

Town of Olive  
County of Ulster  
State of New York  
Monday, February 12, 2024

Minutes of the audit meeting of the Town of Olive Town Board, held Monday, February 12, 2024 7 pm 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

Others present: Brian Burns, Highway Superintendent; Sean Ryan, Police Chief  
Town Supervisor Jim Sofranko called the meeting to order at 6:58 pm.

The Town Board audited the monthly bills and reviewed the agenda for the Tuesday night’s meeting. Due to potential snow storm, Supervisor Sofranko requested that the Board approve the vouchers tonight in case the Tuesday night meeting needs to be canceled.

On a **Sofranko/Boggess** motion, the Town Board approved the following vouchers:

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

**Approve the following vouchers for payment:**

General Fund Voucher’s #21-#95	\$450,426.11
Highway Fund Voucher’s #10-#56	\$ 38,361.22
Special Fire Voucher #1	\$148,800.00
Special Lighting #1	\$ 81.52

The Town Board discussed the NYCDEP assessment and on a **Sofranko/Boggess** motion, the Town Board approved the retention of services from Lawrence Farbstein as a professional consultant for advice on the assessment of NYC properties in the Town of Olive.

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

On a **Sofranko/Read** motion, the Town Board authorized the Highway Superintendent to place an ad for the removal of the Cold Storage Highway Garage.

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

On a **Sofranko/Edinger** motion the Town Board went into executive session to discuss the employment history of a town employee at 7:24 pm and invited Attorney Jay Girvin and Police Chief Ryan into the meeting.

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

On a **Boggess/Kelder** motion the Town Board adjourned from executive session at 9:53 pm.

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

No further pertinent business needing to be discussed the meeting adjourned on an **Edinger/ Sofranko** motion at 9:54 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, February 13, 2024

Minutes of the regular meeting of the Town of Olive Town Board, held Tuesday, February 13, 2024 7 pm 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

Others Present: Brian Burns, Highway Superintendent, Gene Sorbellini, Buildings & Recreation Director; Amanda Winne, Deputy Town Clerk; Christopher Winne, Fire Chief; John Ingram, Code Enforcement Officer; Dennis Doyle, Ulster County Planner, Steve Peterson, Deputy Director Department of Emergency Services

On a **Boggess/Kelder** motion, the Town Board approved the January minutes.

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

**Presentation: Ulster County Public Safety Radio Tower Tonche Mountain (#6-24)**

Dennis Doyle Ulster County Planner and Steve Peterson, Deputy Director Department of Emergency Services were in attendance to give the Town Board an update on the Public Safety Radio Tower. At previous meetings the plans for the Public Safety Radio Tower was to extend the height of the tower up to 120-125 feet and repair what was needed to support the extension. Ulster County has now decided to build a new structure near the existing site and install a tower up to 135 feet to allow for better coverage and in the future may allow for cellular companies.

**Correspondence:    #7-24**

Cyndy Borzumto-Cobb- Requesting a meeting in regards to the Major Subdivision Moratorium

**Approve Payment of Audited Bills:** On a **Sofranko/Edinger** motion, the Town Board approved the following budget modifications:

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

**General Fund:**

Transfer \$5315.20 from Reserve K- Office and Computer Equipment to:

A1355.2 Assessors- Equipment	\$2,189.38
A3620.2 Safety Inspection- Equipment	\$937.50
A5010.2 Supt. of Highway- Equipment	\$2,188.32

(Resolution #2 of 2024 – Computer Equipment)

On a **Sofranko/Bogges** motion, the Town Board approved the following budget modifications:

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

Transfer \$4,972.00 from A1990.4 Contingent Account to the following:

A8010.4 Zoning- Contractual	\$4,972.00
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**The Town Board approved the following vouchers for payment on 2/12/24:**

General Fund Voucher's #21-#95	\$450,426.11
Highway Fund Voucher's #10-#56	\$ 38,361.22
Special Fire Voucher #1	\$148,800.00
Special Lighting #1	\$ 81.52

Cash Received:

December Interest Received:	\$21,283.55
December Cash Received:	\$33,413.25

**Additional Business:**

On a **Sofranko/Bogges** motion, the Town Board approved the following vendor fees for Olive Day:

12x12 without electric \$50.00	12x24 without electric \$55.00
12x12 with electric \$70.00	12x24 with electric \$75.00

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

On a **Kelder/Edinger** motion, the Town Board authorized the Supervisor to sign an Inter-Municipal Agreement with the Onteora School District for the use of the baseball field at Davis Park.

