the Daily Freeman.

Deb Izzo again stated please don't.

Deb Cook stated she has been looking at the budget and noticing the attorney's contracted fees, not building and all that. She has noticed attorney's we budgeted \$90,000 but only used \$12,000. So now we are budgeting \$75,000 not \$90,000. But then will that, will that rollover to next year, if only \$12,000 is used? I know you need a buffer for everything but that seems like, it just seems like a big buffer and there's a lot of them.

Allison Irwin stated Shandaken, Rochester, Marbletown and ours, I know you do a lot of work and I guess the others do too and their salaries, some of them are like 40k, 43k, 53k and ours is 62K and I know it's a salary, but based on a certain number of hours. She also stated that she asked the same question about the attorneys last year.

Patty Matus stated looking at sort up the breakdown budget from before, under building contractual, it says the electric for the Legion Hall, Meeting Hall is \$14,500 that seems pretty high. She didn't know if those were open all day 9-9, but it seems very high. She is not sure if that's a central Hudson glitch that hasn't been resolved or if there's something you can do to lower some of those kinds of expenses.

Supervisor Sofranko presented the 2024 Preliminary Budget to the residents in attendance. The 2024 budget came in at \$6,817,151.00 the amount to be raised by taxes \$5,212,884.00.

**Preliminary  
Budget notes for 2024  
Appropriations**

General Fund total appropriations increased \$191,816.00 ~ 5.7851%

Highway Fund total appropriations increased	\$147,069.00 ~ 6.0286%
Special Fire District appropriations increased	\$9,310.00 ~ 1.3060%
Special Lighting (Onteora Court) appropriations	\$100.00 ~ 12.5000%
Total Budget appropriations increased	\$348,295.00 ~ 5.3842%

**Tax Levy**

General Fund amount to be raised by taxes increased	\$139,441.00 ~ 6.3088%
Highway Fund amount to be raised by taxes increased	\$40,438.00 1.9259%
Special Fire District amount to be raised by taxes increased	\$9,310.00 ~ 1.3060%
Special Light District (Onteora Court)	\$100.00 12.5000%
Total amount to be raised by taxes increased from 2023	\$189,289.00 ~ 3.7680%

**Town tax rate**

2024 rate for General Fund approximately	\$1.56991 per thousand
2024 rate for Highway Fund approximately	\$1.42986 per thousand
2024 rate for Special Fire approximately	\$0.47370 per thousand
2024 rate for Special lighting approximately	\$0.16208 per thousand

Elected Official's Salaries will be as follows:

Supervisor	\$62,400
Councilman (4)	\$ 9,599
Justice (2)	\$14,215
Town Clerk/Tax Collector	\$65,520
Highway Superintendent	\$70,304

All pertinent business having been conducted the Town Board adjourned the Public Hearing on the budget at 7:15 PM on a **Boggess/Kelder** motion.

**AYE-** Boggess, Kelder, Edinger, Read, Sofranko      **Nay**      **Absent:**

  
 Dawn Giuditta, Town Clerk

Town of Olive  
County of Ulster  
State of New York  
Monday, November 13, 2023

Minutes of the audit meeting of the Town of Olive Town Board, held Monday, November 13, 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

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.

On a **Sofranko/Read** motion the Town Board went into executive session to discuss the employment history of two town employees at 7:32 pm

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

On a **Sofranko/Read** motion the Town Board adjourned from executive session at 8:21 pm.

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

No further pertinent business needing to be discussed the meeting adjourned on an **Edinger/Kelder** motion at 8:22 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, November 14, 2023

Minutes of the Public Hearing on Resolution #16 of 2023 on the Critical Environmental Area of the Beaver Dam Creek/Rochester Creek, held Tuesday, November 14, 2023, 6:30 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; Amanda Winne, Deputy Town Clerk; Christopher Winne, Fire Chief

