

January 7, 2013

**RESOLUTION #1-13**

**OFFERED BY STANLEY**

**RULES OF PROCEDURE**

**WHEREAS**, §63 of New York State Town law provides that the Town Board may determine the rules of its procedures:

**THEREFORE BE IT RESOLVED**, that the following "Rules of Procedure" for regular Town Board meetings be adopted.

The Town Supervisor, as Chairman of the Town Board, shall call meetings of the Town Board to order and shall be the Presiding Officer or Chair of the meeting, and as such shall officiate, maintain order and decorum, and permit public participation in an orderly manner and in accordance with the rules stated below.

1. **PLEDGE:** Call to order shall be followed by the pledge of allegiance to the flag of the United States of America.
2. **ROLL CALL:** The Chair shall request Roll Call of the Town Board members by the Town Clerk, and after determining that a quorum exists, the Town Supervisor shall declare the meeting open. The Town Supervisor shall read the agenda (if not already published and distributed) and proceed to the business of the Town Board at hand.
3. **MINUTES:** At each meeting following the new Town Board's January Special Organizational Meeting, the Chair shall provide opportunity for the Town Board to review the minutes of the previous meeting of the Town Board. Thereafter, the Chair shall entertain a motion to approve the minutes as presented or to amend.
4. **CORRESPONDENCE:** The Chair shall first call for acknowledgment and summary of any petitions or written communications received by the Town Board. Copies shall be given to the Town Clerk for recording into the minutes.
5. **COMMITTEE REPORTS:** The Chair shall recognize committee chairmen for their committees report.
6. **PUBLIC PARTICIPATION:** The Public will be invited to comment as requested on items appearing in the published agenda, expressing any views, opinions, requests, recommendations or questions to the Board to address and/or take under advisement in its deliberations. A maximum time limit of 30 minutes. The Public is requested to be brief with their comments.
7. **CONDUCT NEW BUSINESS**
  - a. **THE SUPERVISOR'S FISCAL REPORT** shall be the first order of new business. It shall set forth public monies received through the Town clerk's Office and other sources, and the disbursement of public monies. The Chair shall entertain motions to approve the Supervisor's Fiscal Report and to approve all necessary disbursements of public monies through authorized fund accounts. All actions of the Town Board

concerning the Supervisor's Fiscal Report shall be by motion.

b. **RESOLUTIONS:** For its deliberations on new matters of Town Business, the Board will work from the written agenda distributed to Board members in advance, posted on the Town bulletin board and distributed at Board meetings to public. Formal actions of the Town Board must be authorized by motion or resolution of the Town Board. No motion or resolution shall be brought to a vote unless it has been presented to all members of the Town Board at least 48 hours prior to the opening of the meeting and on the Town website. In emergency circumstances, however, all of the above requirements may be waived by a vote of a majority of the Town Board present, provided there is a quorum.

c. Every motion or resolution must be seconded before discussion of the Town Board or the Supervisor calls for a vote. All motions and resolutions shall be recorded in their entirety in the minutes of the Town Board meeting. As a member of the town Board, the Supervisor may offer or second motions and resolutions.

d. Town Board members must recuse themselves from participation in discussion or voting on matters that involve a conflict of interest and must place in the minutes their reasons for recusal. Abstention from a vote shall only be permitted for reasons of conflict of interest, and not for political considerations.

8. **PUBLIC PARTICIPATION:** The Board recognizes the value of public participation but reminds the Public that it is a privilege. Please address the Board with respect and civility.

9. **ADJOURNMENT:** Following resolutions, and open agenda period, the Town Board meeting shall be adjourned by motion, in memory of residents deceased.

**IF THE ABOVE RULES OF PROCEDURE SHOULD AT ANY TIME BE IN CONFLICT WITH STATUTORY LAW, THEN STATUTORY LAW PREVAILS.**

**AND MOVES ITS ADOPTION**

Seconded By: JORDAY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 2-13**

**OFFERED BY BERNSTEIN**

**MEETING DATES**

**WHEREAS**, under § 62 of the Town Law, the Town Board should adopt a resolution determining the time and place it shall hold its regular meeting; therefore be it

**RESOLVED**, that the regular meetings of the Town Board be held the first Monday of the Month (unless noted) in the Town Hall of Shandaken, New York on the following dates during the year 2013

January 7th	6:00 PM
February 4th	7:00 PM
March 4th	7:00 PM
April 1st	7:00 PM
May 6th	7:00 PM
June 3rd	7:00 PM
July 1st	7:00 PM
August 5th	7:00 PM
September 9th	7:00 PM (second Monday)
October 7th	7:00 PM
November 6th	7:00 PM (first Wednesday)
December 2nd	7:00 PM

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #3-13**

**OFFERED BY JORDAN**

**TOWN DEPOSITORY**

**WHEREAS**, under § 64, Subdivision 1 of the Town Law, the Town Board should adopt a resolution designating a bank or banks, or trust company in which all Town Officials shall deposit all monies coming into their hands by virtue of their offices; therefore be it

**RESOLVED**, that **KEY BANK of NEW YORK**, and **COMMUNITY BANK N.A.** be and hereby are designated as depositories for the Town of Shandaken.

**AND MOVES IT ADOPTION**

Seconded by: BARTLETT

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #4-13**

**OFFERED BY: STANLEY**

**OFFICIAL NEWSPAPER**

**WHEREAS**, under § 64, Subdivision 11 of the Town Law, the Town Board should adopt a resolution designating the Official Newspaper of the Town; therefore be it

**RESOLVED**, that the **Daily Freeman** be and hereby is the **Official Newspaper** for the Town of Shandaken, for the year 2013.

**AND MOVES IT ADOPTION**

Seconded by: BARTLETT

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #5-13**

**OFFERED BY STANLEY**

**TOWN POLICE DEPARTMENT**

**WHEREAS**, The Town of Shandaken, is a Town of the second class; and

**WHEREAS**, there is a Town Police Department; therefore be it

**RESOLVED**, that, pursuant to the Town Law of the State of New York § 20 (1) (b), the Town Board hereby appoints the following individuals as Police Officers to receive compensation as indicated:

<b>NAME</b>	<b>COMPENSATION</b>	
1. Michael Ennist	\$53,295.39	\$25.62 per hour
2. Kris Frisenda	\$53,295.39	\$25.62 per hour
3. Fred Holland	\$52,170.39	\$25.08 per hour
4. George Neher	\$49,710.39	\$23.85 per hour and
5. James McGrath, Chief	\$23,000.00	Salaried

**PART\_TIME POLICE**

6. Chad Storey	\$18.64 hr
7. John Wooton	\$18.64 hr
8. Stuart McKenzie	\$18.64 hr
9. Scott Buchinger	\$18.64 hr
10. Adam McGrath	\$18.64 hr
11. Glenn Buchinger	\$18.64 hr
12. Thomas Sharon	\$18.64 hr

And that said police officers shall have all powers conferred upon police officers by the general laws of the State of New York including but not limited to and such powers, not inconsistent with law, as are hereinafter set forth; and that said police officers shall have all powers designated in § 2.20 of the Criminal Procedure Law of the State of New York and shall have the following special duties:

1. To enforce all local laws, ordinances and regulations of the Town of Shandaken.
2. To enforce the Vehicle and Traffic Law of the State of New York to the extent that police officers may be so permitted by the general laws of the State of New York.
3. To enforce such Penal Statutes as police officers are permitted to enforce pursuant to the general laws of the State of New York, and in furtherance of said special duties police officers are hereby authorized the use, of a Town Vehicle to be known as a police officer's vehicle which may be equipped with emergency lights in accordance with applicable sections of the Vehicle and Traffic Law, and may use the State and County radio to the extent permitted by the general laws of the State of New York, and may carry fire arms while on duty in compliance with the general laws of the State of New York pertaining to Police Officers generally.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION #6-13**

**OFFERED BY: HIGLEY**

**DEPUTY TOWN CLERKS & TAX COLLECTORS**

**WHEREAS**, under §30, Subdivision 10 of the Town Law, the Town Clerk determines the designation of Deputies, the Town Board shall determine by resolution the powers and duties of such deputies, and whether or not, such deputies shall be compensated by the Town; therefore be it

**RESOLVED**, that the Town Board appoint, **Jacqueline Gugliemetti** as full time Deputy Town Clerk/Tax Collector and be paid \$13.39 per hour and to perform the duties of the Town Clerk/Tax Collector in her absence and be it further

**RESOLVED**, that **Amie Goodrich** be appointed as part time Deputy Town Clerk/Tax Collector and be paid \$10.30 per hour and to perform the duties of the Town Clerk /Tax Collector in her absence

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #7-13**

**OFFERED BY: BARTLETT**

**SECRETARY / BOOKKEEPER TO THE SUPERVISOR**

**WHEREAS**, under §29, Subsection 15, of the Town Law the Town Board may authorize the Supervisor to make a designation for the position of Part time Secretary/Bookkeeper to the Supervisor; therefore be it

**RESOLVED**, that the Town Board approve the appointment of **Patricia Heinz** to serve at the pleasure of the Supervisor, and receive \$12.84 per hour when discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #8-13**

**OFFERED BY: BERNSTEIN**

**SECRETARY / BOOKKEEPER TO THE SUPERVISOR**

**WHEREAS**, under § 29, Subsection 15, of the Town Law the Town Board may authorize the Supervisor to make a designation for the position of Full time Secretary/Bookkeeper to the Supervisor; therefore be it

**RESOLVED**, that the Town Board approve the appointment of **Diane O'Donnell** serve at the pleasure of the Supervisor, and receive \$10.51 per hour when discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #9-13**

**OFFERED BY: JORDAN**

**SECRETARY TO HIGHWAY SUPERINTENDENT**

**WHEREAS**, under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town; therefore be it

**RESOLVED**, that upon the recommendation of the Highway Superintendent, that **Florence Sullivan** be reappointed to serve as Secretary to the Highway Superintendent, and to serve at his pleasure, and to be paid \$12.18 per hour when performing the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #10-13**

**OFFERED BY: STANLEY**

**WATER DISTRICTS BILLING CLERKS**

**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 **Sue Christiana** be and hereby is appointed Billing Clerk for the Phoenicia Water District, and be paid at a rate of \$10.30 per hour, not to exceed \$1,236.00 and be it further

**RESOLVED**, that **Sue Christiana** be and hereby is appointed Billing Clerk for the Pine Hill Water District, and be paid at a rate of \$10.30 per hour, not to exceed \$1,236.00 and be it further

**RESOLVED**, that she serve at the pleasure of the Town Board, Water Commissioner and the Tax Collector.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #11-13**

**OFFERED BY: HIGLEY**

**CHAIRMAN OF BOARD OF ASSESSORS**

**WHEREAS**, under §22b of the Town Law, the Town Board should designate the appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **Heidi Clark** be appointed Chairman of the Board of Assessors for the Town of Shandaken and receive an annual salary of \$31,954.00.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #12-13**

**OFFERED BY: BARTLETT**

**SALARIES**

**WHEREAS**, under § 27 of the Town Law, the Town Board shall fix the salaries and expenses of Elective Officials for the Town; therefore be it

**RESOLVED**, that the annual salaries of said officers be and hereby are fixed and determined for the year 2013 and shall be as follows:

		<b>SALARY</b>
<b>Supervisor -</b>	Robert Stanley	30,000.00
<b>Councilman –</b>	Vincent Bernstein	9,000.00
	Doris Bartlett	9,000.00
	John “Jack” Jordan	9,000.00
	Alfred Higley, Jr.	9,000.00
<b>Highway Supt. -</b>	Eric Hofmeister	44,346.00
<b>Clerk/Collector –</b>	Joyce Grant	31,954.00
<b>Assessor/Chairman -</b>	Heidi Clark	31,954.00
<b>Assessor -</b>	Peter DiModica	5,000.00
	Carol Seitz	5,000.00
<b>Justice -</b>	Tom Crucet	17,187.00
	Michael Miranda	17,187.00

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	__X__	_____
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER JORDAN	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**RESOLUTION #13-13**

**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:

**Ambulance Chief** at \$10,000 per year

Richard Muellerliele

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

Richard Muellerliele

Brendan Whalen

Duane Davis

Ernest Quick

Mark Bedell

Matthew Goodnow

John Welch

Mike Williams

**Full Time EMT** at \$30,840.00 per year

Ernest Longhi

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

Dennis Frano

Jack Spinneweber

Kevin McGee

Tracy Longhi

Julien Farges

Ernie Longhi Jr.

