

Minutes of the audit meeting of the Town of Olive Town Board, held Monday, April 8, 2024 7 pm Bostock Road, Shokan, NY 12481.

Members Present: Jim 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, Town Clerk

Others present: Simon Strauss, OCAC; Bobby Taylor, UC Soil & Water; Allyson Phillips, Young Sommer LLC  
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.

Bobby Taylor from Ulster County Soil & Water was present to discuss the Agreement between Ulster County Soil & Water Conservation District and the Town of Olive and the CSBI Services of the Boiceville Parcels. Mr. Taylor runs the project working on riparian areas in the watershed. The Agreement calls for multiple years and includes procurement of plants removal of hazardous trees, debris, evasive species and yearly maintenance.

Allyson Phillips an attorney with Young Sommer LLC, the attorneys for the Shokan Sewer District, was present to answer questions concerning the resolutions #12 & 13 concerning the Shokan Sewer district easements. She explained that her office has been diligently working to get the 130 easements needed for the construction of the sewer facility that the residents voted for. They have gotten approximately 110 of those easement by working with the residents and will continue to work with residents. The resolutions are the first step in the process of claiming Eminent Domain.

The Town Board discussed the amendments to Chapter 17 the Conservation Advisory Council with Simon Strauss from the OCAC and made some recommendations.

Supervisor Sofranko stated that he and Heidi Emrich have been working on the LAP and SAP and reviewing the maps for undeveloped land in the hamlets. He recommended to the Town Board that considering expansion of the hamlets to encompass the sewer districts would make all lots in sewer district off limits to acquisition.

The Town Board members were given reports from Marlies Rosier, Bookkeeper, Statement of Expenditures, Encumbrances & Appropriations (2/29/2024) (#20-24).

No further pertinent business needing to be discussed the meeting adjourned on a **Boggess/Edinger** motion at 9:36pm.

Aye: Boggess, Kelder, Edinger, Read and Sofranko

Nay:

Absent:

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Dawn Giuditta, Town Clerk

Town of Olive  
County of Ulster  
State of New York  
Tuesday, April 9, 2024

Minutes of the regular meeting of the Town of Olive Town Board, held Tuesday, April 9, 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

On a **Kelder/Read** motion, the Town Board approved the March minutes.

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

**Announcements:**

Primo Stropoli is organizing a street cleanup in Samsonville on April 21<sup>st</sup> at 10:00 am.

On a **Boggess/Kelder** motion, the Town Board approved a dumpster be dropped off at Tetta's. The cost for the dumpster and dumping fees will be paid by the town.

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

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

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

**General Fund:**

Transfer \$10.00 from 1990.4 Contingency to A1375.4 Credit Card fees

Transfer \$1,611.25 from Reserve K- Office and Computer Equipment Fund to A3620.2 Safety Inspection-Equipment (Resolution #9 of 2024)

**Approve the following vouchers for payment:** On a **Sofranko/Edinger** motion the Town Board approved the payment of the following vouchers.

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

General Fund Vouchers #150-#200	\$41,349.97
Highway Fund Vouchers #95-#113	\$30,153.74
Special Lighting #3	\$ 165.92

Cash Received:

February Interest Received:	\$26,267.81
February Cash Received:	\$124,752.28

**Public Be Heard:**

Christina Himberger stated that she understands with the different Planning and Zoning meetings that the new zoning must be approved by August when the moratorium ends and that the comprehensive plan will be completed in tandem with the new zoning. She requested that the Town Board be clear with the timeline and provide a length of time for residents to review these important documents. She stated she understands the Town is under great pressure to keep Olive Rural vision expressed by residents.

Allison Irwin agreed with Mrs. Himberger.

Cheryl McNulty stated some concerns about the resolutions being voted on for the sewer district and was not sure how other residents that signed their easements voluntarily would feel about others being paid.