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

On a **Sofranko/Read** motion, the Town Board authorized the signing of the NYS Smart Growth Grant to the Town of Olive for \$54,000 to complete its Comprehensive Plan with a Town of Olive match obligation of \$6,000.

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

**Town of Olive  
Resolution #3 of 2024**

Extending the Applicability of Town of Olive Local Law No. 1 of 2023 entitled *“Establishing a Temporary Moratorium on Certain Applications for the Approval of Subdivisions of Land that are Pending or May be Subsequently filed with the Town of Olive.”*

WHEREAS, on February 15, 2023 the Town Board enacted Local Law No. 1 of 2023 entitled *“Establishing a Temporary Moratorium on Certain Applications for the Approval of Subdivisions of Land that are Pending or May be Subsequently filed with the Town of Olive,”* hereafter referred to as the “Moratorium.” A copy of the Moratorium is attached to this resolution as Exhibit A; and,

WHEREAS, the reasons in support for the moratorium are set forth in Section 3 in the attached moratorium; and  
 WHEREAS, Pursuant to Moratorium Section 7.1, the duration of the Moratorium is six (6) months. Hence, if not extended, the Moratorium will expire on February 15, 2024; and

WHEREAS, pursuant to Moratorium Section 7.2, this Town Board is authorized to extend the Moratorium by additional two (2) periods of up to six (6) months by resolution if the Town Board determines that such extension is necessary. Thus far, the Moratorium has been extended one period; and

WHEREAS, with the expiration of the initial term of the Moratorium approaching, the Town Board has reviewed the ongoing efforts that have been undertaken in furtherance of the stated purpose of the Moratorium and has found the following:

- At its July 2023 meeting, the Town Board, granted the Supervisor authority to hire planning consultant Nan Stolzenburg, FAICP, of Community Environmental & Planning Associates (Consultant), to review recommendations made by the Zoning Committee, in coordination with the Planning Board, Housing Committee, and Olive Conservation Advisory Council, to amend Town of Olive Town Code Chapter 133 entitled "Subdivision of Land" and Chapter 155 entitled "Zoning". The purpose of these amendments is to address long-range community planning and zoning objectives as they relate to the subdivision of land in the town.
- It was decided, upon review by the Consultant and Town Zoning Committee, that amendments to preserving the rural character of the town were appropriate to both Chapter 133 and Chapter 155 of the Town Code. The Town Board anticipates that the forthcoming amendments to Chapter 133 and Chapter 155 of the Town Code will implement our community's goal of preserving the Town's rural character as a highly valued asset as expressed in the Comprehensive Plan Phase 1 survey completed in the fall of 2022.
- It was also decided, upon review by the Consultant and Town Zoning Committee, that amendments to Chapter 155 to address issues of housing were extensive and outside the scope of the Consultants work in subdivision review. In February 2023, the Town of Olive joined the Ulster County Housing Smart Communities Initiative and was subsequently eligible for consultant support services, paid for by Ulster County, to amend the Town Code for purposes of addressing affordable housing opportunities in Chapter 155. This process is ongoing and the Town Board anticipates it will result in future code amendments to address affordable housing in the Town of Olive.
- On January 19, 2024, the Chair of the Zoning Committee submitted to the Town Board proposed amendments to Town Code Chapter 133 entitled "Subdivision of Land" as recommended by the Consultant and Zoning Committee. The Town Board will decide whether to adopt these recommendations after further review by the Ulster County Planning Board and Legal Counsel for the Town of Olive.
- It is determined the time necessary to complete further reviews, the introduction of the amendments, perform SEQR review, conduct a public hearing, and final adoption by the Town Board will exceed the termination date of February 15, 2024 as stated in the current extended moratorium.

WHEREAS, based on the foregoing, the Town Board has determined that the Town's efforts to pursue the goal of the Moratorium as set forth therein are ongoing, comprehensive, and diligent. Despite those efforts, the Town has not yet reached its goal of introducing improved and revised amendments to Chapter 133 and Chapter 155 of the Town Code and that more time is needed in order to complete the efforts in furtherance of that goal.

NOW THEREFORE, BE IT RESOLVED, as follows:

- Section A. Pursuant to the authority set forth in Section 7 of the Moratorium, and for the reasons set forth in this Resolution, by this Resolution the Town Board extends the duration of the Moratorium for a period of six (6) months from February 15, 2024 to August 15, 2024 to allow the Town to continue to work toward the completion of revisions to Chapter 133 of the Town Code, entitled "*Subdivision of Land*", and Chapter 155, entitled "Zoning".
- Section B. The Town of Olive Town Clerk is instructed to post a notice on the Town web site to advise the public that the Moratorium has been extended in accordance with this Resolution.
- Section C. The Town of Olive Town Clerk is instructed to file a copy of this Resolution in her office and to provide a courtesy copy of this Resolution to the Ulster County Planning Board.