Wendy Grossman

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

Kenneth Booth

Todd Carr

Tom Crucet

Chad Storey

Gary Carr, Jr.

David Carr

Keith Johnson

John Rossitz, Jr.

Gerald Neal

Brian Perez

Robert Burns

Peter DiSclafani

Jesse Cowan

Julian Palmer

**Equipment Manager** Dennis Frano at \$5,000 per year and

**Training Official** Brendon Whalen at \$5,000 per year

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

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION #14-13**

**OFFERED BY: JORDAN**

**DOG CONTROL OFFICER AND DOG ENUMERATOR**

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

**RESOLVED**, that **Nancy Hudler** be hereby reappointed Dog Control Officer and Enumerator for the year 2013 and shall receive an annual wage of \$8,433.36 and **Thomas Sharon** be hereby reappointed Dog Control Officer and shall receive an annual wage of \$4,402.32 and contractual expenses of \$4,000 for expenses incurred pursuant to law, when discharging the duties of said office at the pleasure of the Board.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #15-13**

**OFFERED BY: STANLEY**

**CLERK FOR THE JUSTICE COURT**

**WHEREAS**, under § 20 of the Town Law, notes of Decision 9, the Town Board should designate all appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **Wendy Helm** be reappointed as Clerk of the Justice Court, to assist in the Clerical Duties of the Town Justice Court, and be paid a salary of \$23,472.00 while discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #16-13**

**OFFERED BY: HIGLEY**

**SECRETARY/RECEPTIONIST TO ASSESSORS**

**WHEREAS**, under § 20 of the Town Law, notes of Decision 9, the Town Board should designate all appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **Sue Christiana** be and hereby is appointed Secretary/Receptionist to the Assessors, to assist in the Clerical duties of the Assessors, and to be paid an annual salary of \$21,485.00,

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #17-13**

**OFFERED BY: BARTLETT**

**DEPUTY SUPERVISOR**

**WHEREAS**, under § 42 of the Town Law, the Town Board may create the post of Deputy Supervisor; therefore be it

**RESOLVED**, that the Town Board approve the appointment of **Vincent Bernstein** to act as Deputy Supervisor, in the absence of the supervisor, without compensation, for the year 2013.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	RECUSE	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #18-13**

**OFFERED BY: BERNSTEIN**

**SOCIAL SERVICES OFFICER**

**WHEREAS**, under Municipal Affairs, the State Comptroller, §71-1098 grants the Town Board the right to authorize someone to act as Town Social Services Officer; therefore be it

**RESOLVED**, that the Town Board approve **Eve Smith** to act as Social Services Officer, to be paid an annual salary up to \$5,852.00, and be allowed expense money in the amount of \$300 for expenses incurred pursuant to law, when discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #19-13**

**OFFERED BY: BERNSTEIN**

**ATTORNEY FOR THE TOWN**

**WHEREAS**, the Town Board may, pursuant to Town Law, § 20 Subdivision 25, employ an attorney to give it such professional service and legal council; therefore be it

**RESOLVED**, that the Supervisor be empowered to utilize the services of **Paul Kellar** as General Counsel to the Town Board and other Counsel at his discretion.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	RECUSE	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #20-13**

**OFFERED BY: STANLEY**

**MILEAGE ALLOWANCE**

**WHEREAS**, under §12, notes of Decision 32 of the Town Law, a Town Officer is entitled to be paid a mileage allowance fixed by the Town Board; therefore be it

**RESOLVED**, that all Town Officers and employees be paid the IRS mileage rate of **\$0.565 per mile**, when discharging their duties as Town Officials.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #21-13**

**OFFERED BY: HIGLEY**

**ADVANCE PAYMENT OF UTILITY BILLS**

**WHEREAS**, under § 118, notes of Decision 2 of the Town Law, the Town Board may authorize payment of public utility services, in advance of audit of claims; therefore be it

**RESOLVED**, that the Town Board authorize the Supervisor to pay said bills in advance of audit of claims.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #22-13**

**OFFERED BY: BARTLETT**

**EXPENSES FOR THE ASSOCIATION OF TOWNS' ANNUAL MEETING**

**WHEREAS**, under § 102, notes of Decision 10, of the Town Law, Towns may incur obligations for compensation of Town Officers; therefore be it

**RESOLVED**, that the Town Board hereby authorizes the payment of expenses incurred, to all Town Officers attending the Annual Meeting of the Association of Towns, in an amount not to exceed \$1,000 each, with \$200 in advance with all expenses to be supported by voucher and receipts and be it further

**RESOLVED** that in the case of the Zoning Board of Appeals and the Planning Board a maximum of three will be allowed to attend.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #23-13**

**OFFERED BY: BERNSTEIN**

**TOWN AUDITOR**

**WHEREAS**, the Town Board appoints all employees and officers of the Town pursuant to § 20 of the Town Law; therefore be it

**RESOLVED** that the firm of **Sickler, Torchia Allen & Churchill** be and hereby is reappointed Town Auditors and Accountants at an allowance up to \$20,000 as allocated in the 2013 budget.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #24-13**

**OFFERED BY: JORDAN**

**PARKING LOT LEASE**

**WHEREAS**, the Town of Shandaken has entered into an agreement with Martin Millman to lease the parking lot adjacent to the Phoenicia Pharmacy in Phoenicia for the sum of \$1.00, for the fiscal year 2012 therefore be it

**RESOLVED**, that this agreement be extended for the fiscal year 2013 and all terms of said original contract be agreed upon.

**AND MOVES ITS ADOPTION**

Seconded by STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #25-13**

**OFFERED BY: STANLEY**

**APPOINTMENT OF  
MUNICIPAL CODE OFFICER**

**WHEREAS**, pursuant to Town Law §20 & §138 and pursuant to §'s 116\_63, 116\_64 and 77\_11 of the Code of the Town of Shandaken, Municipal Code Officer in the Town is responsible for the enforcement of Zoning, Flood Plain Administration, Building Ordinances and rules and regulations; therefore be it

**RESOLVED**, that **Albert Frisenda** be appointed as Municipal Code Officer to be paid an annual salary not to exceed \$18,636.80 and mileage while on Town Business.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	_____	<u>  X  </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #26-13**

**OFFERED BY: HIGLEY**

**DIRECTOR OF CIVIL DEFENSE**

**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 **Gary Carr, Jr.** be reappointed as director of Civil Defense for the Town of Shandaken with no compensation for the year 2013.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #27-13**

**OFFERED BY: BARTLETT**

**TOWN HISTORIAN**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town and the Town Board wishes to appoint a Town Historian; therefore be it

**RESOLVED**, that **Nancy Smith** be reappointed Historian, for the Town of Shandaken for the year 2013.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #28-13**

**OFFERED BY: BERNSTEIN**

**POLICE COMMISSION**

**WHEREAS**, pursuant to §20 of the Town Law it is the duty of the Town Board to appoint all boards and commissions; therefore be it

**RESOLVED**, that **William Lundberg, Henry J. Strauss and Theodore R. Byron** be reappointed to the Police Commission for the year 2013

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #29-13**

**OFFERED BY: JORDAN**

**RECYCLING ATTENDANT**

**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 **Joe Rotella, Sr** be reappointed as **Recycling Attendant** at an annual salary of \$8,015.00.

**BE IT FURTHER RESOLVED**, that the Town Board of Shandaken advertise for the position to be appointed at a later meeting

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #30-13**

**OFFERED BY: STANLEY**

**AMERICAN LEGION AND VETERANS OF FOREIGN WARS**

**WHEREAS**, the annual budget approved by the Town Board provides monies for Patriotic Observances and Veteran's Organizations; and

**WHEREAS**, it has been the procedure to pay this money to the **American Legion and Veterans of Foreign Wars**, for said purposes; therefore be it

**RESOLVED**, that the sum of \$1,000.00 each be and hereby is appropriated for Rent of Rooms and Patriotic Observances for each of the organizations for the year 2013.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	RECUSE - MEMBER	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION #31-13**

**OFFERED BY: HIGLEY**

**PROGRAM FOR THE AGING**

**WHEREAS**, the annual budget approved by the Town Board provides monies for the Program for the Aging, therefore be it

**RESOLVED**, that the sum of \$1,500.00 be and hereby is appropriated to the Program for the Aging, and

**BE IT FURTHER RESOLVED**, that the sum of \$1,500 be and hereby is appropriated for the Senior Nutrition Program.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #32-13**

**OFFERED BY: BARTLETT**

**SUPERINTENDENT OF PINE HILL WATER DISTRICT**

**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 **Donald Clark** be and hereby is reappointed Superintendent of the Pine Hill Water District, and hold office at the pleasure of the Town Board, and receive an annual salary of \$23,269.00 to be disbursed once each month and expenses as allotted in the 2013 budget as pursuant to law, while discharging the duties of his office;

and that the Town Board, upon the recommendation of the Water Superintendent, hire laborers as the Water Superintendent deems necessary within budget constraints.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	__X__	_____
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER JORDAN	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**RESOLUTION #33-13**

**OFFERED BY: BERNSTEIN**

**SUPERINTENDENT OF PHOENICIA WATER DISTRICT**

**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 **Richard Ricciardella** hereby is reappointed Superintendent of the Phoenicia Water District, and hold office at the pleasure of the Town Board, and receive an annual salary of \$19,694.00 to be disbursed once each month and expenses as allotted in the 2013 budget as pursuant to law, while discharging the duties of his office;

and that the Town Board, upon the recommendation of the Water Superintendent, hire laborers as the Water Superintendent deems necessary within budget constraints.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #34-13**

**OFFERED BY: JORDAN**

**ETHICS COMMITTEE**

**WHEREAS**, Pursuant to Chapter 20 of the Code of the Town of Shandaken, Article III §20 -7 Establishment of a Board of Ethics, therefore be it

**RESOLVED**, that **Richard Loveless, Helen Morelli and Glen Buchinger** be reappointed as the Ethics Committee for the Town of Shandaken and to serve at the pleasure of the Town Board and follow Chapter 20 of the Code of the Town of Shandaken

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 35-13**

**OFFERED BY STANLEY**

**PLANNING BOARD MEMBER**

**WHEREAS** pursuant to section 20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED** that **Clifton Rabuffo** be appointed to the Shandaken Planning Board with his term to expire in December 31, 2019.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 36-13**

