

Town of Shandaken
County of Ulster
State of New York
Monday February 6, 2012

The Town Board met this date as per Resolution #2. Minutes of the Monthly Regular Town Board Meeting held in Shandaken on Monday, Feb. 6, 2012 at 7:00 pm at the Town Meeting Hall, Rt. 28 Shandaken, NY.

Pledge of Allegiance

Roll Call

Members Present: Robert Stanley, Supervisor
Doris Bartlett, Board Member
Vincent Bernstein, Board Member
Alfred Higley Jr., Board Member
Jack Jordan, Board Member

Recording Secretary: Joyce Grant, Town Clerk

On a Stanley/Bernstein motion the Town Board unanimously approved the minutes of the January meetings as submitted by the Town Clerk.



Town of Shandaken Town Board Meeting Agenda
Regular Monthly Meeting
Monday, February 6, 2012

1. Pledge of Allegiance

2. Roll Call

3. Approval of previous T/B Meeting minutes

4. Supervisor's Financial Report

5. Communications

a. Melinda Herzog, Project Coordinator, Cornell Coop. Ext./David Gilmour, Gilmour Planning -Creating Healthy Places

b. CWC-Phoenicia Sewer/ Shandaken Sewer

6. Committee Reports:

a. Ambulance

b. Museum

c. Police

d. Phoenicia Water

e. Pine Hill Water

f. Recreation

7. Public Comments on Resolutions

8. Motions: *Accept Resignation- H. Luhman (Planning Bd.)*

9. Resolutions:

54) Pay all Bills

55) Phoenicia Sewer-Move to design phase

56) Planning-Special meeting - Roadside Stand Law

a. Late February, Date To Be Determined

57) Phoenicia Water-Set public hearing date to amend By-Laws

a. Monday, March 5, 2012 at 6:30pm

58) Phoenicia Water - Vehicle replacement

a. 2002 Dodge Dakota - \$4995

59) Town-Request Good Neighbor Funds for vehicle replacement

a. 2004 GMC Envoy - \$5995

60) Recreation-Support Greenway Grant Application

a. Parks & recreation master plan

61) Smart Growth-Hiring D. Channon as Panel Artist for Kiosk

62) Police-Renew contract for URGENT

63) Ambulance-Appointing personnel

64) School-Supporting continued operation of Phoenicia Elementary School

65) Highway-Supporting direct solution to Phoenicia Bridge

66) Phoenicia Water-Hiring Bookkeeper - Flo Sullivan

67) *Planning – Advertise for opening*

10. Open Public Comment

11. Meeting Adjournment - *IN MEMORY OF:*

William Alger II Harold E. West Anthony C. Locasto Barbara Meister Margaret Biase

Upcoming Town Board Topics & Activity

Month OF 2/6/12

Flood Recovery: New York State has offered to governing bodies in Flood ravaged areas, a law that enables property owners hardest hit by the storms of last year the availability of a reduction in their past year's assessment, if their property is deemed to have sustained 50% or more substantial damages during Irene and Lee. Ulster County and the Onteora School district have adopted the law making the reduction available on those portions of your taxes. The Town of Shandaken has not adopted the law as funds to offset the reduction in taxes have to be made up directly by the governing body from their current year's appropriations. This is not financially feasible for us at this time. Know that we are currently awaiting word on similar legislation that would have the State pick up the portion of the reduction with the caveat that the total cost to the Township must exceed two percent of the Tax levy. Our Building Department, Assessors Office and SAFARI group have been working diligently to provide us with harder figures, so it will be easier for us to assess the financial impacts to the Town and taxpayers. Please visit the Town website (Shandaken.us) to download the form in order to be eligible for the reduction following a more thorough investigation of your property.

I'd like to extend some gratitude to the Town's Building Inspector, Rich Stokes, for working hard to re-evaluate properties that have been hard hit and may be eligible for further FEMA funding, but also for helping to clean up some of the long-standing issues regarding properties in disrepair. Rich has worked with these property owners and I know that he has a number of properties still to be addressed. Know that some of these properties that were damaged during Irene and Lee have been cleaned up after applying to the CWC for Stream Debris Removal funds. These funds are available to eligible property owners within the Watershed. Please contact the Building Department for more information and to see if your property is eligible.