Supervisor Sofranko called the meeting to order at 6:30 pm for the Beaver Dam Creek/Rochester Creek Critical Environmental Area. He gave some back ground into the Critical Environmental Areas. He stated that back in April of 2022 the Town Board approved a letter in support of OCAC to apply for a grant from the Hudson River Actuary Program to map out Critical Environmental Areas. The mapping of Critical Environmental Areas (CEA) will be helpful to future boards and the Planning Board which makes land use decisions. On Dec 12<sup>th</sup> 2022, the OCAC gave a presentation to the Town Board of two CEA, the Beaverdam Creek/Rochester Creek and Pacama Vly. On March 9<sup>th</sup> 2023 a letter went out to all parcels within the CEA and a public information meeting was held in April 2023. The CEA's were selected because of water resources, wildlife habitats, and forests. These CEA's impose no legal restrictions on land use it is intended to raise the awareness of important resources that deserve special attention during environmental reviews of new development process. The Town is legally required to hold a public hearing for each CEA.

The Town Clerk read the public hearing notice placed in the Daily Freeman, on the town website and Facebook page.

The Supervisor read Resolution #16 of 2023 and copies of both resolutions were available in the back of the room.

There were approximately 25 residents in attendance.

Nancy April- (377 Upper Sahler Mill Rd.) Ms. April stated that she lives on the Beaverdam Creek and is also a representative of the Pacama Conservation Collaborative who has land on the Pacama Vly, Rochester Creek. She stated she fully supports the approval of these CEA's and stated that we need to do something to protect this land or we're going to lose it.

Peggy Berk- (26 Brown Rd.) She commented that she lives on the Beaverdam Creek and her entire property is in the proposed CEA and She would like to speak very strongly in support of this. She explained that she is a Cornell trained Master Gardener, Master Forester and volunteer with Ulster County and in her work, it's becoming increasingly clear how important this is to the future of our community. As climate change comes in and all the other changes to have

areas that are very cautious and paid attention what happens in that area will not just affect that area, but the continuity of the forest and it will affect a much broader area.

Patty Matus- (Private Road 24) Ms. Matus stated her property is also within the designated area, and she is in favor of this but as a real estate agent she looks at this with a slightly different perspective. If there is a development, how does one know the property is in a CEA? Does this run with our deeds? She stated there is a parcel for sale on her road that has been approved for building, will this impact that plan currently? If there is someone opposed is there a process for them? What is the procedure in general for development?

Lloyd Hofstetter-(Grassy Ridge Road) Mr. Hofstetter stated his property barely touches the conservation area, but Grassy Ridge has seen some development over the last couple of years and a large parcel just sold to an absentee owner. He commented it is nice to have a speed bump in the road to say let's stop and look at this closer because it does affect drainage. The whole of Grassy Ridge is basically a drainage area for the Beaverdam Creek. He stated he is certainly for this proposal.

Jennifer Costley (54 beaver Lake Road) stated she is strongly in support of both areas and particularly would like to speak to the Beaverdam Creek/Rochester Creek. She believes the Pacama Vly has got a lot of attention and the Beaverdam Creek /Rochester Creek habitat's own conservation reasons to be concerned. It is a very important for wildlife habitat including Bald Eagles and other species. She stated she is very much in support of the resolutions.

Leonora Weiner (373 Upper Sahler Mill Road) just wanted to put on the record her support and in addition to being involved with the Pacama Vly Conservation Collaborative she sits on the board of an organization that is trying to get people, companies and towns to recognize the importance of keeping habitats, and only by keeping the habitats can we ensure the diversity. So, it's great that the town is putting a spotlight on these areas and making people think about how we preserve them and steward them.

Christine Hemberger (Cold Brook Road) wanted to echo Leonora's comments and said she is happy to see Olive take this turn. She stated we could be leaders in something like this and we can be very smart in how we move forward and the zoning and other things that are coming up.

John Wullum (1454 County Road 2) stated that the Beaver Dam Creek runs through his property and it is already designated a trout stream and he believes there are already restrictions of like 100' from the stream before you can build anything. He was adamantly opposed to this resolution.

Jac Conaway stated his property is just off this area and he walks there quite a bit, so he is very much in favor of this and he hopes the concept spreads to much larger areas if the town.

Since there were no further comments Supervisor made a motion to adjourn the public hearing on the Beaver Dam Creek/ Rochester Creek CEA at 6:50 pm. Board Member Boggess seconded the motion.