**OFFERED BY HIGLEY**

**PLANNING BOARD MEMBER**

**WHEREAS** pursuant to section 20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED** that **Joan Munster** be appointed to a vacancy on the Shandaken Planning Board with her term to expire in December 31, 2014.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 37-13**

**OFFERED BY BARTLETT**

**ZONING BOARD OF APPEALS MEMBER**

**WHEREAS** pursuant to section 20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED**, that **Rolf Reiss** be reappointed to the Zoning Board of Appeals with his term to expire in December 31, 2017.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 38-13**

**OFFERED BY BERNSTEIN**

**RESOLUTION APPOINTING CHAIRMAN OF PLANNING BOARD**

**WHEREAS**, pursuant to section 20 of the Town Law, it is the duty of the Town Board to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED**, that **Joanne Kalb** be appointed as Chairman of the Planning Board for the year 2013

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 39-13**

**OFFERED BY JORDAN**

**RESOLUTION APPOINTING CHAIRMAN OF ZONING BOARD OF APPEALS**

**WHEREAS**, pursuant to section 20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED** that **Tom Hickey** be reappointed as Chairman of the Zoning Board of Appeals for the year 2013

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #40-13**

**OFFERED BY: STANLEY**

**BUILDING DEPARTMENT SECRETARY**

**WHEREAS**, under §20 of the Town Law it is the duty of the Town Board to appoint all employees of the Town; therefore be it

**RESOLVED**, that **Patt Hughes**, be appointed as Building Department Secretary with an hourly rate of \$10.50, not to exceed \$19,110 and serve at the pleasure of the Planning Board, Zoning Board of Appeals, Municipal Code Officer and be accountable to the Town Board.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #41-13**

**OFFERED BY: HIGLEY**

**DEPUTY HIGHWAY SUPERINTENDENT**

**WHEREAS**, the Superintendent of Highways has requested that the Town Board establish the office of Deputy Superintendent of Highways,

**THEREFORE BE IT RESOLVED** that **Neil Grant** be reappointed to this position, without compensation for the Year 2013.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 42-13**

**OFFERED BY: BARTLETT**

**MUNICIPAL WORKER**

**WHEREAS**, Pursuant to Section 20 of the Town Law it is the duty of the Town Board to appoint all employees of the Town

**THEREFORE BE IT RESOLVED** That **Robert Gasperini** be reappointed as the Municipal Worker for the Town of Shandaken for 2013, at \$9.00 per hour, 25 to 30 hours per week.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 43-13**

**OFFERED BY: BERNSTEIN**

**PHOENICIA WATER COMMITTEE**

**WHEREAS**, pursuant to Section 20 of the Town Law it is the duty to appoint all Boards and Commissions,

**THEREFORE** be it resolved that **Alfred Peavy, John Kilb, Don Bucher, Nick Formont and George Blank** be appointed to the Phoenicia Water Committee and

**BE IT FURTHER** resolved that **Alfred Peavy** chair this committee.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #44-13**

**OFFERED BY: JORDAN**

**PINE HILL WATER COMMITTEE**

**WHEREAS**, pursuant to Section 20 of the Town Law it is the duty to appoint all Boards and Commissions,

**THEREFORE** be it resolved that **Peter DiModica, Lowell Smith, Richard Schaedle, Michelle Wooton and Marge Lloyd** be appointed to the Pine Hill Water Committee, and

**BE IT FURTHER** resolved that **Michelle Wooton** chair this committee.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	__X__	_____
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER JORDAN	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**RESOLUTION # 45-13**

**OFFERED BY: STANLEY**

**TOWN HISTORICAL MUSEUM BOARD AND MUSEM DIRECTOR**

**WHEREAS**, The Town Board recognizes the Town of Shandaken Museum Board of Directors.

**THEREFORE** be it resolved that **Richard Bennett, Richard Der Airs, Catherine Greenburg, Robert Kalb, June LaMarca, Rusty Mae Moore, Nancy Smith, MaryLou Stapleton and Selleck Warren** are hereby recognized as being on the Town of Shandaken Historical Museum Board and that **Robert Kalb** is the Chairman of the Board.

**BE IT FURTHER** resolved that **Kathleen Myers** be reappointed as **Museum Director** and that she receive a salary not to exceed \$4,800.00 as per the 2013 Town Budget.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #46-13**

**OFFERED BY: HIGLEY**

**RECORDS MANAGEMENT OFFICER**

**WHEREAS**, pursuant to §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town,

**THEREFORE BE IT RESOLVED** that **Joyce Grant** be and hereby is appointed Records Management Officer, and hold office at the pleasure of the Town Board, and receive no compensation for the discharge of her duties.

**AND MOVES ITS ADOPTION**

Seconded by BARTLETT

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #47-13**

**OFFERED BY: BARTLETT**

**RESOLUTION APPOINTING PARKS AND RECREATION BOARD  
MEMBER AND CHAIR**

**WHEREAS**, pursuant to section 20 of the Town Law, it is the duty of the Town Board to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED**, that **Martie Gales** be reappointed as **Big Indian Park Manager** and **Carole Chanler** be reappointed as **Smith Park Manager** with **Lisa Schnack** to serve as Smith Park alternate with all their terms to end December 31, 2015 and that **Carol Urban** fill a vacancy and be

appointed as **Parish Field Park Manager** with her term to end December 31, 2013 and that all shall serve without compensation,

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #48-13**

**OFFERED BY: JORDAN**

**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 \$12.18 PER HOUR, Not to exceed \$2,532.00 annually.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 49-13**

**OFFERED BY: STANLEY**

**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:

<b>General</b>	<b>\$</b>	<b>46,021.27</b>
<b>Highway</b>		<b>67,732.34</b>
<b>Phoenicia Water</b>		<b>8,809.41</b>
<b>Pine Hill Water</b>		<b>440.96</b>
<b>Phoenicia Lights</b>		<b>1,040.12</b>
<b>Chichester Lights</b>		<b>145.68</b>
<b>Pine Hill Lights</b>		<b>564.06</b>

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**February 4, 2013**  
**RESOLUTION # 50-13**

**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:

<b>General</b>	<b>\$</b>	<b>91,045.10</b>
<b>Highway</b>		<b>69,785.38</b>
<b>Phoenicia Water</b>		<b>7,815.18</b>
<b>Pine Hill Water</b>		<b>1,389.60</b>
<b>Phoenicia Lights</b>		<b>1,122.61</b>
<b>Chichester Lights</b>		<b>152.07</b>
<b>Pine Hill Lights</b>		<b>624.05</b>

**Rcv'd in General Fund from USDA for Phoenicia Stream Work paid to Highway Dept. 53,565.30**

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	

**RESOLUTION #51- 13**

**OFFERED BY BERNSTEIN**

**AFFIRMING DEFENSE FOR TOWN IN LITIGATION**

**WHEREAS, Hanover Farms, Inc. has commenced a lawsuit** in the Supreme Court of the State of New York, County of Ulster against the Town of Shandaken and Richard Stokes who was the Code and Zoning Enforcement Officer of the Town of Shandaken, and

**WHEREAS,** said lawsuit seeks various forms of relief,

**NOW THEREFORE BE IT RESOLVED,** that the Town Board of the Town of Shandaken, hereby retains the firm of **Jacobowitz and Gubits, LLP of Walden, New York** to file an answer to said lawsuit on behalf of the named defendants, and to assert any affirmative defenses, and counterclaims, and to seek denial of the relief sought by Hanover Farms, Inc. and to commence a separate legal action against any persons or entities as may be appropriate with respect to the violations of Hanover Farms, Inc. and the Higley property on which the Hanover Farms, Inc conducts business and to seek affirmative relief against Hanover Farms, Inc. and against any other individuals or entities. Said claims may include but are not limited to seeking injunctive relief, money damages, fines, costs, disbursements and other legal relief as may be appropriate, and to represent the Town of Shandaken in all legal proceedings associated with said actions.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	RECUSE	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**\*Board Member Higley Recused due to possible future litigation with this attorney.**

**RESOLUTION #52- 13**

**OFFERED BY BARTLETT**

**AFFIRMING DEFENSE FOR TOWN IN LITIGATION**

**WHEREAS, Marietta Hofmeister and Wilfred Nolte have commenced a lawsuit** in the Supreme Court of the State of New York, County of Ulster against the Town of Shandaken Zoning Board of Appeals and the Town of Shandaken Planning Board, and

**WHEREAS,** said lawsuit seeks various forms of relief,

**NOW THEREFORE BE IT RESOLVED,** that the Town Board of the Town of Shandaken, hereby retains the firm of **Jacobowitz and Gubits, LLP of Walden, New York** to file an answer to said lawsuit on behalf of the named defendants, and to assert any affirmative defenses, and counterclaims, and to seek denial of any relief as may be appropriate, and to represent the Town of Shandaken in all legal proceedings associated with said actions.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	RECUSE	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**\*Board Member Higley Recused due to possible future litigation with this attorney.**

**RESOLUTION #53- 13**

**OFFERED BY HIGLEY**

**ESTABLISHING STANDARD WORKDAY FOR NYS RETIREMENT SYSTEM**

**WHEREAS,** the Town of Shandaken and certain employees, elected and appointed, may participate in the New York State Employee’s Retirement System, and

**WHEREAS,** the NYS Retirement System requires the establishment of “Standard Workday” based on the amount of time each employee contributes to their jobs,

**BE IT RESOLVED,** that the Town of Shandaken hereby establishes the Standard Workday for all Elected and Appointed positions within the Town of Shandaken as seven (7) hours per day, excepting all Highway and Police employees, Highway Superintendent and Police Chief, which shall be eight (8) hours per day.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**RESOLUTION #54 - 13**

**OFFERED BY JORDAN**

**ADVERTISING FOR GRAVEL CRUSHING**

**WHEREAS**, THE Town of Shandaken Highway Department is seeking bids for crushing of item 4 at the Town owned gravel bank, specifications are available at the Highway Superintendent’s Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-9901.