SAFARI: The SAFARI group has met with Tetra Tech, the company hired to create a Town Flood Mitigation Plan and Emergency Response Plan. They will be coming to next month's Town Board meeting to update us on their progress. Also, know that the SAFARI group is working on compiling a list of properties that may be eligible for either FEMA Flood mitigation funds or Property demolition and buyouts. There are concerns on these issues as some of the flood elevations may be infeasible to the Property owner, logistically improbable and may reduce the amount of improvable property in Town if purchased by FEMA.

CWC: CWC is here to night to present where we stand on the Phoenicia Sewer Proposal. We have a resolution tonight to move this project forward to design phase. There has been discussion on securing funding for the build out of the entire proposed sewer. This must be done in order for us to have a viable project. Also, they are here to discuss the hamlet of Shandaken which is preparing to consider a community Septic System specifically concerning a possible location for a subsurface treatment facility (a

leach field). The property in question has been held up due to this process and we need to decide if the Town wishes to enter into agreement to purchase the property for this purpose. There will be further meeting on this issue over the coming months, but this property owner deserves an answer so he can progress with his plans.

Planning: After years of discussion on this subject, we have a Roadside Stand Law that we are prepared to go to public hearing on. We will be setting the date, probably Thursday, Feb. 23rd, to hear all those for or against the proposed law. Barring any major changes to the law we will be voting on the law immediately following the Public Hearing. Copies of the law are available here tonight and will be available on the Town Website over the next few days.

We also received a resignation on the Planning Board, member Hope Luhman has resigned due to personal matters. The Planning Board has already been advertising for this position and is asking for resumes. If you are interested please get you resume and letter of interest to the Planning Board before this Wednesday night, as they have set that date to conduct interviews for the open position. Whomever is appointed to this position will be filling out the remainder of the open term.

Phoenicia H2O: After years of issues regarding disputed water bills, the Phoenicia Water Committee has, with the assistance of the Town Attorney, drawn up amendments to the Water District By-Laws. Basically, these amendments will set specific guidelines to dispute the water bill. We will set a public hearing on these prior to our next month's regular meeting at 6:30 on Monday, March 5th.

Also, Rick's vehicle was deemed "unsafe" and he has been without a district vehicle for some time. He has been using the Town's Crown Victoria since the floods. We are now experiencing issues with that vehicle. He is now using the Blazer, which is also on its last legs. We found a 2002 Dodge Dakota Pick-up for \$4995. We would like to purchase this vehicle for use by the Phoenicia Water District Superintendent. The expense can and will be made from existing appropriations of the Phoenicia Water District.

Town Hall: Due to the condition of the Town Blazer and the usage needed between the Building/Zoning office, the Assessor's Office, the Dog Control Officer and the Supervisor's Office we are in need of a vehicle. We have found a 2004 GMC Envoy for \$6995. We will trade in the Crown Victoria for \$1000. I'm asking that we expend monies from our Good Neighbor Fund for the balance of \$5995.

Now that most of the work is done regaining the land we lost by the Town Hall during the floods, Eric and I are due to meet with RETTEW in order to progress on both the Town Hall septic system and Highway garage StormWater Project. We will also be asking for information concerning the Pine Hill Storm Water Plan. We are scheduled to meet later this week.

Parks and Rec: The Rec Board is looking to create a Parks and Recreation Master Plan. The Board would like to move forward with some plans for improvements for the Town Parks, but would like to have a build out plan to help them prioritize projects. They are applying to the Hudson Valley Greenway for funding, tonight we have a resolution supporting this action.

Phoenicia: We have two memorializing resolutions concerning Phoenicia tonight. The first is a resolution whereby the Town Board of Shandaken opposes any plans by the Ontario School District to close the Phoenicia Elementary School. The School is not only a

vital resource for education in our community, but also helps define our community and supports the economy and tax base within Phoenicia and throughout the Town. The second resolution is asking for a solution to the currently closed Phoenicia Bridge St. bridge. This bridge is essential to the economy of the hamlet of Phoenicia and the Town of Shandaken. We are asking that the County involve us in any future discussions concerning possible options for the bridge.

Smart Growth: We were prepared to move forward with the contract to hire the artist for the Kiosk Panels. Again, this work is to be paid through the NYS DEC grant for Smart Growth. We have some outstanding issues to be resolved before moving forward with this, we hope to have these issues resolved by our next meeting.