**AND MOVES ITS ADOPTION**

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

**A Vote was Duly Taken:**

	Aye	Nay
Jim Sofranko, Supervisor	_X_	_____
David Edinger, Board Member	_X_	_____
Andrew Boggess, Board Member	_X_	_____
Scott Kelder, Board Member	_X_	_____
Victoria Read, Board Member	_X_	_____

Dated this 13<sup>th</sup> day of February, 2024

  
Dawn Giuditta, Town Clerk

**Town of Olive  
Resolution # 4 of 2024**

Authorize the Supervisor to Sign a Grant Agreement with the National Fish and Wildlife Fund for the Planning of Flood Buyout Properties in Boiceville, NY

WHEREAS, the Town of Olive completed a Local Flood Analysis in 2017 that identified properties in the Town of Olive that suffered repetitive flooding and were eligible for participation in the New York City Funded Flood Buyout Program (NYCFFBO); and

WHEREAS, the Town of Olive has participated in the NYCFFBO program since 2017 and has since acquired several flood buyout properties, with more in process, as a result of this program; and

WHEREAS, in 2021, the Town of Olive implemented a community outreach Visioning Project to solicit ideas from the public for possible uses of the flood buyout properties with the project presented to the Town Board at its February 15, 2022 Town Board meeting; and

WHEREAS, at its April 12, 2022 Town Board meeting, the Town Board of the Town of Olive approved to seek funding from the National Fish and Wildlife Foundation (NFWF) for the planning of the flood buyout properties for public recreational use; and

WHEREAS, in December of 2022, the Town of Olive was awarded a grant from NFWF in the amount of \$290,765 for the Youth-led Community Driven Site Assessment and Preliminary Design of Flood Buyout Lands project; and

WHEREAS, the Town of Olive amended the NFWF grant to be titled Community-Driven Site Assessment and Preliminary Design of Flood Buyout Lands and to include assessment, planning and 60% design plans; and

WHEREAS, NFWF has proposed a grant agreement that includes funding of \$290,765 to the Town of Olive with a local funding contribution by the Town of Olive of \$75,000 that can include cash, contributed goods and services, and volunteer hours; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Olive authorizes the Supervisor to sign the grant agreement with the National Fish and Wildlife Foundation for the Community-Driven Site Assessment and Preliminary Design of Flood Buyout Lands (NY).

**AND MOVES ITS ADOPTION**

Motion Made by: Board Member Read

Seconded by: Board Member Edinger

**A Vote was Duly Taken:**

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

Dated this 13<sup>th</sup> day of February, 2024

  
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 Dawn Giuditta, Town Clerk

**Town of Olive**  
**Resolution # 5 of 2024**

Authorize the Supervisor to Sign Contracts with Consultants for the Implementation of the National Fish and Wildlife Grant Entitled Community-Driven Site Assessment and Preliminary Design of Flood Buyout Lands (NY)

WHEREAS, the Town of Olive has been awarded a grant from the National Fish and Wildlife Foundation in the amount of \$290,765 to implement assessment, planning and 60% design plans for the Boiceville properties acquired by the Town of Olive in the New York City Flood Buyout Program; and

WHEREAS, the Town recognizes professional services were rendered by consultants, free of charge, in preparation and for amendments included in the awarded NFWF grant entitled Community-Driven Site Assessment and Preliminary Design of Flood Buyout Lands (NY); and

WHEREAS, the Town of Olive, in its Procurement Policy, allows the Town Board to hire consultants for Professional Services over \$20,000 without solicitation when deemed by the Town Board to be in the best interests of the town; and

WHEREAS, the Town Board of the Town of Olive recognizes the depth of knowledge and previous history the professional consultants below have in regards to the Boiceville flood buyout properties acquired by the town and consider their hiring to be in the best interest of the town; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Olive approves the hiring of the following consultants and authorizes the Supervisor to sign contracts with each consultant in compliance with the terms, budget,

and conditions of the NFWF grant agreement with the Town of Olive entitled Community-Driven Site Assessment and Preliminary Design of Flood Buyout Lands (NY)

Planet Communities, Leslie Dornfeld – Planner/Project Manager  
Barbara Restaino – Landscape Architect  
Simon Gruber – Public Engagement Support/Documentation  
SLR Engineering - Engineering and Environmental and GIS