**THEREFORE BE IT RESOLVED**, that bids will be received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, March 4, 2013, to be opened at the regular Town Board meeting scheduled for 7 pm that evening.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**RESOLUTION #55 - 13**

**OFFERED BY BERNSTEIN**

**INTERIM SECRETARY TO HIGHWAY SUPERINTENDENT**

**WHEREAS**, under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town; therefore be it

**RESOLVED**, that upon the recommendation of the Highway Superintendent, that **Susan M. Christiana** be appointed to serve as Interim Secretary to the Highway Superintendent, and to serve at his pleasure,

and to be paid \$12.06 per hour not to exceed \$23,156 for the remainder of the calendar year 2013 when performing the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**RESOLUTION #56 - 13**

**OFFERED BY HIGLEY**

**INTERIM 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 **Susan M. Christiana** be and hereby is appointed Interim Bookkeeper for the Phoenicia Water District, and be paid \$10.30 hourly, not to exceed \$2,532 for the remainder of the calendar year 2013.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**RESOLUTION #57 - 13**

**OFFERED BY BARTLETT**

**SECRETARY / BOOKKEEPER TO THE SUPERVISOR**

**WHEREAS**, under § 29, Subsection 15, of the Town Law the Town Board may authorize the Supervisor to make a designation for the position of Full time Secretary/Bookkeeper to the Supervisor; therefore be it

**RESOLVED**, that the Town Board approve the appointment of **Diane O'Donnell** serve at the pleasure of the Supervisor, and receive \$11.01 per hour, not to exceed \$18,497 for the remainder of the calendar year 2013 when discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**RESOLUTION IN SUPPORT OF**  
**THE SECOND AMENDMENT TO THE UNITED STATES CONSTITUTION**

**WHEREAS**, THE Right of the People to Keep and Bear Arms is guaranteed as an individual right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York, and;

**WHEREAS**, the Right of the People to Keep and Bear Arms for defense of life, Liberty, and Property is regarded as an Inalienable Right by the People of the Town of Shandaken, Ulster County, New York, and;

**WHEREAS**, the People of the Town of Shandaken, Ulster County, New York derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Shandaken using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York, and;

**WHEREAS**, the Shandaken Town Board, being elected to represent the People of Shandaken and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

**WHEREAS**, the New York State Assembly and the New York State Senate, being elected by the People of the State of New York and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

**WHEREAS**, legislation passed by the New York State Assembly and Senate infringes on the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens of the Town of Shandaken for defense of Life, Liberty and Property and would ban the possession and use of firearms now employed for safe forms of firearms recreation, hunting and shooting within the Town of Shandaken, Ulster County, New York, and;

**WHEREAS**, the Town of Shandaken Town Board believes there are many other less intrusive means available, other than rash, confusing and inarticulately drafted firearms laws that would effectively control, manage and reduce violence in our society, such as mental health reforms, anti-bullying programs in our schools, the enforcement of the existing laws to the fullest extent possible, the addressing of the universal availability of extremely violent video games and movies to our youth and the proper psychological counseling for those in need or who request it;

**THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Shandaken does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to Keep and Bear Arms and consider such laws to be unnecessary and beyond lawful legislative authority granted to our State representatives, as there is no documented correlation between gun control measures and crime reduction.

**BE IT FURTHER RESOLVED**, that the Town Clerk send a certified copy of this resolution to each of the following: President Barack H. Obama, Vice President Joseph Biden, U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, U.S. Congressman Chris Gibson, New York State Governor Andrew Cuomo, NY State Senator James L. Seward, NY State Assemblyman Kevin Cahill, Ulster County

Executive Michael P. Hein, Ulster County Legislative Chair Terry Bernardo and Ulster County Legislator John Parete.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	_____	__X__
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER JORDAN	__X__	_____
SUPERVISOR STANLEY	ABSENT	_____

**March 4, 2013**

**RESOLUTION # 59-13**

**OFFERED BY: Bernstein**

**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:

<b>General</b>	<b>\$</b>	<b>51,114.16</b>
<b>Highway</b>		<b>21,801.63</b>
<b>Phoenicia Water</b>		<b>3,442.64</b>
<b>Pine Hill Water</b>		<b>1,272.85</b>
<b>Phoenicia Lights</b>		<b>1,148.22</b>
<b>Chichester Lights</b>		<b>154.22</b>
<b>Pine Hill Lights</b>		<b>635.68</b>

**AND MOVES ITS ADOPTION**

Seconded by: Jordan  
ROLL CALL **5 AYES**

**RESOLUTION # 60-13**

**OFFERED BY: Jordan**

**Resolution for Catskill Mountains Scenic Byway Nomination**

## **and Corridor Management Plan Adoption**

**WHEREAS**, the scenic qualities of New York State Routes 28, 28A, 214, and 42, as described in the plan, and the surrounding mountains, valleys, and hamlets have been appreciated and celebrated for over a century by the residents of the Central Catskills, as well as tourists, artists, authors, poets and other visitors to the region; and it is this unique combination of mountain scenery, pristine waterways, historic hamlets that create the special sense of place that is vital to the economic health of the Central Catskills;

**WHEREAS**, the Central Catskills Collaborative, comprised of representatives of the seven municipalities along the proposed scenic byway route, committed to work cooperatively to protect and promote the scenic, cultural, historic, and economic well being of the Route 28 Corridor and the Central Catskills and agreed to pursue the nomination of the Catskill Mountains Scenic Byway;

**WHEREAS**, under the leadership of the Central Catskills Collaborative, each of the seven communities contributed to the development of this corridor management plan by forming local byway groups, encouraging public participation and leading individual meetings of the Collaborative;

**WHEREAS**, the advisory committee of the Central Catskills Collaborative, consisting of representatives from state, county, and city agencies, tourism organizations, the regional chamber of commerce, and an outdoor recreation organization has strengthened partnership and the development of the corridor management plan;

**WHEREAS**, in the process of developing this corridor management plan, the Central Catskills Collaborative has strengthened the bonds of inter-municipal cooperation and the involved communities envision further benefit through scenic byway designation including sustained collaborative progress, increased funding opportunities for recommendations identified in the plan, enhanced partnerships with agencies responsible for the stewardship of resources along and adjacent to the byway route, and an improved transportation experience that preserves, interprets, and promotes the corridor's intrinsic qualities and resources;

**NOW, THEREFORE, BE IT RESOLVED**, that the **Town of Shandaken** supports the designation of the Catskill Mountains Scenic Byway as defined above and in the Catskill Mountains Scenic Byway Corridor Management Plan and adopts said plan which includes programs for stewardship and enhancement of the scenic byway and guidance to manage future activities along its corridor;

**BE IT FURTHER RESOLVED**, that the **Town of Shandaken** confirms that they will not issue building permits or any other permits or other permission to construct new off-premise outdoor advertising signs along the designated Byway route; that off-premise tourism oriented directional signage on state highways will be in compliance with the NYS Department of Transportation's Tourist Oriented Destination Sign (TODS) program, and that off-premise directional signage on any County and local roads along the designated Byway route will be consistent with the state TODS program; and

**BE IT FURTHER RESOLVED**, that the **Town of Shandaken** will work in partnership with the six other municipalities of the Central Catskills Collaborative and local and regional stakeholders in order to support future Byway program development and collaborate with these interested entities to explore opportunities for cooperation and methods to advance the Scenic Byway;

**AND MOVES ITS ADOPTION**

Seconded by: Bartlett

ROLL CALL **3 AYES (Bartlett, Jordan, Stanley) 2 NAYS (Bernstein, Higley)**

**RESOLUTION # 61-13**

**OFFERED BY: Stanley**

**RESOLUTION FOR AGREEMENT WITH  
ULSTER REGIONAL GANG ENFORCEMENT NARCOTICS TEAM (URGENT)**

**WHEREAS**, from January 1, 2006 through December 31, 2012, entirely or during a portion of that time, the Town of Shandaken and the Town of Shandaken Police Department participated in a task force commonly known as the Ulster Regional Gang Enforcement Narcotics Team (**URGENT**); and

**WHEREAS**, the Urgent task force consisted of the County of Ulster through and by the offices of the Ulster County Sheriff and the Ulster County District Attorney, various municipal member agencies including, but not limited to, the Town of Shandaken and the Town of Shandaken Police Department and the various towns and villages by and through their respective police departments (**member agencies**); and

**WHEREAS**, Memorandums of Understanding (**MOU**) regarding participation in **URGENT** were entered into from time to time during the aforementioned period by member agencies; and

**WHEREAS**, the member agencies, pursuant to the **MOU**'s, participated in jointly in the seizure of assets as a direct result of criminal investigations and/or arrests and pursuant to forfeiture guidelines of the United States Department of Justice, Criminal Division, Asset and Forfeiture Section and/or the office of the Ulster County District Attorney; and

**WHEREAS**, assets seized included personal property, goods, equipment and money; and

**WHEREAS**, pursuant to the **MOU**'s, certain monies that were seized as a direct result of criminal investigations were deposited in forfeiture accounts kept and maintained by the County of Ulster known as "Ulster County **URGENT** Forfeiture Division Accounts;" and

**WHEREAS**, pursuant to the **MOU**'s and guidelines set forth by United States Department of Justice, Criminal Division, Asset and Forfeiture Section, the Town of Shandaken has sought a distribution of monies that were seized and are in Ulster County **URGENT** Forfeiture Division Accounts;

**NOW, THEREFORE BE IT RESOLVED**, in consideration of the payment of Five Thousand Dollars (\$5,000) to the Town of Shandaken and the Town of Shandaken Police Department from the Ulster County **URGENT** Forfeiture Division Accounts does recognize and agree to all the terms set forth in the agreement with County of Ulster for the release of aforementioned funds

**AND MOVES ITS ADOPTION**

Seconded by: Bernstein

ROLL CALL **5 AYES**

**RESOLUTION #62 - 13**

**OFFERED BY Higley**

## **APPOINTING SPECIAL PROSECUTORS FOR TOWN COURT**

**WHEREAS**, under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town;

**THEREFORE, BE IT RESOLVED**, that **Dana Blackmon, Esq.** and **Kevin Bryant, Esq.** be appointed to serve as Special Prosecutors, and to serve at the pleasure of the Town Board, and to be paid \$150.00 per hour not to exceed \$15,000 for the remainder of the calendar year 2013 when performing the duties of said office.

### **AND MOVES ITS ADOPTION**

Seconded by: Stanley  
ROLL CALL **5 AYES**

## **RESOLUTION #63 - 13**

**OFFERED BY Bartlett**

### **APPOINTING KELLAR, KELLAR & JAIVEN, ESQ. AS DEFENSE FOR TOWN**

**WHEREAS**, Carolee Petti as executrix of the Estate of Alphonse De Paolo commenced an action in State of New York, Supreme Court County of Ulster against the Town of Shandaken and against Eric Hofmeister in his capacity as Highway Superintendent of the Town of Shandaken as well as against the Town of Lexington and Larry Cross as Superintendent of Highways of the Town of Lexington with respect to the right of the public to use a portion of Pine Hill Road or upper Birch creek Road, and

**WHEREAS**, Attorney Tal G. Rappleyea of Valatie NY was retained in 2008 to defend the Town of Shandaken and Eric Hofmeister as Highway Superintendent in said lawsuit, and

**WHEREAS**, Mr. Rappleyea has asked to be relieved as counsel with respect to his representation of the Town of Shandaken and Eric Hofmeister in said litigation,

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Shandaken consents that Tal G. Rappleyea be relieved as counsel for the Town of Shandaken and Eric Hofmeister as Highway Superintendent in said lawsuit, and

**BE IT FURTHER RESOLVED**, that the law firm of Kellar Kellar & Jaiven Esq., Kingston NY be retained to represent the Town of Shandaken and Eric Hofmeister as Highway Superintendent in said lawsuit, and

**BE IT FURTHER RESOLVED**, that the Town Supervisor of the Town of Shandaken and Eric Hofmeister as Highway Superintendent are hereby authorized to execute a Consent to change Attorneys form and such other instruments as are reasonably necessary to transfer the Town's file in this litigation from Tal G Rappleyea Esq. to the law firm of Kellar Kellar & Jaiven.