Scenic Byway: We have a meeting scheduled for next Monday at 6pm concerning the Scenic Byway Draft Plan. There is a meeting scheduled for elected officials later this week to address concerns. It appears that some municipalities in the Collaborative, would like to have some of the language addressed to better clarify what is to be expected of them and to ensure there is no diminishment of each municipalities right to Home Rule.

If there is another topic for us to consider at this meeting, please feel free to contact me or the office at any time. Best....Rob

Town Clerk Updates

Our office hours have been expanded to an extra 10 hrs. a week. Office hrs. are now 9am-4pm 5 days a week. Starting in February, we will be open the first Saturday of each month from 9am to Noon.

This past November the Shandaken Dog enforcement officer initiated a Dog Enumeration (Census). This was to inform the public of the NYS law that all dogs over the age of 6 months must be licensed in their town. If you don't own a dog, just mail back the form stating so.. and if you do have a dog, please make sure it is licensed. It is the law and it is a safety measure for your dog in case they are lost.. Dog licenses must be renewed every year. We are also planning a rabies clinic in the spring, to help alleviate the cost of licensing your dog.

The Town Clerks office will be assisting in updating the Town's website, shandaken.us. Community groups are asked to forward any information they would like on the town site.. to the clerks email address, shandakenclerk@yahoo.com
We have also added some downloadable pdf forms on the Town Clerks page for you to use.

In March, The Town of Shandaken, in partnership with the Phoenicia Rotary Club and the Phoenicia Elementary School plans to offer FREE instructions in basic computer literacy skills to adults in our community. Computer literacy can help many older adults stay in touch with family and friends, preventing the isolation that often results in declining mental and physical health. If you always wanted to learn basic computer skills, how to use the internet, use email, skype, etc.. now is your chance!

The Onteora School District has agreed to allow the Phoenicia Elementary School to be used as our location. The Town will provide the insurance coverage needed. Members of the Phoenicia Rotary Club will participate by assisting with curriculum development, supporting the instructor during class and with funds for incidental expenses. The primary instructor is well qualified and has generously offered to donate her time for these classes. Other skilled instructors have also agreed to participate, providing for a variety of viewpoints and expertise.

Again, these classes are FREE and planned for March, if you would be interested in taking a class – please contact the Town Clerks office.

Lastly, the Town Clerks office is here to serve you.. If we can assist you in any way, feel free to call, email or stop by!

Supervisor Report January 2012

Portion of General Tax Warrant	\$ 150,000.00
Forest Tax	\$ 1,797.73
Ambulance Fees	\$2,826.00
Ambulance Donation	\$125.00
Lieu of Taxes	\$5,000.00
Phoenicia Library Rent	\$200.00
Phoenicia Library elec reimb.	\$84.19
Phoenicia Library Fuel reimb.	\$ 427.52
Fuel Reimbursement	\$ 9,728.72
Pine Hill Water Tax Warrant 2012	\$ 49,495.00
Phoenicia Lighting Dist. Tax Warrant 2012	\$ 12,000.00
Chichester Lighting Tax Warrant 2012	\$ 1,800.00
Pine Hill Lighting Dist. Tax Warrant 2012	\$ 7,200.00
Phoenicia Fire Dist. Tax Warrant	\$ 256,037.00
Big Indian Fire Dist. Tax Warrant	\$ 102,000.00
Pine Hill Fire Dist. Tax Warrant	\$ 42,700.00
Highmount Fire Dist. Tax Warrant	\$ 46,400.00
Total	\$687,821.16

TOWN OF SHANDAKEN AMBULANCE SERVICE



PO BOX 91 PHOENICIA, NY 12464

January 2012 Report

Total calls received- 55

Total calls Belleayre- 16

Mutual aid given- 1

Mutual aid received- 1 (Second call in the district on weekday)

Firstly the Ambulance staff would like to apologize to the citizens and the Board of the Town of Shandaken for the delay in the Yearend report and lack of attendance during the January meeting due to an unforeseen serious family medical issue. Tonight we are inundated with information including the yearend report, December 2011 report, and the January report all available for review.

Tonight we are also bringing in local individuals and reappointing two individuals whom were left off of the January reappointment resolution in error. The new hires are again replacing individuals not reappointed this year secondary to inactivity. One individual in particular we are hiring tonight has deep roots in the Town Ambulance as his grandfather once served as a Paramedic, and Chief of the Ambulance. A warm welcome goes out to Julien Palmer, as well as to Jessie Cowan, Julien Farges, and Matthew Goodnow whom will fill positions much needed to provide around the clock coverage to the citizens and visitors of the Town of Shandaken.