Aye: Boggess, Kelder, Edinger, Read and Sofranko

Nay:

Absent:



Dawn Giuditta, Town Clerk



Town of Olive  
County of Ulster  
State of New York  
Tuesday, November 14, 2023

Minutes of the Public Hearing on Resolution #17 of 2023 on the Critical Environmental Area of the Pacama Vly, held Tuesday, November 14, 2023, 6:45 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; Amanda Winne, Deputy Town Clerk; Christopher Winne, Fire Chief

Supervisor Sofranko called the meeting to order at 6:51 pm for the Pacama Vly Critical Environmental Area.

Copies of Resolution #17 of 2023 were available in the back of the room.

There were approximately 25 residents in attendance.  
Jac Conaway commented ditto.

Eric Jacobsen (Sheldon Hill Road) stated he is a lifelong resident of Olivebridge and wanted to know how this would be policed. He also stated he is in favor of conservation.

Allison Irwin stated there is a list of 13 questions from the information meeting if anyone wanted to read that. They had a lot of information

Board Member Boggess commented that if you're building a house type 2 single family this will have little impact on a SEQR Review. He also commented that the place where it will have an impact is if someone bought a tract of land similar to what went on at Lower Sahler Mill. Being in that area the Planning Board would note on the SEQRA review that it's located in a CEA and they would take a look at that to minimize any impact to the CEA. So, it's those types of developments or anything else that would end up in the Planning Board's hands as far as SEQRA review.

Since there were no further comments Board Member Boggess made a motion to adjourn the public hearing on the Pacama Vly CEA at 7:05 pm. Board Member Edinger seconded the motion.

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



Dawn Giuditta, Town Clerk

Town of Olive  
County of Ulster  
State of New York  
Tuesday, November 14, 2023

Minutes of the Regular Meeting of the Town of Olive Town Board, held Tuesday, November 14, 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; Amanda Winne, Deputy Town Clerk; Christopher Winne, Fire Chief

Supervisor Sofranko called the meeting to order at 7:10 pm.

On an **Edinger/Boggess** motion, the Town Board approved the October minutes.

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

**Correspondence:**      **#92-23**

Sarah Lynch- Thank you note

**#93-23**

Olive Fire Department - On an **Edinger/Kelder** motion, the Town Board approved new members Ryan Moxham and Payton Kothe.

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

**#94-23**

NYSDOT- Regarding speed investigation for Route 28 in Boiceville

**#95-23**

Ulster County- recommendation for the Zoning Map update

**#96-23**

Heather Martin- Resignation from the BAR

On a **Sofranko/Read** motion, the Town Board requested that a letter be sent in appreciation.

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

**Presentation:** Eric Duden, P.E. from Barton & Loguidice presented the Town Board with the plans for the Cold Storage Garage.

**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 \$28769 from A7110.2 Parks-Equipment to the following:

A1990.4 Contingent Account    \$28,769

Transfer \$28,769 from Reserve D- Parks and playgrounds Equipment  
A7110.2 Parks- Equipment \$28,769 (Resolution 15 of 2023 Parks Truck)  
Transfer \$1,000 from A1990.4 Contingent Account to the following:  
A7110.4 Parks- Contractual \$1,000

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

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

**Highway Fund:**

Increase D3501 Consolidated Highway Aid \$182,752  
Increase D5112.2 Permanent Improvements- Capital \$182,752  
(CHIPS Balance)

**Approve Payment of Audited Bills:** On a **Sofranko/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 #524-#581 \$ 39,969.44  
Highway Fund Vouchers #205-#226 \$230,639.52  
Special Lighting Voucher #9 \$ 164.14

September Cash Received: \$575,398.38  
September Interest: \$22,296.48

**Additional Business:**

On a **Boggess/Edinger** motion, the Town Board approved Local Law #3 of 2023 to override the tax cap limit and a rollcall was taken:


**AND MOVES ITS ADOPTION**

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

**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 14<sup>th</sup> day of November, 2023

  
Dawn Giuditta, Town Clerk

On an **Edinger/Read** motion, the Town Board Authorized the Supervisor to sign the contract between the Town of Olive and the Olive First Aid Unit.

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

On a **Boggess/Edinger** motion, the Town Board approved the 2024 Town Budget.