### **AND MOVES ITS ADOPTION**

Seconded by: Jordan  
ROLL CALL 4 AYES, 1 Recuse – Higley (Ongoing litigation with that Attorney)

**RESOLUTION #64 - 13**

**OFFERED BY Bernstein**

**APPOINTING RECYCLING ATTENDANT**

**WHEREAS**, under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town;

**THEREFORE, BE IT RESOLVED**, that **Joseph R. Rotella, Jr.** be appointed to serve as Town Recycling Attendant, and to serve at the pleasure of the Town Board, and to be paid \$10.00 per hour not to exceed \$7,000 for the remainder of the calendar year 2013 when performing the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: Higley  
ROLL CALL 5 AYES

**RESOLUTION #65 - 13**

**OFFERED BY Jordan**

**INTERIM ASSESSOR'S AIDE**

**WHEREAS**, under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town;

**THEREFORE, BE IT RESOLVED**, that **Grace Grant** be appointed to serve as Interim Assessor's Aide, and to serve at the pleasure of the Town Board, and to be paid \$10.30 per hour not to exceed \$16,583 for the remainder of the calendar year 2013 when performing the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: Bartlett  
ROLL CALL 5 AYES

**RESOLUTION # 66-13**

**OFFERED BY: Stanley**

**RESOLUTION FOR AGREEMENT WITH  
MUNICIPAY-NATIONWIDE PAYMENT SOLUTIONS, LLC**

**WHEREAS**, the Town of Shandaken Town Clerk's Office would like to start accepting payment by credit or debit card as a convenience for the citizens of the Town; and

**WHEREAS**, General Municipal Law allows local governments to accept credit and debit card payments for, among other things: Permits, Fees, Water Bills, Licenses, Taxes or other charges pertaining to the Town Clerk's Office and the Building and Zoning Departments; and

**WHEREAS**, said payments by credit - debit card will be accepted at the Town Clerk's window, through the mail, e-mail or by telephone; and

**WHEREAS**, there will no cost to the Town for setup of this service or the service itself and that only a small "convenience fee" (2.45% or \$3.00 minimum) will be charged to the customer for this convenience;

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Shandaken hereby authorizes the Town Supervisor to enter into contract with Micipay-Nationwide Payment Solutions, LLC of 400 Technology Way, Scarborough, ME 04074 to provide this service to our citizens

**AND MOVES ITS ADOPTION**

Seconded by: Higley  
ROLL CALL **5 AYES**

**RESOLUTION #67 - 13**

**OFFERED BY Higley**

**PARKINSON'S AWARENESS MONTH PROCLAMATION**

**WHEREAS**, Parkinson's Disease is a progressive neurological movement disorder of the central nervous system, which has a unique impact on each patient; and

**WHEREAS**, according to the Parkinson's Action Network, the Parkinson's Disease Foundation, the American Parkinson's Disease Association and the National Institutes of Health, there are over one million American's diagnosed with Parkinson's disease; and

**WHEREAS**, symptoms include slowness, tremor, difficulty with balance and speaking, rigidity, cognitive and memory problems; and

**WHEREAS**, although new medicines and therapies may enhance life for some time for people with Parkinson's, more work is needed for a cure; and

**WHEREAS**, increased education and research are needed to help find more effective treatments with fewer side effects and ultimately a cure for Parkinson's disease; and

**WHEREAS**, a multidisciplinary approach to Parkinson's disease care includes local wellness, support and caregiver groups; and

**WHEREAS**, April has been proclaimed as World Wide Parkinson's Awareness Month for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson's disease.

**NOW, THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby proclaim **April 2013 as Parkinson's Awareness Month in the Town of Shandaken**

**AND MOVES ITS ADOPTION**

Seconded by: Stanley  
ROLL CALL **5 AYES**

**RESOLUTION #68 - 13**

**OFFERED BY Bartlett**

**RESOLUTION APPROVING PICK-UP TRUCK PURCHASE**

**WHEREAS**, the Town of Shandaken Highway Department is in need of a new Pick-up truck;  
and

**WHEREAS**, the Town of Shandaken Highway Superintendent has located a 2013 Ford F250 Pick-Up through NYS OGS Bid;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approve the purchase of a 2013 Ford F250 Pick-Up Truck for a price not to exceed \$27,000.00 (US).

**AND MOVES ITS ADOPTION**

Seconded by: Jordan  
ROLL CALL **5 AYES**

**RESOLUTION #69 - 13**

**OFFERED BY Bernstein**

**RESOLUTION APPROVING DUMP TRUCK PURCHASE**

**WHEREAS**, the Town of Shandaken Highway Department is in need of a new Dump truck; and

**WHEREAS**, the Town of Shandaken Highway Superintendent has located a 2014 International 7600 Series Tri-Axle Dump Truck through County Bid;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approve the purchase of a 2014 International 7600 Series Tri-Axle Dump Truck for a price not to exceed \$160,000.00 (US).

**AND MOVES ITS ADOPTION**

Seconded by: Jordan  
ROLL CALL **5 AYES**

**RESOLUTION #70 - 13**

**OFFERED BY Stanley**

**RESOLUTION APPROVING GRAVEL CRUSHING BID**

**WHEREAS**, the Town of Shandaken Highway Department advertised for bids for crushing of item 4 at the Town owned gravel bank following the Town Board meeting on February 4, 2013; and

**WHEREAS**, bids were received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, March 4, 2013 with bids to be opened at the Town Board meeting on the same date at 7pm;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approve the bid from

Clark Stone Products located in 41155 State Hwy. 10 Delhi, NY 13753 for the bid amount of \$3.60 per ton and will furnish a closed circuit plant, fuel and manpower to run the plant and loader.

**AND MOVES ITS ADOPTION**

Seconded by: Jordan

ROLL CALL **5 AYES**

April 1, 2013 Regular Meeting

**RESOLUTION # 71-13**

**OFFERED BY: Bernstein**

**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:

<b>General</b>	<b>\$</b>	<b>48,874.87</b>
<b>Highway</b>		<b>53,138.46</b>
<b>Phoenicia Water</b>		<b>2,734.97</b>
<b>Pine Hill Water</b>		<b>50,686.09</b>
<b>Payment)</b>		<b>(\$50k M&amp;T Bank Annual Loan</b>
<b>Phoenicia Lights</b>		<b>1,008.86</b>
<b>Chichester Lights</b>		<b>142.41</b>
<b>Pine Hill Lights</b>		<b>549.85</b>

**AND MOVES ITS ADOPTION**

Seconded by: Bartlett

ROLL CALL

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>

BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**Resolution 72-13**

**Offered By: Jordan**

**RESOLUTION TO TRANSFER URGENT FUNDS**

**WHEREAS**, The Town of Shandaken participates in Ulster Regional Gang Enforcement Narcotics Team (URGENT), and received \$5,000.00 in forfeiture funds from said agency.

**THEREFORE BE IT RESOLVED**, that the Town Board authorize the Supervisor to put monies into a dedicated checking account to be used by Town of Shandaken Police Department only, for equipment, etc.

**AND MOVES ITS ADOPTION**

Seconded by: Higley

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**May 6, 2013**

**RESOLUTION # 73-13**

**OFFERED BY: BERNSTEIN**

**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:

<b>General</b>	<b>\$</b>	<b>47,259.64</b>
<b>Highway</b>		<b>69,928.10</b>
<b>Phoenicia Water</b>		<b>10,387.86</b>
<b>Pine Hill Water</b>		<b>3,335.25</b>
<b>Phoenicia Lights</b>		<b>963.13</b>
<b>Chichester Lights</b>		<b>138.53</b>
<b>Pine Hill Lights</b>		<b>551.91</b>

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN  
**ROLL CALL: 5 AYES**

**RESOLUTION #74-13**

**OFFERED BY JORDAN**

**RESOLUTION ADVERTISING FOR CONSTRUCTION WORK  
FOR TOWN FLOOD RECOVERY WORK**

**WHEREAS**, the Town of Shandaken is in need of construction work in order to repair and stabilize portions of the Stony Clove and Warner Creeks following damages that occurred due to Tropic Storms Irene and Lee; and

**WHEREAS**, the amount needed to pay for such services are reimbursable to the Town from NRCS (Natural Resources Conservation Service);

**THEREFORE BE IT RESOLVED** that the Town of Shandaken advertise for independent construction bids for the following projects:

- A- Chichester Site 2&3
- B- Chichester Site 4

**BE IT FURTHER RESOLVED**, that any person(s) interested in applying for such work must attend a mandatory pre-bid meeting at the Shandaken Town Hall located at 7209 Rte. 28, Shandaken, NY 12480 on **Thursday May 16, 2013 @ 10am** for site visits. Responsible bidders must attend the site visit specific to the job they are bidding; and

**BE IT FURTHER RESOLVED**, that any person(s) interested in bidding on such may view, starting Tuesday, May 7, 2013 during regular business hours, engineering drawings at the Ulster County Soil and Water Conservation District Office located at 6375 Rte. 28, Phoenicia, NY 12464 and, upon appointment, at the Shandaken Highway Garage Office located at 7209 Rte. 28, Shandaken, NY 12480. Bidders will be provided bid packets on **Thursday May 16<sup>th</sup>**, at 10am during the mandatory site visits with bids to be received no later than **3pm on Monday, June 3<sup>rd</sup>** to be opened at that evenings Town Board Meeting, in the Town of Shandaken Town Clerk's Office, PO Box 67. Bids must be clearly marked "EWP BID" on the outside of the sealed bid and designate which bid (A, or B) is enclosed. **Bids will be awarded at a Special Meeting – tentatively scheduled for 1pm Monday June 10<sup>th</sup>, 2013.** The Town of Shandaken reserves the right to reject any and all bids.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT  
**ROLL CALL: 5 AYES**

**RESOLUTION #75 - 13**

**OFFERED BY STANLEY**

**RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING**

**WHEREAS**, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning Stream Projects and a DRAFT Town Flood Mitigation Plan;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm on Thursday, May 23, 2013** for the purpose of conducting business related to being presented a DRAFT Flood Mitigation Plan,

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL: 5 AYES**

**RESOLUTION #76 - 13**

**OFFERED BY HIGLEY**

**RESOLUTION AUTHORIZING EWP FUND EXTENSION**

**WHEREAS**, the Town of Shandaken has been awarded Emergency Watershed Protection (EWP) Funds from Natural Resources Conservation Service (NRCS) and the US Department of Agriculture to assist in flood recovery work within the town; AND

**WHEREAS**, the EWP funds are only available for a limited time and the Town is in need of an extension to secure and complete stream work projected for this construction season;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board hereby authorizes the Supervisor to sign an extension with NRCS to allow the Town of Shandaken time to complete necessary repairs to the stream corridor,

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL: 5 AYES**

**RESOLUTION #77 - 13**

**OFFERED BY BARTLETT**

**RESOLUTION SETTING PUBLIC HEARING FOR  
PARKS AND RECREATION BOARD MASTER PLAN**

**WHEREAS**, the Town of Shandaken has been awarded a grant through the Hudson River Valley Greenway to create and establish a Town of Shandaken Parks and Recreation Master Plan; AND

**WHEREAS**, the Town of Shandaken hired Gilmour Planning to assist the Town in developing said plan with the guidance of the Town of Shandaken Parks and Recreation Board; AND

**WHEREAS**, the Parks and Recreation Board has thoroughly reviewed the document and has presented it to the Town Board;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board hereby accepts the DRAFT Parks and Recreation Master Plan and welcomes written public comment until 3pm on June 3, 2013.