As of lately we have had issues transmitting electrocardiographs to receiving hospitals during life threatening cardiac emergencies. This is a very important tool as it serves as an early notification to cardiac specialists at hospitals to prepare appropriate tools and medications for when a critical patient arrives. These transmissions also paint a more accurate picture to specialists so that they can provide advanced medical treatment options for Paramedics providing care during transport improving patient outcome. We ask that if you have a Verizon network extender operating in the Town of Shandaken that you contact the Town Ambulance via E-mail (car78@shandakenambulance.org) or phone (845) 688-7188 so that we can compile a confidential list of locations we can transmit this potentially lifesaving information from. This can be done by momentarily stopping in front of the business or home and connecting to the extender from the cardiac monitor while still in the Ambulance. If there are any questions please feel free to contact us by the above avenues.

Stay Safe out there!

Richard W. Muellerleile
Captain/ Administrator
Town of Shandaken Ambulance Service

Committed To Care In The Heart Of The Catskills

TOWN OF SHANDAKEN

AMENDEMENTS TO THE PHOENICIA WATER DISTRICT BY-LAWS

BE IT ENACTED by the Town Board of the Town of Shandaken as follows:

ARTICLE 18 . GRIEVANCE PROCEDURES

In the event a property owner disputes the accuracy of a water bill said property owner will have a period of sixty (60) calendar days from the mailing date of the bill to do the following:

- A. File a written complaint with the Town Clerk/ Tax Collector requesting an inspection of the relevant parts of the property owner's premises being served by the meter in question. If the property's water system appears to be normal (no leaks, etc.) the investigation will progress to Article 18 Section B.
- B. The meter will be removed, by a plumber assigned by the Water District Superintendent, replaced with a temporary meter and sent for testing. Should the meter test "fast," (recording more than designed guidelines/actual flow) the Water District will bear all of the costs incurred for the removal, shipping, testing, and inspection of the meter, and for the installation of a new meter and shall also credit to the property owner the charges incurred by said owner on the challenged bill to the extent that said charges exceed the average of the three billings immediately prior to the date of the water bill that was disputed. Should the meter run "slow" (recording less than designed guidelines/ actual flow) or accurate, the property owner will be responsible for all expenses (removal, shipping, testing, calibration, reinstallation, parts and labor) incurred by the Water District, in addition to the water bill being questioned and any late fees accrued. These charges, if not paid prior to the next bill being sent, will be added to the relevant property's next water bill.
- C. In the event that a property owner fails to file a written complaint within sixty (60) days of the date the water bill was mailed, the bill shall be deemed valid and the property owner(s) shall have waived his/her/their right to challenge the bill.

A LOCAL LAW TO AMEND CHAPTER 116
OF THE ZONING LAW OF THE TOWN OF SHANDAKEN

BE IT ENACTED by the Town Board of the Town of Shandaken as follows:

SECTION 1. INTENT

It is the intent of this Local Law to amend the existing Zoning Law of the Town of Shandaken relating to Special Permits for Roadside (Farm Produce) Stands as an accessory use in recognition of the benefit to the general welfare of the community by providing for such use under certain conditions and controls as stated within, be lawfully incorporated into the Town Code. All Code section references herein being to the Town of Shandaken Town Code.

SECTION 2. DEFINITION

116-4 B – Amended as follows:

ROADSIDE (FARM PRODUCE) STAND – A structure where plants, fruits, vegetables, meat, dairy, fish and food products derived from the same may be sold and purchased.

SECTION 3. DISTRICT SCHEDULE OF USE REGULATIONS

116-10 C under the heading “Accessory Use” is amended to include the entry Roadside (Farm Produce) Stands as follows:

Structure/ Land Use	R5	R3	R1.5	HR	HC	HB	CLI	FW
Accessory Uses								
Roadside (Farm Produce) Stand	SP	SP	SP	SP	P	P	P	X

SECTION 4. PARKING AND LOADING STANDARDS

116-24 A (1) is amended under the heading “Accessory Uses” to include Roadside (Farm Produce) Stands as follows:

Accessory Uses	Spaces Required
Roadside (Farm Produce) Stand	1 parking space per 150 square feet of sales area, or 1 per 200 feet of gross floor area, whichever is greater.