**Additional Business:**

**Town of Olive  
Resolution #10 of 2024**

Transfer of Reserve Funds for a Real Property Tax Consultant

**WHEREAS,** The Town Board of the Town of Olive, in Resolution #19 of 2006, established Reserve Fund T – Legal and Consulting; and

**WHEREAS,** The Town of Olive Assessor has requested the services of a Real Property Tax Consultant to review the recent advisory appraisal provided to the Town of Olive by the New York State Office of Real Property Tax Services of properties owned by New York City in the town; and

**WHEREAS,** the Real Property Tax Consultant will also review the City of New York’s Ashokan Reservoir property with respect to both current and future valuation; and

**NOW, THEREFORE, BE IT RESOLVED,** the Town Board of the Town of Olive approves a transfer, not to exceed \$25,000, from Reserve “T” Consultants to AO 1355.4 Assessor/Contractual to pay for the professional services of a Real Property Tax Consultant; and

**FURTHER RESOLVED,** Resolution #10 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 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 9<sup>th</sup> day of April, 2024

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Dawn Giuditta, Town Clerk

**Town of Olive**

**Resolution #11 of 2024** Resolution Opposing Delivery Rate Increases by Central Hudson Gas and Electric Corporation

**WHEREAS**, Central Hudson Gas & Electric Corporation ("Central Hudson") has applied to the New York State Public Service Commission for increases in its electricity delivery rates and its natural gas delivery rates effective July 1, 2024; and

**WHEREAS**, Central Hudson seeks a rate increase for electric delivery charges that would result in an increase in the monthly bill of \$30.12 (31.9% increase on the delivery bill, or 16.4% increase on the total bill) for an average residential customer using 660 kWh per month; and

**WHEREAS**, Central Hudson's area of electrical service includes the Town of Olive, and Central Hudson's proposed rate increase will cause hardship for the residents and businesses of the town, particularly those with fixed or limited incomes, as well as placing an additional financial burden on the town's taxpayers as the town's facilities are served by Central Hudson; and

**WHEREAS**, the Town of Olive and its resident Central Hudson account holders continue to experience repeated billing issues with their Central Hudson bills, including significant unexplained adjustments, major swings in bill amounts between months and, for those customers with net-metered solar PV installations, unexplained and untimely adjustments to their bills related to solar production; and

**WHEREAS**, on January 31, 2024, the Town of Olive testified before the New York State Public Service Commission, in effect, asking the proposed rate increase be denied until such billing issues are fully resolved; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Olive does hereby oppose the proposed rate increases for the delivery of electricity for which Central Hudson has applied; and

**BE IT FURTHER RESOLVED** that certified copies of the Resolution be delivered by the Town Clerk to the Hon. Michelle L. Phillips, Secretary, New York State Public Service Commission, the Hon. Peter Oberacker, New York State Senator for the 51<sup>st</sup> District, the Hon. Sarahana Shrestha, New York State Assembly member for the 103<sup>rd</sup> District.

**AND MOVES ITS ADOPTION**

Motion made by: Board Member Edinger

Seconded By: Board Member Kelder

**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 9<sup>th</sup> day of April, 2024

\_\_\_\_\_  
Dawn Giuditta, Town Clerk

**Town of Olive**  
**RESOLUTION #12 of 2024**

**TITLE: IN THE MATTER OF THE ACQUISITION OF CERTAIN FEE ACQUISITION, PUMP STATION, AND ACCESS EASEMENTS  
BY EMINENT DOMAIN**

In The Matter of the Acquisition of Certain Minor Easements for Use in Public Project by the Town of Olive, New York:

**WHEREAS**, as part of the Watershed Protection and Partnership Programs of the New York City Watershed Memorandum of Agreement (“MOA”), New York City provided funding for the New Sewage Treatment Infrastructure Facilities Program (NIP) and the Community Wastewater Management Program to assist in the development of new sewage collection and treatment facilities in up to twenty-two (22) selected villages and hamlets in the NYC Watershed; and

**WHEREAS**, the Town of Olive, Ulster County, contains the Hamlet of Shokan, which was selected to receive funding for the construction of a new community wastewater infrastructure project; and

**WHEREAS**, due to certain deficiencies in the existing on-site wastewater treatment and disposal facilities on both residential and commercial properties in the Town, the Town proposed the creation of a sewer district for these areas and the construction of a publicly-owned and operated wastewater collection system including pump stations and related infrastructure, with related work (the “Project”); and

**WHEREAS**, subject to permissive referendum in the manner provided in Town Law Article 7, a majority of the residents within the proposed service area of the Project voted in favor of the establishment of the Shokan Sewer District; and