**BE IT FURTHER RESOLVED** that the Town Board of Shandaken will hold a Public Hearing on said plan prior to its regularly scheduled meeting on Monday, June 3, 2013 @ 6:30pm to hear all comments on said plan.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL: 5 AYES**

**RESOLUTION #78-13**

**OFFERED BY BERNSTEIN**

**ADVERTISE FOR SUMMER CAMP COUNSELORS**

**WHEREAS**, the Town of Shandaken annually operates a summer day camp, and  
**WHEREAS**, the Town "Summer Recreation Program" is in need of qualified Counselors and Junior Counselors to operate the program

**THEREFORE BE IT RESOLVED**, that the Town Board of Shandaken advertise for Counselors and Junior Counselors for their "Summer Recreation Program" and that said applications can be found in the Town Clerk's Office, and must be returned to the Supervisor's Office no later than Monday, June 3, 2013 at 3 pm.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL: 5 AYES**

**RESOLUTION #79-13**

**OFFERED BY JORDAN**

**RESOLUTION SUPPORTING HUNTER MOUNTIAN SPRING CLASSIC**

**WHEREAS**, the Town of Shandaken has been approached concerning a new inaugural event for the Catskills being sponsored by Anthem Sports of Cambridge, NY, AND

**WHEREAS**, the new event is a bicycle race to be held on Saturday, May 11, 2013, and

**WHEREAS**, said race will consist of a course originating at Hunter Mountain, through Lexington into Shandaken from Rte. 42 to Rte. 214, Phoenicia and concluding at Hunter Mountain in Hunter, NY, and

**WHEREAS**, the Town of Shandaken fully supports recreational tourism ventures throughout the Town and the region as beneficial economic activities,

**THEREFORE BE IT RESOLVED**, that the Town Board of Shandaken supports this new event known as the "Hunter Mountain Spring Classic," and extends any courtesy as may be necessary to provide for the health, safety and welfare of the participants, visitors and residents alike

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY  
**ROLL CALL: 5 AYES**

**RESOLUTION #80-13**

OFFERED BY STANLEY

**RESOLUTION SUPPORTING**  
**WOMEN'S WOODSTOCK CYCLING GRAND PRIX**

**WHEREAS**, the Town of Shandaken has been approached concerning a new inaugural event for the Catskills, AND

**WHEREAS**, the new event is a bicycle race to be held on Sunday, May 12, 2013, and

**WHEREAS**, said race will consist of a course originating from Woodstock, NY, through and along Rte. 212 and Wittenburg Rd., in Mt. Tremper, NY and concluding in Woodstock, NY, and

**WHEREAS**, the Town of Shandaken fully supports recreational tourism ventures throughout the Town and the region as beneficial economic activities,

**THEREFORE BE IT RESOLVED**, that the Town Board of Shandaken supports this new event known as the "Women's Woodstock Cycling Grand Prix," and extends any courtesy as may be necessary to provide for the health, safety and welfare of the participants, visitors and residents alike

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN  
**ROLL CALL: 5 AYES**  
**RESOLUTION # 81-13**

OFFERED BY: HIGLEY

**RESOLUTION AUTHORIZING WAIVER OF 30 DAY NOTIFICATION REQUIRED  
BY THE NEW YORK STATE LIQUOR AUTHORITY**

**WHEREAS**, CATSKILLS DINER HOLDINGS LLC, PHOENICIA DINER has applied for a liquor license, and

**WHEREAS**, CATSKILLS DINER HOLDINGS LLC, PHOENICIA DINER has requested that the Town waive the 30 day notification required by the New York State Liquor Authority in an effort to expedite the granting of a liquor license to **CATSKILL DINER HOLDINGS LLC, PHOENICIA DINER** and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Shandaken does hereby grant the request of the **CATSKILLS DINER HOLDINGS LLC, PHOENICIA DINER** and does hereby waive the thirty (30) day Liquor License notice requirement to **CATSKILLS DINER HOLDINGS LLC, PHOENICIA DINER 5681 ROUTE 28, PHOENICIA, NY.**

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY  
**ROLL CALL: 5 AYES**

**RESOLUTION # 82-13**

**OFFERED BY: BERNSTEIN**

**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:

<b>General</b>	<b>\$</b>	<b>41,784.08</b>
<b>Highway</b>		<b>41,113.76</b>
<b>Phoenicia Water</b>		<b>3,035.16</b>
<b>Pine Hill Water</b>		
<b>Phoenicia Lights</b>		<b>1,000.84</b>
<b>Chichester Lights</b>		<b>141.67</b>
<b>Pine Hill Lights</b>		<b>570.04</b>

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION #83-13**

**OFFERED BY: STANLEY**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SHANDAKEN  
DETERMINING THAT THERE ARE NO ADVERSE IMPACTS  
ON THE ENVIRONMENT FROM THE ADOPTION OF THE  
TOWN OF SHANDAKEN PARKS AND RECREATION COMPREHENSIVE MASTER PLAN**

**WHEREAS**, the Town Board of the Town of Shandaken is adopting the Town of Shandaken Parks and Recreation Comprehensive Master Plan (**P & R Plan**); and

**WHEREAS**, the possible environmental impacts of the adoption of the **P & R Plan** have been considered by the Town Board; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board has determined that the adoption of the **P & R Plan** for the Town of Shandaken will not have significant adverse impacts on the environment; and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Supervisor to take such further steps as might be necessary to discharge the Board’s responsibility as lead agency for this action including, but not limited to, the issuance of a negative declaration consistent with this resolution.

AND MOVE ITS ADOPTION

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 84-13**

**OFFERED BY: JORDAN**

**RESOLUTION ADOPTING  
THE TOWN OF SHANDAKEN PARKS AND RECREATION COMPREHENSIVE MASTER  
PLAN**

WHEREAS, the Town Board for the Town of Shandaken has reviewed and extensively considered the proposed Town of Shandaken Parks and Recreation Comprehensive Master Plan (**P &R Plan**); and

WHEREAS, the Town Board issued a negative declaration with respect to the adoption of the **P &R Plan** and determined that the proposed plan will not have a significant adverse impact on the environment; and

WHEREAS, the adoption of the **P &R Plan** is consistent with the Negative Declaration; and

WHEREAS, the Town Board noticed a Public Hearing held on the 3<sup>rd</sup> day of June, 2013 at 6:30 p.m. to provide the public with an opportunity to comment on the proposed **P &R Plan** and allowed written comments to be submitted up until 3p.m on June 3<sup>rd</sup>, 2013; and

WHEREAS, the Town Board has also solicited the comments of involved agencies and the public; and

WHEREAS, the comments received have been given due consideration by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the **P &R Plan** is hereby adopted and the Town Clerk is hereby directed to file said plan with the Office of the Secretary of State and all applicable agencies/entities in accordance with State Law

AND MOVE ITS ADOPTION

Seconded by: BARTLETT

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLET	___X___	_____
BOARD MEMBER BERNSTEIN	___X___	_____
BOARD MEMBER JORDAN	___X___	_____
BOARD MEMBER HIGLEY	___X___	_____
SUPERVISOR STANLEY	___X___	_____

**RESOLUTION# 85-13**

**OFFERED BY HIGLEY**

**RESOLUTION TO ACCEPT CHICHESTER SITES BIDS**

**WHEREAS**, the Town of Shandaken is in need of construction work in order to repair and stabilize portions of the Stony Clove and Warner Creeks following damages that occurred due to Hurricane Irene and Tropical Storm Lee;

**THEREFORE BE IT RESOLVED**, that as long as all easement agreements are procured for the specific project and the bid meets engineering criteria, we hereby acknowledge receipt of the following bids for Chichester Sites 2, 3 & 4 from the following:

Company Bid	Based in	“A” Bid Price	“B” Bid Price	Cumulative
Hubbell, Inc	Margaretville, NY	\$1,426,790.00	\$288,668.00	\$1,715,458.00
Kingston Equip.	West Hurley, NY	\$1,278,000.00	\$221,000.00	\$1,499,000.00
Fastracs Inc.	Red Hook, NY	\$1,035,100.00	\$139,520.00	\$1,174,620.00

**AND BE IT FURTHER RESOLVED**, the Town Board of Shandaken, following review of bid documents provided by the above bidders, shall award Stream Construction Work for the above at a special meeting to be held on June 10, 2013 @ 1pm.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	___X___	_____
BOARD MEMBER BERNSTEIN	___X___	_____
BOARD MEMBER HIGLEY	___X___	_____
BOARD MEMBER JORDAN	___X___	_____
SUPERVISOR STANLEY	___X___	_____

**RESOLUTION #86 - 13**

**OFFERED BY BARTLETT**

**RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING**

**WHEREAS**, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning Stream Projects;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm on Monday, June 10, 2013** for the purpose of conducting business related to awarding bids for Stream Projects,

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #87-13**

**\*TABLED\***

**OFFERED BY**

**TIME ACCRUALS FOR NYS RETIREMENT**

**BE IT RESOLVED THAT** the TOWN OF SHANDAKEN, hereby establishes the following as standard works days for elected officials and will report the following days worked to the NYS and Local Employee’s Retirement System based on the time keeping system for the record of activities maintained and submitted by these officials to the clerk of this body.

**AND MOVES ITS ADOPTION**

Seconded by:

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	_____	_____
BOARD MEMBER BERNSTEIN	_____	_____
BOARD MEMBER HIGLEY	_____	_____
BOARD MEMBER JORDAN	_____	_____
SUPERVISOR STANLEY	_____	_____

**\*This resolution was tabled until June 10, 2013**

**RESOLUTION # 88-13**

**OFFERED BY BERNSTEIN**

**RESOLUTION AUTHORIZING CONTRACT FOR USE OF BELLEAYRE BEACH FOR SHANDAKEN SUMMER RECREATION DAY CAMP**

**WHEREAS**, the Town of Shandaken operates a Summer Recreation Day Camp (CAMP) for the benefit of its residents, and

**WHEREAS**, the CAMP will operate daily from 9am until 4pm on Tuesdays through Thursdays from

July 09, 2013 through August 15, 2013, and

**WHEREAS**, the Belleayre Day Use Area (BEACH) is a local attraction that annually hosts our CAMP;

And

**WHEREAS**, The Olympic Regional Development Authority (ORDA) currently operates the BEACH,

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board authorize the Town Supervisor to enter into agreement with the ORDA to operate the CAMP at the BEACH for the 2013 summer season.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #89-13**

**OFFERED BY: JORDAN**

**RESOLUTION AUTHORIZING CONTRACT WITH UCAT**

**WHEREAS**, the Town of Shandaken Summer Recreation Program runs from Tuesday, July 09, 2013 through and including Thursday, August 15, 2013, and

**WHEREAS**, the Ulster County Area Transit (UCAT) system has provided us with the required daily transportation for the camp participants and counselors excluding field trip dates of Wednesdays, July 31 and August 14, 2013.