SECTION 3. ADDITIONAL SPECIFIC STANDARDS FOR CERTAIN USES

116-40 T. is amended as follows:

116-40 T. Roadside (Farm Produce) Stands, as an accessory use, provided that:

- (1) Such stand shall not exceed, in total area, remaining available area, nor more than 49%, of % of area shown on the District Schedule of Area and Bulk Regulations, whichever is less, for the zoning district and parcel in which the stand is proposed. Said stand shall remain a single story structure or operate only on the ground floor of a multi- storied structure including all display areas and parking.
- (2) Such stand shall be located not less than twenty (20) feet from any street line.
- (3) Such stand shall be solely used for display and sale of plants, fruits, vegetables, meat, dairy, fish and food products derived from the same.
- (4) Signage shall be limited to twelve (12) square feet and be located not less than five (5) feet from any street line if located within R5, R3, R1.5 or HR districts. All other districts shall use standard sign regulations.
- (5) Minimum side and rear yard setback requirements shown on the District Schedule of Area and Bulk Regulations for the zoning district for which the stand is proposed shall be doubled if such yard abuts property in a residential district (R5, R3, R1.5 or HR).
- (6) Minimum side and rear yard setback requirements for off-street parking areas stated in §116-24B shall be doubled if such yard abuts property in a residential district, except if front of lot has a minimum of 100 feet along a state or county owned road.



Public Comment:

Kathy Nolan Pine Hill – Re: Resolution #55, More analysis needed on making the sewer plant more affordable and expanding the service area.

Rick Ricciardella Phoenicia - DEP should own, operate & maintain any sewer system. City should pay for everything..or it is just not feasible.

Mike Ricciardella Phoenicia – Study on proposed sewer seems vague. Would like to see more written info.

Supervisor Stanley – All info is on the town website: shandaken.us

Mike Ricciardella – Wants proof that we need this plant before we sign on. Does not want the town to be responsible for costs & maintenance.

Eric Hansen Shandaken - Concerned about what area sewer will cover and who votes on it.

Mary Herrmann Pine Hill – Asking about documents on the town website and why they are all not on there.

Supervisor – There is not enough bandwidth, they are huge files. I will check with the webmaster and see how we can add all the volumes for the Sewer Law on the site.

CWC Spokesman – Discussed property that is proposed

Public comment – Resolutions:

Eric Hansen Shandaken They should not close Phoenicia School

Mary Herrmann – Inquired about vehicle purchase asked what fund will be used. What is status of Phoenicia Bridge, did county request FEMA money for bridge.

Board Member Bernstein - stated bridge on Creekside road Rt. 42, has a lot of debris under it that needs to be removed.

Kathy Nolan - re #55, should have plan to offset costs., #59 Vehicle purchase asked about records pertaining to good neighbor fund. Kathy said she asked for them at last meeting, had asked Supervisor to make a presentation about expenditures of good neighbor fund. Now asks that the town send her a report in mail. Supports keeping Phoenicia School open.

Dave Channon – Kiosk project may be eligible for endowment grant, asks the board to consider supporting this project. Kiosk meeting later this month.

Rick Ricciardella – Stated there are some lights out on Main St. Phoenicia, who to call?

Sup. Stanley – stated his office will call NYSEG

Eric Hansen – asked status of cell tower

Sup. Stanley – We are much closer to having cell tower operating.

Gary Gales – Stated Rt. 42 looks better after clean up.

Kathy Nolan – re: January Sewer Meeting – Content of decision making on Pine Hill Sewer. Felt the meeting was set up as a hearing only and should not have been a meeting to vote on the sewer district. Why wasn't meeting videotaped or broadcasted?

Ellen Povil (Videographer) stated she was not told about the meeting.

Supr. Stanley stated that Ellen was at the meeting where the date was announced for the Sewer meeting and should have been there.

Kathy Nolan stated that the process should be clearer about video taping future meetings. Also, suggested Wi-fi extenders be purchased with the Good Neighbor fund.

RESOLUTION # 54

OFFERED BY : Jordan

RESOLUTION TO PAY ALL BILLS

WHEREAS, The Department of Audit and Control require Town Boards to sign and inspect all vouchers coming into the town for payment, to number and total amounts from each fund.