**WHEREAS**, a certificate of the Town Clerk was filed pursuant to Town Law § 209-e(4) certifying the results of the special election held on September 24, 2022, and per Town Board Resolution No. 30 of 2022, the Town formed the Shokan Sewer District with a service area that includes the hamlet of Shokan; and

**WHEREAS**, due to failing septic systems and demonstrable water quality problems, a primary purpose of the Project is to construct and maintain an adequate system for sewage removal and treatment to ensure the health, safety and welfare of Town residents and businesses; and

**WHEREAS**, design and construction of the proposed sewer system will be performed in conformance with New York State Department of Environmental Conservation Design Standards for Wastewater Treatment Works, 2014 (2014 NYSDEC Standards), and the Rules and Regulations for the Protection from the Contamination, Degradation and Pollution of the New York City Water Supply and its Resources, 2002 (NYCWRR). Regulatory review and approval will be obtained prior to the initiation of construction; and

**WHEREAS**, the Town of Olive Town Board (the “Board”) has reviewed and considered the plans and schematics for the Project, as reflected in the Preliminary Engineer’s Report Shokan Wastewater Management Program for the Hamlet of Shokan, Town of Olive, Ulster County, New York, dated September 25, 2019 and amended February 21, 2020, April 30, 2020 with final issued on September 25, 2020, prepared by Lamont Engineers, which requires the Town to acquire minor easements from various real property in the area of the proposed sewer district to accommodate the Project; and

**WHEREAS**, the Board has determined that the Project is in the best interest of the Town and its residents and, as a result, that the contemplated acquisitions are in the best interests of the health, safety and welfare of the Town and its residents, as it is in the public’s best interest that the Project be properly constructed and maintained; and

**WHEREAS**, the Board has endeavored and will continue to endeavor to acquire any necessary acquisitions for the Project by voluntary compliance with landowners, but the Board acknowledges that voluntary compliance will not achieve all the necessary acquisitions requiring the Board to exercise its powers of Eminent Domain; and

**WHEREAS**, certain parcels are necessary for siting pump stations and related infrastructure (“Pump Stations”); and

**WHEREAS**, access across other parcels are necessary for ingress and egress to the Pump Stations for access, installation, maintenance, operation and repairs to the Pump Stations; and

**WHEREAS**, specifically, the following acquisitions are necessary for the Project;

- Fee Acquisition of a 0.16-acre parcel (Tax Parcel 37.73-1-35) for construction of Pump Station #6 (“Parcel 1”); and
- Permanent Pump Station Easements of 5,600 SF and 2,200 SF (Tax Parcel 37.3-3-13) for construction of Pump Stations #7 and #8 and related utilities (“Parcel 2”); and
- Permanent Pump Station Easement of 10,900 SF (Tax Parcel 37.18-2-39.300) for construction of Pump Station #5 (“Parcel 3”); and
- Permanent Pump Station Easement of 5,100 SF (Tax Parcel 46.5-2-48) for construction of Pump Station #3 (“Parcel 4”); and
- Permanent Access Easement of 26,929 SF (Tax Parcel 46.5-4-64) for access to Pump Station #2 (“Parcel 5”); and
- Permanent Access Easement of 64,857.14 SF (Tax Parcel 37.18-2-39.100) for access to Pump Station 5 and installation of utilities (“Parcel 6”); and
- Permanent Access Easement of 84,500 SF (Tax Parcel 37.18-2-39.200) for access to Pump Station #5 and installation of utilities (“Parcel 7”); and
- Permanent Access Easement of 124,500 SF (Tax Parcel 46.5-4-60) for access to Pump Station #2 and installation of utilities (“Parcel 8”); and
- Permanent Access Easement of 31,200 SF (Tax Parcel 46.5-4-61) for access to Pump Station #2 and installation of utilities (“Parcel 9”); and
- Permanent Access Easement of 64,100 SF (Tax Parcel 46.5-4-70) for access to Pump Station #2 and installation of utilities (“Parcel 10”); and

**WHEREAS**, the Board proposes a fee acquisition of Parcel 1 to construct Pump Station #6, and the acquisition of permanent easements on Parcels 2, 3 and 4 to construct Pump Stations #7, #8, #5 and #3 respectively; and