**AND MOVES ITS ADOPTION**

Motion Made by: Board member Edinger  
Seconded by: Board Member Read

**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 13<sup>th</sup> day of February 2024

  
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Dawn Giuditta, Town Clerk

**Town of Olive  
Resolution #6 of 2024**

Transfer of Reserve Funds to Pay for a Consultant for a Comprehensive Plan

**WHEREAS**, the Town of Olive in Resolution #19 of 2006 established a Tax/Consultant Fund pursuant to Section 6-c of the NYS General Municipal Law to provide funding for Legal and Consulting in Reserve Fund T, and

**WHEREAS**, the Town Board of the Town of Olive at its June 13, 2023 meeting voted to approve the single-sourced proposal for professional consulting services by Labella Associates to complete Phase 2 of the Comprehensive Plan for the Town of Olive; and

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Olive approves transfers of up to \$6,000 from Reserve T Tax/Consultant Fund to Zoning Contractual A0-8010.400 for services rendered by LaBella Associates for the implementation of Phase 2 of the Town of Olive Comprehensive Plan; and

**FURTHER RESOLVED**, Resolution #6 of 2024 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	_X_	_____
David Edinger, Board Member	_X_	_____
Andrew Boggess, Board Member	_X_	_____
Scott Kelder, Board Member	_X_	_____
Victoria Read, Board Member	_X_	_____

Dated this 13<sup>th</sup> day of February, 2024



Dawn Giuditta, Town Clerk

On a **Sofranko/Read** motion, the Town Board approved dedicating the Tongore Park and renaming it Leifeld Park in honor of Berndt J Leifeld Sr. for his over 40 years of service to the Town of Olive.

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

On a **Sofranko/Kelder** motion, the Town Board scheduled a special meeting on March 26<sup>th</sup> at 7pm located at the Town Hall for the purpose of designating the Tongore Park in honor of Bert Leifeld Sr.

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

On a **Read/Edinger** motion, the Town Board approved the Olive Conservation Advisory Council doing a mailing on using the balance of NYSERDA Campaign funds.

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

**Committees, Commission, Department Reports:**

**Parks & Recreation – Scott Kelder, Liaison**

The Committee has been working on a Code of Conduct for pool use that should be ready for the Town Board soon. Day Camp has been scheduled for 7/1/24-8/8/24. Youth basketball will end in March.

**Police Department- Drew Boggess, Liaison (#8-24)**

January 2024 stats – 329  
Arrests- 0  
Tickets- 5

**Town Clerk- Dawn Giuditta (#9-24)**

January- \$21,611.71  
January Tax Collection- \$7,926,362.63



**Olive Fire Department- Christopher Winne, Fire Chief (#10-24)**

December Monthly Calls- 19

Auto Accidents- 1 Structure Fire- 2 Mutual Aid- 1 Automatic Alarm- 7 Wires Down- 1 Public Service- 4  
Carbon Monoxide- 2 Hazardous Materials- 1

2023 Man Hours:

Total Calls: 240 emergency Calls Call Hours: 3448.68 hours Meetings/Drills/Training: 4790.30 hours

Total Hours Volunteered: 8238.98 hours

January Monthly Calls: 27

Auto Accidents: 4 Structure Fire: 1 Automatic Alarm: 10 Mutual Aid: 5 Carbon Monoxide: 2 Assist EMS: 2  
Wires Down: 3**Olive First Aid Unit- Virginia Wiswall, Chief (#11-24)**

Total calls January 2024- 47

Olivebridge- 8 Shokan- 21 Boiceville- 4 West Shokan- 3 West Hurley- 5 Shandaken-1 Samsonville- 4  
Woodstock- 1**Zoning Committee- Drew Boggess, Liaison**

The Committee has finished with the subdivision code and has sent it to the Supervisor to go to the Attorney. The next thing they are looking into is beefing up the site plans.

**Comprehensive Plan Committee- Drew Boggess, Liaison**Their next meeting is being held on February 28<sup>th</sup> via zoom and March will be in person.**Boiceville Committee- Jim Sofranko, Liaison**

Gene Sorbellini is working with Bobby Taylor to identify trees to be removed and waiting on quotes. Gene is mowing the old motel.

The Boiceville Sewer District Monthly Operating Report for January 2024 was received from Barry Ruland, Chief Operator and are available in the Town Clerk's office. (#12-24)

The Town Board members were given reports from Marlies Rosier, Bookkeeper Statement of Expenditures, Encumbrances &amp; Appropriations (12/31/2023) (#13-24).

With no further pertinent business to attend to the meeting adjourned on a **Sofranko/Boggess** motion at 9:00 pm in memory of Kevin Roxby, Roy Coutinho & Alice Hutchinson.

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

Nay:

Absent:


  
Dawn Giuditta, Town Clerk