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board authorize the Town Supervisor to enter into agreement with UCAT in order to provide said transportation for those dates for program participants and employees

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION# 90-13**

**OFFERED BY: STANLEY**

**RESOLUTION ADVERTISING FOR TRANSPORTATION BIDS  
FOR SUMMER RECREATION PROGRAM FIELD TRIPS**

**WHEREAS**, the Town of Shandaken Summer Recreation Program will be taking two field trips during the coming season

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board advertise transportation bids for the following field trips field trips:

- 2 School busses for round-trip to and from the Ulster County Fair on Wed. July 31<sup>st</sup>, 2013
- 2 School busses for round-trip to and from Zoom Flume Water Park on Wednesday, August 14, 2013

All bids must be received by July 1st, 2013 at 3pm at the Town Clerks Office, Shandaken Town Hall, 7209 Rt. 28 Shandaken NY 12480.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #91 - 13**

**OFFERED BY HIGLEY**

**RESOLUTION ESTABLISHING TOWN BOARD PUBLIC HEARING**

**WHEREAS**, the Town of Shandaken through the Shandaken Area Flood Assessment and Remediation Initiative (SAFARI) has created a Town of Shandaken Flood Mitigation Plan (Flood Plan) and presented it at a Special Meeting held at 1pm on Thursday, May 23, 2013; and

**WHEREAS**, the Town Board will receive written public comments on said Flood Plan submitted to the Shandaken Town Clerk’s Office (PO Box 67, Shandaken, NY 12480) until 3pm on Monday, July 1, 2013,

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Public Hearing at **6:30 pm on Monday, July 1, 2013**, prior to the regularly scheduled Town Board meeting, to hear all comments regarding the Flood Plan,

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #92-13**

**OFFERED BY: BARTLETT**

**RESOLUTION APPOINTING SUMMER RECREATION DIRECTOR AND ASSISTANT**

**WHEREAS**, under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town;

**THEREFORE BE IT RESOLVED** that the Town Board of the Town of Shandaken appoints the following personnel:

- Rayla-Suzan Hart – Recreational Director (\$600 weekly)
- Manuela Jean-Pierre – Assistant Recreation Specialist (\$400 weekly)

For the purpose of coordinating and managing the Town of Shandaken Summer Recreation Program to run from Tuesday, July 09, 2013 through and including Thursday, August 15, 2013.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

June 10<sup>th</sup> 2013 Special Meeting

**RESOLUTION #93-13**

OFFERED BY STANLEY

**RESOLUTION TO AWARD STONY CLOVE SITES BIDS**

**WHEREAS**, the Town of Shandaken is in need of construction work in order to repair and stabilize portions of the Stony Clove following damages that occurred due to Hurricane Irene and Tropical Storm Lee;

**THEREFORE BE IT RESOLVED** that as long as all easement agreements are procured for the specific project and the bid meets engineering criteria, The Town of Shandaken hereby awards the bid for Stony Clove Sites 2 & 3 to Fastracs Rentals, Inc. from Red Hook, NY for the price of one million thirty five thousand one hundred dollars (\$1,035,100.00).

**BE IT FURTHER RESOLVED** that the Town also recognize that Ulster County Soil and Water Conservation District has awarded the bid for Stony Clove Site 4 to Fastracs Rentals, Inc. from Red Hook, NY for the price of one hundred thirty nine dollars (\$139,520).

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 94-13 (87-13)**

**OFFERED BY: STANLEY**

**RESOLUTION FOR TIME ACCRUALS IN NYS RETIREMENT SYSTEM**

**WHEREAS**, the New York State Retirement System requires a report be filed with their offices listing those employees and elected and appointed officials enrolled in the System

**THEREFORE, BE IT RESOLVED**, that the Town of Shandaken hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records.

	<u><b>ELECTED OFFICIAL TITLE</b></u>	<u><b>Standard Work Day Hrs.</b></u>	<u><b>Participates in Time Keeping System (Y/N)</b></u>	<u><b>Days/Month based on Record</b></u>
Rob	Supervisor	7	Y	24
Doris	Town Council Member	7	Y	3
Alfie	Town Council Member	7	Y	3
Heidi	Town Assessor	7	N	22
Pete	Town Assessor	7	Y	4
Carol	Town Assessor	7	Y	4
Joyce	Town Clerk	7	Y	18
Tom	Town Justice	7	N	6
Eric	Highway Superintendent	8	N	22
	<u><b>APPOINTED OFFICIAL TITLE</b></u>	<u><b>Standard Work Day Hrs.</b></u>	<u><b>Participates in Time Keeping System (Y/N)</b></u>	<u><b>Days/Month based on Record</b></u>
Eve	Social Services Officer	7	N	4
Don	Pine Hill Water Superintendent	7	N	11
Rick	Phoenicia Water Superintendent	7	N	11
Nancy	Part Time Dog Warden	7	Y	10
Jim	Police Chief	8	Y	2
Rich	Ambulance Chief	7	Y	8

AND MOVE ITS ADOPTION

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLET	___X___	_____
BOARD MEMBER BERNSTEIN	___X___	_____
BOARD MEMBER JORDAN	___X___	_____
BOARD MEMBER HIGLEY	ABSENT	_____
SUPERVISOR STANLEY	___X___	_____

July 1, 2013 Regular Meeting

**RESOLUTION # 95-13**

**OFFERED BY: Bernstein**

**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:

<b>General</b>	<b>\$ 54,182.51</b>
<b>Highway</b>	<b>71,107.58</b>
<b>Phoenicia Water</b>	<b>4,212.89</b>
<b>Pine Hill Water</b>	<b>25.44</b>
<b>Phoenicia Lights</b>	<b>853.80</b>
<b>Chichester Lights</b>	<b>129.29</b>
<b>Pine Hill Lights</b>	<b>504.80</b>

**AND MOVES ITS ADOPTION**

Seconded by: Jordan

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #96 - 13**

**OFFERED BY Jordan**

**RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING**

**WHEREAS**, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning Flood Plan & Mapping Info

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm on Thursday July 25, 2013** for the purpose of conducting business related to Flood Plan & Mapping Info

**AND MOVES ITS ADOPTION**

Seconded by: Stanley

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #97-13**

**OFFERED BY Stanley**

**RESOLUTION FOR RENEWAL OF TOWN INSURANCE**

**WHEREAS**, the Town of Shandaken has Marshall & Sterling Insurance, 103 Executive Drive, New Windsor, New York, for the Town Insurance, and

**WHEREAS**, our current policy terminates on July 15, 2013,

**THEREFORE BE IT RESOLVED** that the Town Board contract with Marshall & Sterling Insurance for the coming year (July 2013 –July 2014),

**AND MOVES ITS ADOPTION**

Seconded by: Bartlett

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	_X_	___
BOARD MEMBER BERNSTEIN	_X_	___
BOARD MEMBER HIGLEY	_X_	___
BOARD MEMBER JORDAN	_X_	___
SUPERVISOR STANLEY	_X_	___

**RESOLUTION #98-13**

**OFFERED BY Higley**

**RESOLUTION APPROVING PUBLIC ASSEMBLY PERMIT  
FOR THE PHOENICIA INTERNATIONAL FESTIVAL OF THE VOICE**

**WHEREAS**, the Town of Shandaken Town Board under §59 of the Town of Shandaken Code has the sole authority to approve applications for the purpose of a Public Assembly in excess of five hundred (500) persons, and

**WHEREAS**, the Town Board recognizes the benefits of public events to the economy of the Town and also recognizes the necessity to provide adequate protections and a safe environment for its residents and participants alike, and

**WHEREAS**, the Town is in receipt of documentation illustrating compliance under the law providing the necessary insurance, permits, security, parking, lighting, sanitation, emergency and evacuation requirements, and

**WHEREAS**, the Town Board is satisfied with the application from the **Phoenicia International Festival of the Voice** for their event to be held in **Phoenicia, NY on Thursday, August 1, through Sunday August 4, 2013.**

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board hereby approves the permit for a Public Assembly to the Phoenicia International Festival of the Voice for their event and that a certified copy of this resolution shall suffice as the approval certificate, **Upon receipt of all pending documentation.**

**AND MOVES ITS ADOPTION**

Seconded by: Bartlett

ROLL CALL	
AYES	NAYS

BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #99-13**

**OFFERED BY: Bartlett**

**Planning/Zoning/Building DEPARTMENT SECRETARY**

**WHEREAS**, under §20 of the Town Law it is the duty of the Town Board to appoint all employees of the Town; therefore be it

**RESOLVED**, that **Gina Komuves-Barta** , be appointed as Building Department Secretary with an hourly rate of \$10.30, not to exceed \$19,110 and serve at the pleasure of the Planning Board, Zoning Board of Appeals, Municipal Code Officer and be accountable to the Town Board.

**AND MOVES ITS ADOPTION**

Seconded by: Higley

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 100-13**

**OFFERED BY: Bernstein**

**RESOLUTION APPOINTING SUMMER RECREATION COUNSELORS**

**WHEREAS**, under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town,

**THEREFORE BE IT RESOLVED**, that upon the recommendation of the Director and Assistant Director of the Town of Shandaken Summer Recreation Program that the following individuals be hired as follows:

**Returning Counselors** @ \$200 weekly: Katie Cortina, Josh Harp, Gabby Harp, Danny Rice, Kayla Ford

**First Year Counselors** @ \$175 weekly: Nicholas Grant (Big Indian), Zoe Patschke (Shokan), Sharod Jean-Pierre (Pine Hill), Michael Cortina (Mt. Tremper), Tyler Frano (Shandaken), Michael Holland (Big Indian), Jessica Boyer – Bi-lingual in Spanish (Shandaken).

**Junior Counselors** @ No Compensation: Paitin DuBois, Sean Blydenburgh.

**Please be advised that: All paid counselors shall receive 4 hours compensatory pay for mandatory orientation as required under state law.**

**AND MOVES ITS ADOPTION**

Seconded by: Jordan

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #101 -13**

**OFFERED BY Jordan**

**RESOLUTION AWARDING TRANSPORTATION BID FOR SUMMER RECREATION PROGRAM FIELD TRIPS**

**WHEREAS**, the Town of Shandaken Summer Recreation Program will be taking two field trips during the coming season, and

**WHEREAS**, The Town advertised to receive bids for the following field trips:

- 2 School busses for round-trip to and from the Ulster County Fair on Wednesday, July 31, 2013
- 2 School busses for round-trip to and from Zoom Flume Water Park on Wednesday, August 14, 2013

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board award the Transportation contract to - **Tonche Transit, Inc.**

located at – **PO Box 298 - 5181 Route 28, Mt. Tremper, NY 12457, for the bid amount of \$2080.00.**

**AND MOVES ITS ADOPTION**

Seconded by: Stanley

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	Recuse - Relative	
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 102 - 13**

**OFFERED BY Stanley**

**RESOLUTION TO SCRAP OLD TOWN OWNED VEHICLES**

**WHEREAS**, the Town of Shandaken is currently in possession of several defunct vehicles including the following:

2001 Dodge	VIN # 3B7KF26ZX1M283868
1999 Ford Crown Victoria	VIN # 2FAFP71W9XX207666
1998 Ford Explorer	VIN # 1FMZU34E5WUB81841
1998 Chevy 3500	VIN # 1GBJK34R9WF028687
1979 GMC Brigadier	VIN # T49C19V576550

**THEREFORE BE IT RESOLVED**, the Town of Shandaken send these cars to be sold for scrap.

**AND MOVES ITS ADOPTION**

Seconded by: Jordan

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 103 - 13**

**OFFERED BY Higley**

**ADVERTISING FOR TOWN ROAD PAVING**

**WHEREAS**, the Town of Shandaken Highway Department is seeking bids for paving of certain Town roads, where specifications are available at the Highway Superintendent’s Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-9901.

**THEREFORE BE IT RESOLVED**, that bids will be clearly marked on the outside of the envelope in large block letters “PAVING BID ENCLOSED” and received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 12 pm on Thursday, July 25, 2013, to be opened at the Town Board meeting scheduled for 1 pm that afternoon.