**WHEREAS**, the Board also proposes the acquisition of permanent easements for access to Pump Station facilities and related utility installations on Parcels 4 through 10; and;

**WHEREAS**, the Town’s acquisition of these property interests are integral to and necessary for implementing the Project. As stated above, the Project is necessary to protect the health and safety of the community and to protect the water supply to New York City; and

**WHEREAS**, the proposed location for the Project was the product of a rigorous analysis that was performed in conjunction with the environmental review for the Project under the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, as part of the Preliminary Engineering Report investigation, on behalf of the Town, Lamont Engineers conducted an exhaustive search for a suitable system and locations for the community system; and

**WHEREAS**, Lamont has engaged in numerous outreach efforts to go over the proposed improvements with each affected property owner; and

**WHEREAS**, the Town (through Lamont Engineers) has worked with property owners who responded to these outreach efforts to develop a project design that met the objectives of all parties; and

**WHEREAS**, the Board has determined that further delay in the acquisition of property interests for this important public works project is not in the public interest, and therefore, has determined it must proceed with acquisition of property interests by eminent domain where affected property owners will not voluntarily participate in the project; and

**WHEREAS**, the Board has endeavored and will continue to endeavor to work with the all affected property owner to agree on terms and payment of just compensation for the voluntary acquisition of necessary property interests; and

**WHEREAS**, the Board hereby determines that the contemplated acquisitions of the property interests referenced above, shall be pursuant to Article 2 of the New York State Eminent Domain Procedure Law; and

**WHEREAS**, the Board had previously complied with the mandates of SEQRA for the entire Project including land acquisition.

**NOW WHEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN OF OLIVE TOWN BOARD, ULSTER COUNTY, NEW YORK:**

**THAT THE** Town of Olive Town Board hereby determines that further delay to achieve voluntary compliance to acquire the aforementioned property rights in furtherance of the Project is not practicable and would prejudice the Project and thus authorizes the Town and its legal agents to acquire the lands or interests by use of Eminent Domain; and

**THAT THE** Town of Olive Town Board hereby determines, as reflected by the Project maps for the Project, acquisition of following property interests by Eminent Domain is necessary for the Project;

- Fee Acquisition of a 0.16-acre parcel (Tax Parcel 37.73-1-35) for construction of Pump Station #6 (“Parcel 1”); and
- Permanent Pump Station Easements of 5,600 SF and 2,200 SF (Tax Parcel 37.3-3-13) for construction of Pump Stations #7 and #8 and related utilities (“Parcel 2”); and
- Permanent Pump Station Easement of 10,900 SF (Tax Parcel 37.18-2-39.300) for construction of Pump Station #5 (“Parcel 3”); and
- Permanent Pump Station Easement of 5,100 SF (Tax Parcel 46.5-2-48) for construction of Pump Station #3 (“Parcel 4”); and
- Permanent Access Easement of 26,929 SF (Tax Parcel 46.5-4-64) for access to Pump Station #2 (“Parcel 5”); and
- Permanent Access Easement of 64,857.14 SF (Tax Parcel 37.18-2-39.100) for access to Pump Station 5 and installation of utilities (“Parcel 6”); and
- Permanent Access Easement of 84,500 SF (Tax Parcel 37.18-2-39.200) for access to Pump Station #5 and installation of utilities (“Parcel 7”); and
- Permanent Access Easement of 124,500 SF (Tax Parcel 46.5-4-60) for access to Pump Station #2 and installation of utilities (“Parcel 8”); and
- Permanent Access Easement of 31,200 SF (Tax Parcel 46.5-4-61) for access to Pump Station #2 and installation of utilities (“Parcel 9”); and
- Permanent Access Easement of 64,100 SF (Tax Parcel 46.5-4-70) for access to Pump Station #2 and installation of utilities (“Parcel 10”); and

**BE IT FURTHER RESOLVED,** that the Town of Olive Town Board hereby authorizes the Town and it’s legal agents to work with each affected property owner to agree on a purchase price in order to avoid the need to engage in Eminent Domain or potential litigation over compensation; and

**BE IT FURTHER RESOLVED,** that the Town of Olive Town Board shall comply with all requirements of Article 2 of the Eminent Domain Procedure Law, by giving due notice, and holding a public hearing, relative to the Town proposed acquisitions at a date and time to be determined by the Town Board; and

**BE IT FURTHER RESOLVED,** that the Town Board and the attorneys for the Town are hereby directed to take such actions as are necessary to implement this resolution.