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

The Town Board reviewed the SEQR EAF declaration for the Critical Environmental Area for the Beaver Dam Creek/Rochester Creek and on a **Sofranko/Boggess** motion, the Town Board authorized the Supervisor to sign the SEQR EAF with a response of no significant adverse environmental impact.

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

**TOWN OF OLIVE  
RESOLUTION NO. 16 of 2023**

**RESOLUTION TO ADOPT A DETERMINATION OF SIGNIFICANCE AND TO DESIGNATE THE BEAVERDAM CREEK AND ROCHESTER CREEK AREAS AS A CRITICAL ENVIRONMENTAL AREA**

**WHEREAS**, the Town of Olive Conservation Advisory Council has recommended that the Beaverdam and Rochester Creek areas be designated as a Critical Environmental Area due to the exceptional and unique environmental characteristics; and

**WHEREAS**, pursuant to 6 NYCRR 617.14G, the Town Board may designate a “specific geographic area having exception or unique environmental characteristics” as a Critical Environmental Area; and

**WHEREAS**, the proposed Beaverdam and Rochester Creek Critical Environmental Area is set forth on a map entitled, “Beaverdam Creek/Rochester Creek, Proposed Critical Environmental Area Boundary” (the “CEA Map”); and

**WHEREAS**, to be designated as a Critical Environmental Area, an area must have an exceptional or unique character covering one or more of the following: 1) a benefit or threat to human health; 2) a natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality); 3) agricultural, social, cultural, historic, archaeological, recreational, or educational values; or 4) an inherent ecological, geological or hydrological sensitivity to change that may be adversely affected by any change; and

**WHEREAS**, a narrative statement dated September 22, 2023 has been prepared on behalf of the Town which provides justification for the Beaverdam and Rochester Creek Critical Environmental Area, including providing important habitat for several NY species of special concern, contributing to habitat connectivity and including a, among other attributes (the “Narrative Statement”); and

**WHEREAS**, the Town Planning Board has reviewed and commented on the proposal; and,

**WHEREAS**, a duly noticed public hearing was held on November 14, 2023, during which all those who wished to speak were heard and their testimony recorded; and

**WHEREAS**, notice of the public hearing was published on the Town Website, Facebook page and in the Daily Freeman on November 8, 2023, describing the proposed Beaverdam and Rochester Creek Critical Environmental Area; and

**WHEREAS**, a map of the proposed Beaverdam and Rochester Creek Critical Environmental Area was available for public review at Town office and posted on the Town website; and

**WHEREAS**, a Full Environmental Assessment Form ("EAF") dated November 14, 2023 has been prepared on behalf of the Town Board; and

**WHEREAS**, the Town Board has thoroughly analyzed the information concerning relevant areas of environmental concern raised by members of the public and gathered by the Board through its consultants and considered the criteria contained in 6 NYCRR § 617.7.

**NOW THEREFORE BE IT RESOLVED** that the Town Board hereby:

1. Authorizes the Supervisor to sign the EAF
2. Classifies the designation of the Beaverdam and Rochester Creek Critical Environmental Area as a: Type I action for which there are no other involved agencies.
3. Adopts a negative declaration, determining that the designation of the Beaverdam and Rochester Creek Critical Environmental Area will not result in any significant adverse impacts and that a Draft Environmental Impact Statement will not be prepared.
4. Designates the Beaverdam and Rochester Creek Critical Environmental Area pursuant to 6 NYCRR § 617.14(g), as set forth in the CEA attached hereto and including the list of attached parcels.
5. Directs the Town Clerk to file copies of this Resolution, the Narrative Statement, the CEA Map and the list of tax parcels in her office, with the Commissioner of the DEC, with DEC Region 3 and the Planning Board.

**AND MOVES ITS ADOPTION**

Motion made by: Board Member Boggess

Seconded By: Board Member Read

**A Vote was Duly Taken:**

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

Dated this 14<sup>th</sup> day of November 2023



Dawn Giuditta, Town Clerk

The Town Board reviewed the SEQR EAF declaration for the Critical Environmental Area for the Pacama Vly and on a **Sofranko/Boggess** motion, the Town Board authorized the Supervisor to sign the SEQR EAF with a response of no significant adverse environmental impact.