THEREFORE BE IT RESOLVED, that the Town Board authorize the following vouchers paid:

General Fund	\$ 55,557.54
Highway Fund	\$ 84,899.82
Phoenicia Water District	\$ 5,486.16
Phoenicia Lighting District	\$ 1,089.06
Chichester Lighting District	\$ 147.82
Pine Hill Lighting District	\$ 605.85

RESOLUTION #56

OFFERED BY Higley

**RESOLUTION ESTABLISHING SPECIAL MEETING/ PUBLIC HEARING
ON "ROADSIDE STAND" LAW**

WHEREAS, the Town of Shandaken has, over the past several years, attempted to resolve issues with the existing "Roadside Stand" law, and

WHEREAS, the Town Board has had several discussions on this topic, and

WHEREAS, the Town Board feels it is necessary to have an acceptable law on the books prior to the opening of the next agricultural season

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board, having referred said amendments to the Town and County Planning Departments, is setting up a special meeting for a public hearing on the proposed "Roadside (Farm Produce) Stand" law to hear arguments for or against said proposal and to conduct any relative business scheduled for:
_____, _____, 2012 @ _pm.

AND MOVES ITS ADOPTION

Seconded by: Stanley

Roll Call – 4 Ayes, 1 Recues (Higley)

RESOLUTION #57

OFFERED BY Bartlett

**RESOLUTION ESTABLISHING PUBLIC HEARING
FOR PHOENICIA WATER DISTRICT AMENDMENTS**

WHEREAS, the Phoenicia Water Committee has reviewed the current bylaws for users within the Phoenicia Water District, and

WHEREAS, there are specific deficiencies they would like to have considered in order to rectify continuing issues within the water district;

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board, will conduct a Public Hearing, to hear arguments for or against said amendments, at **6:30 pm** prior to the regularly scheduled Town Board meeting on **Monday, March 5, 2012.**

AND MOVES ITS ADOPTION

Seconded by: Stanley

Roll Call – 5 Ayes

RESOLUTION #58

OFFERED BY Bernstein

**RESOLUTION APPROVING PHOENICIA WATER DISTRICT
VEHICLE PURCHASE**

WHEREAS, the Phoenicia Water District Vehicle is no longer available for use, and

WHEREAS, the District Commissioner is in need of a vehicle for continued operation and maintenance of District Property,

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board, approve the purchase of a **2002 Dodge Dakota Truck** (VIN # 1B7GG12X425641458) from **Brookside Hardware Ltd., 4242235 State Route 28, Margaretville, NY 12455** for the price of **\$4,995.00**

AND MOVES ITS ADOPTION

Seconded by: Jordan
Roll Call – 5 Ayes

RESOLUTION #59

OFFERED BY Jordan

RESOLUTION APPROVING TOWN VEHICLE PURCHASE

WHEREAS, the Town of Shandaken Assessors, Building & Zoning, Dog Control and Supervisor's Offices are using the same vehicle for their respective business, and

WHEREAS, the current vehicle is insufficient to provide adequate service for all these departments and creates scheduling issues and increase mileage payouts to employees, and

WHEREAS, the Town has available funds in its Good Neighbor Fund available for vehicle replacements

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board, approve the release of Good Neighbor Funds for the purchase of a **2004 GMC Envoy** (VIN # 1GKDT13S742205566) from **Brookside Hardware Ltd., 4242235 State Route 28, Margaretville, NY 12455** for the price of **\$5,995.00** including a trade-in of the **2003 Ford Crown Victoria** (VIN # 2FAHP71W83X193908) currently owned by the Town.

AND MOVES ITS ADOPTION

Seconded by: Stanley
Roll Call – 5 Ayes

RESOLUTION #60

OFFERED BY: Stanley

**RESOLUTION SUPPORTING APPLICATION FOR
GREENWAY GRANT TO CREATE SHANDAKEN PARKS MASTER PLAN**

WHEREAS, the Town of Shandaken Parks and Recreation Board is applying to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled "Town of Shandaken Parks and Recreation Master Plan," and

WHEREAS, the grant application requires the applicant municipality to obtain the endorsement and approval of the governing body of the municipality in which the project will be located;

THEREFORE, BE IT RESOLVED, that the **Town Board of the Town of Shandaken** hereby does approve and endorse the application for a grant under the Greenway Communities Grant Program, for a project known as the "Town of Shandaken Parks and Recreation Master Plan," located within our municipality