Whereupon, the Resolution was put to a vote, recorded as follows:

**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	_X_	_____	_____
Andrew Boggess, Board Member	_X_	_____	_____
Scott Kelder, Board Member	_X_	_____	_____
David Edinger, Board Member	_X_	_____	_____
Victoria Read, Board Member	_X_	_____	_____

Dated this 9th day of April, 2024

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**Town of Olive  
RESOLUTION #13 of 2024**

**TITLE: DE MINIMIS FINDING AND AUTHORIZATION FOR SUPERVISOR TO EXECUTE AND FILE NECESSARY  
PETITION(S), ACQUISITION MAP(S), AND NOTICE(S) OF PENDENCY AS ARE REQUIRED TO SECURE THE NECESSARY  
UTILITY EASEMENTS BY EMINENT DOMAIN.**

In The Matter of the Acquisition of Certain Minor Easements for Use in Public Project by the Town of Olive, New York:

**WHEREAS**, as part of the Watershed Protection and Partnership Programs of the New York City Watershed Memorandum of Agreement (“MOA”), New York City provided funding for the New Sewage Treatment Infrastructure Facilities Program (NIP) and the Community Wastewater Management Program to assist in the development of new sewage collection and treatment facilities in up to twenty-two (22) selected villages and hamlets in the NYC Watershed; and

**WHEREAS**, the Town of Olive, Ulster County, contains the Hamlet of Shokan, which was selected to receive funding for the construction of a new community wastewater infrastructure project; and

**WHEREAS**, due to certain deficiencies in the existing on-site wastewater treatment and disposal facilities on both residential and commercial properties in the Town, the Town proposed the creation of a sewer district for these areas and the construction of a publicly-owned and operated wastewater collection system including pump station and related infrastructure, with related work (the “Project”); and

**WHEREAS**, subject to permissive referendum in the manner provided in Town Law Article 7, a majority of the residents within the proposed service area of the Project voted in favor of the establishment of the Shokan Sewer District; and

**WHEREAS**, a certificate of the Town Clerk was filed pursuant to Town Law § 209-e(4) certifying the results of the special election held on September 24, 2022, and per Town Board Resolution No. 30 of 2022, the Town formed the Shokan Sewer District with a service area that includes the hamlet of Shokan; and

**WHEREAS**, due to failing septic systems and demonstrable water quality problems, a primary purpose of the Project is to construct and maintain an adequate system for sewage removal and treatment to ensure the health, safety and welfare of Town residents and businesses; and

**WHEREAS**, design and construction of the proposed sewer system will be performed in conformance with New York State Department of Environmental Conservation Design Standards for Wastewater Treatment Works, 2014 (2014 NYSDEC Standards), and the Rules and Regulations for the Protection from the Contamination, Degradation and Pollution of the New York City Water Supply and its Resources, 2002 (NYCWRR). Regulatory review and approval will be obtained prior to the initiation of construction; and

**WHEREAS**, the Town of Olive Town Board (the “Board”) has reviewed and considered the plans and schematics for the Project, as reflected in the Preliminary Engineer’s Report Shokan Wastewater Management Program for the Hamlet of Shokan, Town of Olive, Ulster County, New York, dated September 25, 2019 and amended February 21, 2020, April 30, 2020 with final issued on September 25, 2020, prepared by Lamont Engineers, which requires the Town to acquire minor easements from various real property in the area of the proposed sewer district to accommodate the Project;

**WHEREAS**, the sewer main locations, after an exhaustive study prepared by Lamont Engineering, is no longer subject to change;

**WHEREAS**, the Board and the residents of the Shokan Sewer District have determined that the Project is in the best interest of the Town and its residents and, as a result, that the contemplated acquisitions are in the best interests of the health, safety and welfare of the Town and its residents, as it is in the public’s best interest that the Project be properly constructed and maintained;