Aye: Boggess, Kelder, Edinger, Read and Sofranko

Nay:

Absent:

**RESOLUTION #17 of 2023**

**A RESOLUTION TO ADOPT A DETERMINATION OF SIGNIFICANCE AND TO DESIGNATE THE PACAMA VLY AREA AS A CRITICAL ENVIRONMENTAL AREA**

**WHEREAS**, the Town of Olive Conservation Advisory Council has recommended that the Beaverdam and Rochester Creek areas be designated as a Critical Environmental Area due to the exceptional and unique environmental characteristics; and

**WHEREAS**, pursuant to 6 NYCRR 617.14G, the Town Board may designate a “specific geographic area having exception or unique environmental characteristics” as a Critical Environmental Area; and

**WHEREAS**, the proposed Pacama Vly Critical Environmental Area is set forth on a map entitled, “Pacama Vly, Proposed Critical Environmental Area Boundary” (the “CEA Map”); and

**WHEREAS**, to be designated as a Critical Environmental Area, an area must have an exceptional or unique character covering one or more of the following: 1) a benefit or threat to human health; 2) a natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality); 3) agricultural, social, cultural, historic, archaeological, recreational, or educational values; or 4) an inherent ecological, geological or hydrological sensitivity to change that may be adversely affected by any change; and

**WHEREAS**, a narrative statement dated September 22, 2023 has been prepared on behalf of the Town which provides justification for the Pacama Vly Critical Environmental Area, including providing important habitat for several NY species of special concern, contributing to habitat connectivity and including a, among other attributes (the “Narrative Statement”); and

**WHEREAS**, the Town Planning Board has reviewed and commented on the proposal; and,

**WHEREAS**, a duly noticed public hearing was held on November 14, 2023, during which all those who wished to speak were heard and their testimony recorded; and

**WHEREAS**, notice of the public hearing was published on the Town website, Facebook page, and in the Daily Freeman on November 8, 2023, describing the proposed Pacama Vly Critical Environmental Area; and

**WHEREAS**, a map of the proposed Pacama Vly Critical Environmental Area was available for public review at Town office and posted on the Town website; and

**WHEREAS**, a Full Environmental Assessment Form (“EAF”) dated November 14, 2023 has been prepared on behalf of the Town Board; and

**WHEREAS**, the Town Board has thoroughly analyzed the information concerning relevant areas of environmental concern raised by members of the public and gathered by the Board through its consultants and considered the criteria contained in 6 NYCRR § 617.7.

**NOW THEREFORE BE IT RESOLVED** that the Town Board hereby:

1. Authorizes the Supervisor to sign the EAF
2. Classifies the designation of the Pacama Vly Critical Environmental Area as a Type I action for which there are no other involved agencies.

3. Adopts a negative declaration, determining that the designation of the Pacama Vly Critical Environmental Area will not result in any significant adverse impacts and that a Draft Environmental Impact Statement will not be prepared.
4. Designates the Pacama Vly Critical Environmental Area pursuant to 6 NYCRR § 617.14(g), as set forth in the CEA attached hereto and including the list of attached parcels.
5. Directs the Town Clerk to file copies of this Resolution, the Narrative Statement, the CEA Map and the list of tax parcels in her office, with the Commissioner of the DEC, with DEC Region 3 and the Planning Board.

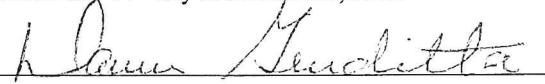
**AND MOVES ITS ADOPTION**

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>	_____	_____
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 14<sup>th</sup> day of November, 2023

  
 Dawn Giuditta, Town Clerk

The Town Board reviewed the SEQR EAF declaration for the Cold Storage Garage, and on a **Sofranko/Edinger** motion, the Town Board authorized the Supervisor to sign the SEQR EAF with a response of no significant adverse environmental impact.