AND MOVES ITS ADOPTION

Seconded by: Bernstein
Roll Call – 5 Ayes

RESOLUTION #61

(Tabled)

OFFERED BY: Higley

RESOLUTION HIRING ARTIST FOR KIOSK PANELS

WHEREAS, the Town of Shandaken is in receipt of a Smart Growth Grant through the New York State Department of Environmental Conservation (DEC), and

WHEREAS, a portion of this grant is for the placement of four (4) information kiosks throughout the Town, and

WHEREAS, Dave Channon of Esopus Creek Enterprises (Artist), has provided this service previously to the DEC using similar materials and content, and

WHEREAS, a contract exists for the completion and installation of thirty-two (32) information panels with eight (8) each to be placed in each community kiosk and for involvement and coordination with the kiosk committee;

THEREFORE, BE IT RESOLVED, that the **Town Board of the Town of Shandaken** approves the Supervisor entering into contract with the Artist for a total price of \$13,600 to be paid in installments as per the contract

AND MOVES ITS ADOPTION

Seconded by: Bartlett

Roll Call – 5 Ayes

RESOLUTION #62

OFFERED BY: Bartlett

RENEWAL OF U.R.G.E.N.T. CONTRACT WITH U.C. SHERIFF

WHEREAS, the Town of Shandaken Police Department has been a participant in the Ulster Regional Gang Enforcement Narcotics Team (URGENT) in coordination with the Ulster County Sheriff's Department and other local municipalities;

THEREFORE, BE IT RESOLVED, that the **Town Board of the Town of Shandaken** approves the Supervisor renewing the contract between the Town of Shandaken Police Department and the other involved agencies,

AND MOVES ITS ADOPTION

Seconded by: Stanley

Roll Call – 5 Ayes

RESOLUTION #63

OFFERED BY: Bernstein

AMBULANCE TECHNICIANS

WHEREAS, under § 20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town; therefore be it

RESOLVED, That the following be appointed to the Shandaken Town Ambulance:

Part Time Paramedics: \$189.11 per 12 hour shift, including trips

Matthew Goodnow

Part Time EMT's: \$67.52 per 12 hour shift, & 30.39 per trip

Julien Farges

Kevin McGhee

Ambulance Drivers and Certified First Responders \$50.64 per shift, \$25.89 per trip

Jesse Cowan, *Driver*

Wendy Grossman, *Driver*

Julian Palmer, *Driver*

and that said employees serve at the discretion of the Town Board.

AND MOVES ITS ADOPTION

Seconded by: Higley

Roll Call – 5 Ayes

RESOLUTION #64

OFFERED BY: Bartlett

SUPPORTING CONTINUED OPERATION OF PHOENICIA SCHOOL

WHEREAS, the Phoenicia Elementary School is located in the Hamlet of Phoenicia within the Town of Shandaken, and

WHEREAS, the Onteora Central School District Board of Education is currently considering several modeling plans in order to meet its financial goals and some of those plans include the option to close the Phoenicia Elementary School, and

WHEREAS, the Town Board of Shandaken recognizes the need for fiscal responsibility during these difficult economic times and also recognizes the similar mandate local municipalities must endure in order to meet the newly established Tax Cap Legislation, and

WHEREAS, the Phoenicia Elementary School supports more than education for our youth, currently it serves as a meeting hall and community center offering athletic, educational and social programs during the evenings, weekends and summer months, most of which are sponsored and supported by the Town of Shandaken, and

WHEREAS, following the tragic events during Hurricanes Irene and Lee, the Town of Shandaken has started the process of designating the Phoenicia School as an Emergency Response Shelter in order to respond to the future needs of the community during dire disaster events, and

WHEREAS, the Phoenicia Elementary School serves as an economic engine during the school year for many of the businesses located in the hamlet of Phoenicia due to parental drop-offs, pick-ups and other meetings and programs, and

WHEREAS, the School is located more than 16 miles from the outer western boundary of the Onteora School District and the Town of Shandaken, and

WHEREAS, the Town of Shandaken is concerned that such closing would be detrimental, not only as a quality of life issue, but as an economic engine and the tax base for all the citizens, residents and tax payers of the Town of Shandaken and Onteora Central School District;