**WHEREAS**, the Board has endeavored and will continue to endeavor to acquire any necessary easements and acquisitions for the project by voluntary compliance with land owners, but the Board acknowledges that voluntary



compliance may not be achieved for all the necessary acquisitions requiring the Board to exercise its powers of Eminent Domain;

**WHEREAS**, as reflected by the Project maps for the remaining easements needed for the Project, the Board has determined, pursuant to New York Eminent Domain Procedure Law § 206, that the remaining utility easement acquisitions are all minor in nature, affecting small portions of individual properties and constitute minor amounts of land and land interests, and therefore any of the individual acquisitions by Eminent Domain would be *de minimis* in nature so that the public interests will not be prejudiced by the acquisition of those property interests for construction of the Project;

**WHEREAS**, the Town had previously complied with the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617) ("SEQRA") for the Project, as reflected by the Board's Negative Declaration adopted on May 10, 2022; and

**WHEREAS**, pursuant to the terms of SEQRA, utilizing Eminent Domain to acquire those utility easements for the Project is consistent with the Board's prior SEQRA review and Negative Declaration for the Project.

**NOW WHEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN OF OLIVE TOWN BOARD, ULSTER COUNTY, NEW YORK:**

THAT THE Town of Olive Town Board hereby determines that the acquisition of contemplated remaining utility easements for the Project are *de minimis* in nature as provided by the Eminent Domain Procedure Law; and

THAT THE Town authorizes its legal agents to send final offer letters to remaining landowners with fair market value; and

THAT THE Town of Olive Town Board hereby determines that if the final offers are not accepted and/or voluntary compliance to acquire easements or fee acquisitions in furtherance of the Project is not practicable or would prejudice the Project, the Town and its legal agents are authorized to acquire the lands or interests by use of Eminent Domain; and

THAT THE Supervisor is authorized to execute and file the necessary Petitions, Acquisition Maps and Notices of Pendency as are required to secure the necessary property by eminent domain.

**BE IT FURTHER RESOLVED**, that the Board and Special Counsel for Town are hereby directed to take such actions as are necessary to implement this resolution.

Whereupon, the Resolution was put to a vote, recorded as follows:

**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>	_____	_____
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 9th day of April, 2024

\_\_\_\_\_  
Dawn Giuditta, Town Clerk

**Town of Olive  
RESOLUTION #14 of 2024**

Authorizing the Town Supervisor to Sign an Intermunicipal Agreement with Ulster County to Partially Fund New Fencing at Davis Park

**WHEREAS**, the Ulster County Legislature passed Resolution #289 of 2022 establishing and funding capital project No. 635 in the amount of two million dollars (\$2,000,000) to create a program to partner with Ulster County municipalities and match up to 50% of park and recreation projects with a maximum contribution of \$100,000 per municipality; and

**WHEREAS**, Ulster County and the Town of Olive desire to enter into a Intermunicipal Agreement (IMA) where the Town will be a sub recipient of Seventeen Thousand, Two Hundred, and Fifty Dollars (\$17,250) of American Rescue Plan Act – Coronavirus State and Local Fiscal Recovery Funds (SLERF); and

**WHEREAS**, The Town will be responsible under the IMA for administering a program to replace and install new fencing at Davis Park; and

**NOW THEREFORE BE IT RESOLVED**, the Supervisor of the Town of Olive is hereby authorized to sign and execute the IMA with Ulster County to partially fund the fencing replacement at Davis Park,

**AND MOVES ITS ADOPTION**

Motion made by: Supervisor Sofranko  
Seconded By: Board Member Kelder

**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 9th day of April, 2024

\_\_\_\_\_  
Dawn Giuditta, Town

On a **Sofranko/Edinger** motion, the Town Board awarded the Cold Storage Garage electrical bid of \$127,000 to Harold Clune, Inc.

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

Nay:

Absent:

There were two bids received:

Harold Clune, Inc	\$127,000.00
Ray Pantel, Inc.	\$153,000 with \$20,000 allowance

On a **Sofranko/Bogges** motion, the Town Board authorized the Supervisor to sign an agreement with Larry Farbstein of Industrial and Utility Valuation Consultants to serve as a Real Property Tax Consultant for \$25,000.