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

**Town of Olive  
 Resolution #18 of 2023**

**RESOLUTION OF THE TOWN OF OLIVE TOWN BOARD DETERMINING THAT THE ACTION TO EXECUTE THE TOWN OF OLIVE NEW COLD STORAGE HIGHWAY GARAGE PROJECT IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

**WHEREAS**, the Town of Olive Town Board (the "Town Board") is proposing the Town of Olive New Cold Storage Highway Garage Project (the "Action"); and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations at 6 NYCRR Part 617 (the "Regulations"), the Town Board desires to comply with SEQRA and the Regulations; and

**WHEREAS**, the Town of Olive Town Board is identified as the agency directly undertaking the proposed action, and the Town Board is completing an uncoordinated review of the Action under the SEQRA Regulations, as no other "Involved Agencies" (as this term is defined in 6 NYCRR Part 617.2(t)) have been identified; and

**WHEREAS**, pursuant to the Regulations, the Town Board has considered the significance of the potential environmental impacts of the Action by (a) using the criteria specified in Part 617.7 of the Regulations, and (b) examining the Short Environmental Assessment Form ("SEAF") for the Action, including the facts and conclusions of Parts 1, 2 and 3 of the SEAF, together with other available supporting information, to identify and thoroughly analyze the relevant areas of environmental concern; and

**WHEREAS**, the proposed adoption of the Town of Olive New Cold Storage Highway Garage Project is an Unlisted Action, as defined by 6 NYCRR Section 617.2(a1); and

**WHEREAS**, there are no other Involved Agencies in connection with the Action, and, as such, no notification to other agencies is required.

**NOW THEREFORE, BE IT RESOLVED**, pursuant to and in accordance with the uncoordinated review requirements for Unlisted Actions in the SEQRA Regulations, the Town of Olive Town Board hereby confirms that the proposed Action meets the criteria for classification as an Unlisted Action; and

**BE IT FURTHER RESOLVED**, that based upon an examination of the SEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, the Town Board makes the following findings and determinations:

- No significant adverse environmental impacts are noted in the SEAF for the Action and none are known to the Town Board; and
- The Action will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Action; and

**BE IT FURTHER RESOLVED**, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Town Board directs the Town Supervisor to sign and complete Parts 1 and 3 of the SEAF for the Action, in accordance with the Regulations; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

**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	<u>  X  </u>	<u>      </u>	<u>      </u>
Andrew Boggess, Board Member	<u>  X  </u>	<u>      </u>	<u>      </u>
Scott Kelder, Board Member	<u>  X  </u>	<u>      </u>	<u>      </u>
David Edinger, Board Member	<u>  X  </u>	<u>      </u>	<u>      </u>
Victoria Read, Board Member	<u>  X  </u>	<u>      </u>	<u>      </u>

The resolution was thereupon declared duly adopted.

DATED NOVEMBER 14, 2023.



Dawn Giuditta, Town Clerk

**TOWN OF OLIVE  
RESOLUTION #19 OF 2023**

**A RESOLUTION AUTHORIZING THE CONSTRUCTION OF NEW COLD STORAGE GARAGE, AT A MAXIMUM ESTIMATED COST OF \$2,586,000, IN AND FOR THE TOWN OF OLIVE, ULSTER COUNTY, NEW YORK, AND AUTHORIZING THE EXPENDITURE OF \$800,000 CAPITAL RESERVE FUND MONIES, AND THE ISSUANCE OF \$1,786,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.**

**WHEREAS**, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant adverse environmental impact; and



**WHEREAS**, it is now desired to authorize the financing of such capital project; **NOW, THEREFORE,**

**BE IT RESOLVED**, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Olive, Ulster County, New York, as follows:

Section 1. The construction of a new cold storage garage on a Town-owned parcel of land located at 45 Watson Hollow Road, in and for the Town of Olive, Ulster County, New York, including original furnishings, machinery, equipment, apparatus, appurtenances, site improvements, and other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$2,586,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) by the issuance of \$1,786,000 serial bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, and **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received and allocated for such purposes, the amount of obligations to be issued pursuant to this resolution shall be reduced dollar for dollar; and
- b) by the expenditure of \$800,000 Capital Reserve Fund monies hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Olive, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

**AND MOVES ITS ADOPTION**

Motion made by: Board Member Boggess

Seconded By: Board Member Kelder

**A Vote was Duly Taken:**

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

The resolution was thereupon declared duly adopted.

BOND RESOLUTION DATED NOVEMBER 14, 2023.