THEREFORE, BE IT RESOLVED the Town of Shandaken Town Board vehemently opposes any plan that closes the Phoenicia Elementary School and robs our residents and their children of convenient localized educational opportunities for their younger children, disregards the needs of the local economy and businessmen and residents that assist with, sponsor and pay for school programs and will have a detrimental effect on our local tax base by decreasing the value of homes located in the western half of the Town of Shandaken to families with young children and throughout the entire Town,

BE IT FURTHER RESOLVED, that the Onteora School Board look to more difficult decisions within its administration to find fiscally responsible actions that increase the educational results of our children, at the very least maintains current educational programs, supports an educator evaluation system (as proposed by the State) and maintains or reduces the current tax levy, as is the mandate and dilemma that every other municipality supporting the school district has been working under and hope will continue to accomplish and that a copy of this resolution be sent to each member of the Onteora School Board of Education, Superintendent Phyllis McGill and Supervisors in each of the school district's member towns
AND MOVES ITS ADOPTION

Seconded by: Stanley

Roll Call – 5 Ayes

RESOLUTION #65

OFFERED BY: Stanley

SUPPORTING REOPENING OF PHOENICIA BRIDGE STREET BRIDGE

WHEREAS, the Town of Shandaken was hit hard by Hurricanes Irene and Lee in late August and early September of 2011, and

WHEREAS, the hamlet of Phoenicia was effectively “cut off” from vehicular traffic during the height of the storms, and

WHEREAS, the Town Board of Shandaken has taken measures to ensure future protective measures be put in place in order to secure the health and safety of its citizenry, and

WHEREAS, the Town of Shandaken recognizes and appreciates the efforts of the Ulster County Department of Public Works in responding to issues involving vital Ulster County vehicular routes within the Town and their effort to repair the infrastructure while addressing measures to ensure some degree of flood mitigation, and

WHEREAS, following the tragic events during Hurricanes Irene and Lee, the Bridge Street Bridge in Phoenicia was deemed “unsafe” and has remained closed since the storms, and

WHEREAS, the County has been made aware of the current and potential impacts the bridge's closure is and will continue to have on the economy of Phoenicia, Shandaken's largest economic center, and

WHEREAS, the County is currently looking into several options for the Bridge Street Bridge including, but not limited to: resetting and redecking, raising the current bridge and redesigning the bridge to allow for more water flow

THEREFORE, BE IT RESOLVED the Town of Shandaken Town Board asks the Ulster County DPW to expedite their investigation and proposals for the Bridge Street Bridge in Phoenicia, keep local elected officials apprised of their progress and if proposing a redesign, allow for input from both the local elected officials and local stakeholders from within the community before proceeding with any such plan or plans,

BE IT FURTHER RESOLVED, that Town Board also requests, with no intention to undermine or weaken a thorough review of any proposal, that the Ulster County DPW work to resolve this issue prior to the height of the upcoming 2012 summer recreation and tourism season

AND MOVES ITS ADOPTION

Seconded by: Bartlett

Roll Call – 5 Ayes

RESOLUTION #66

OFFERED BY Higley

PHOENICIA WATER DISTRICT BOOKKEEPER

WHEREAS, under § 20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town; therefore be it

RESOLVED, that **Florence Sullivan** be and hereby is appointed Bookkeeper for the Phoenicia Water District, and be paid at a rate of \$12.18 per hour, not to exceed \$2,532.00 and be it further

AND MOVES ITS ADOPTION

Seconded by: Stanley

Roll Call – 5 Ayes

RESOLUTION #67

Offered By: Bartlett

Planning Board Position Advertisement

WHEREAS, Due to a vacancy on the Planning Board, it is necessary to advertise for this position.

THEREFORE, be it resolved, that the Town Board advertise for the position of a member on the Planning Board.

AND MOVE ITS ADOPTION

Seconded by Stanley

Roll Call – 5 Ayes

RESOLUTION #67

Offered By: Stanley

PLANNING BOARD POSITION ADVERTISEMENT

WHEREAS, Due to a vacancy on the Planning Board, it is necessary to advertise for this position.

THEREFORE, be it resolved, that the Town Board advertise for the position of a member of the Planning Board.

AND MOVES ITS ADOPTION

Seconded by: Bernstein

Roll Call – 5 Ayes

Signed this 7th day of February, 2012

Joyce Grant, Town Clerk

All business pertinent having been discussed, the Town Board adjourned at 9:15 pm on a Stanley/Bernstein motion.