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

On a **Bogges/Edinger** motion, the Town Board authorized the Supervisor to sign a contract with the Ulster County Soil and Water Conservation District entitled Boiceville CSBI Project.

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

On a **Sofranko/Read** motion, the Town Board approved the hiring of LW Tree Service to perform work on the Boiceville Riparian sites in accordance with the scope of work in the UCSWCD CSBI contract.

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

On a **Sofranko/Kelder** motion, the Town Board authorized the Supervisor to modify the Insurance and Indemnification section Traffic Control Agreement for the upcoming movie "The Bride" filming in town.

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

On a **Sofranko/Bogges** motion, the Town Board appointed Robert Hite as the Hearing Officer for the personnel matter discussed in executive session last month.

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

**Committees, Commission, Department Reports:**

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

Parks are open, tennis & pickle courts are set. Day Camp will begin 7/1/24 registration dates have been scheduled and will be available on Facebook and the website. The Town pool is scheduled to open May 24 and we will have swim lessons and water aerobics. Men, women softball and along with Little League are gearing up.

**Highway Superintendent- Brian Burns**

The Highway Department has been busy they removed the slab from the cold storage and relocated the equipment temporarily. They have been sweeping roads, ditching, culver pipes and replacing some signage.

**Police Department- Drew Bogges, Liaison (#21-24)**

March 2024 stats – 298

Arrests- 2

Tickets- 21

**Town Clerk- Dawn Giuditta (#22-24)**

March- \$19,809.37

March Tax Collection- \$184,432.33

**Olive Fire Dept. - Christopher Winne, Fire Chief (#23-24)**

**February Calls- 21**

Auto Accidents- 4    Mutual Aid- 5    Automatic Alarm- 5    Wires Down- 3    EMS Assist/Rescue- 1    Carbon Monoxide- 1

Test- 1    Landing zone-1

**March Calls- 35**

Structure Fire- 4 Mutual Aid- 5 Automatic Alarm- 6 Smoke Investigation- 2 Wires Down-10  
EMS Assist/Rescue- 1 Brush Fire- 4 Carbon Monoxide- 2 Test-1

**Conservation Advisory Council- Vikki Read, Liaison**

The Council is reviewing the Conservation Advisory Law Chapter 17. The Council is holding a joint advisory presentation with Shandaken on May 18 from 11 am – 3 pm. The Town is eligible for 2 NYSERDA grants in the amount of \$5000 and \$10,000, the applications are due by June 26<sup>th</sup>.

**Zoning Committee- Drew Boggess, Liaison**

The sub division amendments went to the attorney in January for comments. Board Member Boggess sent those comments to Nan Stolzenberg to make updates and changes. Once he gets the PDF of the new zoning and subdivision codes he will have them put on the website. Drew hopes to be able to introduce each law in May, a public hearing in June and maybe final vote in July.

**Comprehensive Plan Committee- Drew Boggess, Liaison**

In March they had a housing presentation, they are working on including housing recommendations for the comprehensive plan, however; it is up to the town to decide where it goes. They will be doing community outreach in each hamlets the dates, times and places have been set. These dates will be put on the website and Facebook.

**Boiceville Committee- Jim Sofranko, Liaison**

They have received a grant to repair the riparian areas along the stream from UC Soil & Water. They have received a couple of other grants for the integration of the properties in Boiceville for public use.

**Housing Committee- Vikki Read, Liaison**

The Committee has not met, but they all attended the comprehensive plan meeting concerning housing. The Committee will be meeting April 25<sup>th</sup> 6:30 pm at the Legion Hall.

**Coalition of Watershed Towns- David Edinger, Liaison**

It has been an ongoing negotiation with NYCDEP on the LAP & SAP Programs, but NYC is being cooperative.

On a **Sofranko/Boggess** motion, the Town Board adjourned into executive Session to discuss a legal matter at 7:55 PM

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

On a **Boggess/Read** motion, the Town Board adjourned from executive session at 8:00 pm.

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

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

On a **Sofranko/Boggess** motion, the meeting adjourned at 8:01 pm in memory of Joan Jacobson-Romash & Monika Rockwell.

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

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DRAFT