  
 Dawn Giuditta, Town Clerk

Supervisor Sofranko gave an update on the heating and insulation projects for the Town Meeting Hall. He stated that they hired Simon Gruber to write the grant. The Town had an ECS Energy Audit identifying the need for insulation. They have been soliciting for quotes and have received one for the heat pumps and will use that in the grant application.

Supervisor Sofranko gave an update on Ulster County Housing Smart Communities Initiative. They have sent out RFP's for a Planner to work with the Town. They interviewed three different Planners and chose LaBella Consultant. The Planner will be paid for from a grant by Ulster County.

Matt Kovner member of the Olive Conservation Advisory Council gave an update on a Central Hudson Case. The Town would gain intervener status and be able to pose questions to Central Hudson. The Public Service Commission takes these remarks into consideration in allowing Central Hudson any rate increase. The OCAC would like to force Central Hudson into updating their billing before they get any rate increases.

**(#97-23)**

On a **Sofranko/Read** motion, the Town Board approved the OCAC to move forward with their interrogatories to Central Hudson.

**Committees, Commission, Department Reports:**

**Parks and Recreation Committee- Scott Kelder, Liaison**

Youth soccer has finished last Saturday. Parks are winterized and will be open soon to just walking traffic only. Youth Basketball has started last night with approximately 70 kids signing up. The Committee will be looking into new pool use policy. Youth soccer program in jeopardy, Gene suggested meeting with joining towns about doing their fair share.

**Highway Department: Brian Burns, Highway Superintendent**

They have wrapped up paving on Hillside Dr and Whispell Road. Culvert pipes on Bostock are getting done and they are getting ready for winter.

**Police – Sean Ryan Chief (#98-23)**

October stats  
2023 Total- 4025  
Total October -320

Arrests- 1 Mental Hygiene Law, 1 DWI, 2 suspended Registration, 1 MHL  
 Tickets- 5

**Town Clerk- Dawn Giuditta (#99-23)**

October Report: \$62,358.40

**Olive First Aid Unit- Virginia Wiswall, Chief (#100-23)**

Total calls October- 55

Olivebridge- 21 Shokan- 11 Boiceville-6 West Shokan-6 Shandaken- 1 West Hurley-1 Samsonville- 7  
 Woodstock- 1 Kerhonkson-1

**Olive Fire Department- Christopher Winne, Chief (#101-23)**

September-29

Auto Accidents- 2 Mutual Aid- 2 Automatic Alarm-7 Smoke Investigation-1 Wires Down-14  
 EMS Assist/Rescue-1 Public Service- 2

October-19

Auto Accidents-7 Structure Fire-1 Mutual Aid-1 Automatic Alarm-3 Wires Down-3  
 Hazardous Materials-2 Water Rescue-1 Landing Zone-1

**Zoning Committee- Drew Boggess, Liaison**

The Committee received Nan Stolzenberg suggested changes on the subdivision code. They will review them and start moving forward to rescind and replace the code.

**OCAC- Vikki Read, Liaison**

The Council is looking at outreach for clean energy on heating & cooling.

The Boiceville Sewer District monthly operating report for October was received from Barry Ruland and is available in the Town Clerk's office. (#102-23)

On a **Sofranko/Boggess** motion, the Town board adjourned into executive session to discuss possible litigation on zoning violations at 8:22 pm.

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

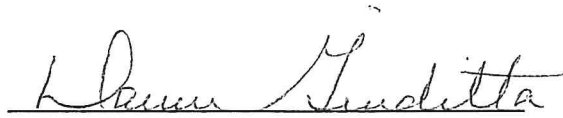
John Ingram was invited into the executive session and left at 9:18 pm.

On a **Boggess/Edinger** motion the Town Board closed executive session at 9:23pm pm

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

With no further pertinent business to attend to the meeting adjourned on a **Sofranko/Read** motion at 9:24 pm in memory of Jan Wullum, Charles Lemons, Mary Ellen Denton, Steven Cunningham, Katherine Powell, Robert Dodson, John Secor, Albert Studt, Richard Ostrander, Robert Specht, and Steven Feith Sr.

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

  
 Dawn Giuditta, Town Clerk