**AND MOVES ITS ADOPTION**

Seconded by: Stanley

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 104 - 13**

**OFFERED BY Bartlett**

**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

- William Black

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

- Matthew Kay

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

- Concha Cowan
- Heather Witte

**AND MOVES ITS ADOPTION**

Seconded by: Higley

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	_X_	___
BOARD MEMBER BERNSTEIN	_X_	___
BOARD MEMBER HIGLEY	_X_	___
BOARD MEMBER JORDAN	_X_	___
SUPERVISOR STANLEY	_X_	___

July 25, 2013 Special Meeting

**RESOLUTION # 105 - 13**

**OFFERED BY Bernstein**

**RESOLUTION APPROVING TOWN ROAD PAVING BID**

**WHEREAS**, the Town of Shandaken Highway Department advertised for bids for paving of certain Town roads following the Town Board meeting on July 1, 2013; and

**WHEREAS**, bids were received at the Town Clerk's Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 12pm on Thursday, July 25, 2013 with bids to be opened at the Town Board meeting on the same date at 1pm;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approve the bid from

**PECKHAM MATERIALS INC**\_\_\_\_ located in 2 Union St. Ext Athens, NY 12015\_ for the bid amount of **\$68.50/Ton Installed**

**AND MOVES ITS ADOPTION**

Seconded by: Stanley

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 106 - 13**

**OFFERED BY Jordan**

**RESOLUTION SUPPORTING**  
**CATSKILL INTERPRETIVE CENTER AND VISITOR INFORMATION GATEWAY**

**WHEREAS**, The Catskill Center for Conservation and Development is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project *and* Recreational Trails Program for a trail project to be located at the site of The Catskill Interpretive Center on Route 28 in Mount Tremper, a site located within the territorial jurisdiction of this Town Board; and

**WHEREAS**, as a requirement under the rules of these programs, The Catskill Center for Conservation and Development must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

**NOW, THEREFORE, BE IT RESOLVED** the Shandaken Town Board hereby does approve and endorse the application of The Catskill Center for Conservation and Development for a grant under the Environmental Protection Fund for a park project *and* Recreational Trails Program for a trail project known as Catskill Interpretive Center & Visitor Information Gateway and located within this community.

**AND MOVES ITS ADOPTION**

Seconded by: Bartlett

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	Absent	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____

SUPERVISOR STANLEY

  X              

**RESOLUTION #107-13**

**OFFERED BY: Stanley**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SHANDAKEN  
DETERMINING THAT THERE ARE NO ADVERSE IMPACTS  
ON THE ENVIRONMENT FROM THE ADOPTION OF THE  
TOWN OF SHANDAKEN FLOOD MITIGATION PLAN**

WHEREAS, the Town Board of the Town of Shandaken is adopting the Town of Shandaken Flood Mitigation Plan (**Flood Plan**); and

WHEREAS, the possible environmental impacts of the adoption of the **Flood Plan** have been considered by the Town Board; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board has determined that the adoption of the **Flood Plan** for the Town of Shandaken will not have significant adverse impacts on the environment; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to take such further steps as might be necessary to discharge the Board’s responsibility as lead agency for this action including, but not limited to, the issuance of a negative declaration consistent with this resolution.

AND MOVE ITS ADOPTION

Seconded by: Jordan

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	Absent	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 108-13**

**OFFERED BY: Bartlett**

**RESOLUTION ADOPTING  
THE TOWN OF SHANDAKEN FLOOD MITIGATION PLAN**

WHEREAS, the Town Board for the Town of Shandaken has reviewed and extensively considered the proposed Town of Shandaken Flood Mitigation Plan (**Flood Plan**); and

WHEREAS, the Town Board issued a negative declaration with respect to the adoption of the

**Flood Plan** and determined that the proposed plan will not have a significant adverse impact on the environment; and

WHEREAS, the adoption of the **Flood Plan** is consistent with the Negative Declaration; and

WHEREAS, the Town Board noticed a Public Hearing held on the 1<sup>st</sup> day of July, 2013 at 6:30 p.m. to provide the public with an opportunity to comment on the proposed **Flood Plan** and allowed written comments to be submitted up until 3p.m on July 1<sup>st</sup>, 2013; and

WHEREAS, the Town Board has also solicited the comments of involved agencies and the public; and

WHEREAS, the comments received have been given due consideration by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the **Flood Plan** is hereby adopted and the Town Clerk is hereby directed to file said plan with the Office of the Secretary of State and all applicable agencies/entities in accordance with State Law

AND MOVE ITS ADOPTION

Seconded by: Stanley

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	Absent	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

August 5, 2013

**RESOLUTION # 109-13**

**OFFERED BY: Bernstein**

**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:

<b>General</b>	<b>\$128,026.35</b>
<b>Highway</b>	<b>17,029.79</b>

Phoenicia Water	6,590.83
Pine Hill Water	490.28
Phoenicia Lights	849.30
Chichester Lights	128.77
Pine Hill Lights	502.01

**AND MOVES ITS ADOPTION**

Seconded by: Higley

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 110-13**

**OFFERED BY Jordan**

**RESOLUTION ADVERTISING FOR**

**INDEPENDENT AUDITOR TO MEET FEDERAL GUIDELINES**

**WHEREAS**, under federal requirements, any municipality (sub-recipient) which expends \$500,000.00 or more of federal funding from all sources during its fiscal year, must have an independent audit of such federal funds conducted in accordance with the Federal Office of Management and Budget (OMB) Circular A-133; and

**WHEREAS**, OMB Circular A-133 further requires that the final report for such audit be completed within nine months of the end of the Sub-recipient's fiscal year; and

**WHEREAS**, additionally, per the New York State Budget Policy and Reporting Manual Item I-300, State agencies that provide funds to sub-recipients pursuant to OMB Circular A-133 must obtain copies of the sub-recipient's A-133 audit reports and determine whether any audit findings affecting its programs are significant and warrant follow-up. Therefore, Sub-recipients should provide one copy of such audit report to DHSES within nine months of the end of their fiscal year; and

**WHEREAS**, the Town of Shandaken has expended in excess of \$500,000.00 of federal funds during the 2012 fiscal year (1/1/2012 -12/31/12).

**THEREFORE BE IT RESOLVED**, the Town of Shandaken Town Board advertise for bids for such services from qualified auditing firms or individuals able to perform these duties by September 30, 2013; and

**BE IT FURTHER RESOLVED**, that any firms or individuals submit sealed bids clearly labeled on the exterior of the envelope in large **BLOCK** lettering "**AUDIT BID ENCLOSED**" to the Town of Shandaken Town Clerk (PO Box 67, 7209 Rte. 28, Shandaken, NY 12480) and **must** be received in that office no later than 12pm on Wednesday, August 21, 2013 to be opened and awarded at a Public Meeting to be held at 1pm at the Shandaken Town Hall on that date.

**AND MOVES ITS ADOPTION**

Seconded by: Bartlett

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 111-13**

**OFFERED BY Stanley**

**RESOLUTION AUTHORIZING CONTRACT EXTENSION**

**FOR GLENBROOK PARK CELLULAR COMMUNICATIONS TOWER**

**WHEREAS**, the Town of Shandaken has an existing lease agreement with Mariner Tower II, LLC, (**MARINER**) a Maine limited liability company to operate and maintain a cellular communications tower on Town Owned property located near Glenbrook Park in Shandaken; and

**WHEREAS, MARINER** wishes the Town to authorize an additional five year term to the renewal terms of the existing lease increasing the number of five year renewals from three (3) to four (4); and

**WHEREAS,** the both the Town and Mariners feel this action could improve appeal of the site to attract more cellular carriers to the Tower; and

**WHEREAS,** the Town wishes to see improved cellular communications throughout the Town and the Town receives direct financial benefit from said Tower to offset property taxes for the residents of the Town

**THEREFORE BE IT RESOLVED,** that the Town of Shandaken Town Board authorize the Town Supervisor to approve a fourth (4<sup>th</sup>) five year renewal term on the existing lease with MARINER,

**AND MOVES ITS ADOPTION**

Seconded by: Jordan

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 112-13**

**OFFERED BY Higley**

**RESOLUTION ADVERTISING FOR CONSTRUCTION WORK**  
**FOR TOWN FLOOD RECOVERY WORK**

**WHEREAS,** the Town of Shandaken is in need of construction work in order to repair and stabilize portions of the Stony Clove and Warner Creeks following damages that occurred due to Tropic Storms Irene and Lee; and

**WHEREAS,** the amount needed to pay for such services are reimbursable to the Town from Natural Resources Conservation Service (NRCS) and Ulster County Soil and Water Conservation District (UCSWCD);

**THEREFORE BE IT RESOLVED** that the Town of Shandaken advertise for independent construction bids for the following projects:

Warner Creek and Stony Clove Bank and Channel Restoration

**BE IT FURTHER RESOLVED**, that any person(s) interested in applying for such work must attend a mandatory pre-bid meeting at the Shandaken Town Hall located at 7209 Rte. 28, Shandaken, NY 12480 on Friday, August 9, 2013 @ 1pm for site visits. Responsible bidders must attend the site visit specific to the job they are bidding; and

**BE IT FURTHER RESOLVED**, that any person(s) interested in bidding on such may purchase bid documents, starting Tuesday, August 6, 2013 during regular business hours, engineering drawings at the Ulster County Soil and Water Conservation District Office located at 6375 Rte. 28, Phoenicia, NY 12464 and, upon appointment, at the Shandaken Highway Garage Office located at 7209 Rte. 28, Shandaken, NY 12480. Bidders will be provided bid packets on Friday, August 9, 2013 at 1pm during the mandatory site visits with bids to be received no later than 12pm on Wednesday, August 21, 2013 in the Town of Shandaken Town Clerk’s Office, PO Box 67. Bids must be clearly marked “WARNER CREEK BID” on the outside of the sealed bid. Bids will be opened at a Public Meeting at the Shandaken Town Hall at 1pm that same day. Following review bids will be awarded at a subsequent meeting slated for 1pm on Monday, August 26, 2013 at the Shandaken Town Hall. The Town of Shandaken reserves the right to reject any and all bids.

**AND MOVES ITS ADOPTION**

Seconded by: Stanley

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	__X__	_____
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER JORDAN	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**RESOLUTION # 113 - 13**

**OFFERED BY Bartlett**

**RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING**

**WHEREAS**, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning Stream Projects and a mandated independent auditors;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm** on **Wednesday, August 21, 2013** for the purpose of conducting business related to opening bids for Stream Projects and awarding an independent auditor,

**AND MOVES ITS ADOPTION**

Seconded by: Higley

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 114 - 13**

**OFFERED BY Bernstein**

**RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING**

**WHEREAS**, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning a Stream Project;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm on Monday, August 26, 2013** for the purpose of conducting business related to awarding bids for said Stream Project,

**AND MOVES ITS ADOPTION**

Seconded by: Jordan

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 115 - 13**

**OFFERED BY Jordan**

**RESOLUTION RECOGNIZING "DAVY CROCKETT DAY" IN SHANDAKEN**

**WHEREAS**, the Town of Shandaken has been home to a variety of characters and individuals who have been recognized for their contributions to our local economy and heritage; and

**WHEREAS**, one of those characters, Mr. David "Davy" Crockett, whose statue has resided on Main Street of Phoenicia and is considered an iconic image of Phoenicia for residents and visitors alike; and

**WHEREAS**, Mr. Crockett was apparently was born on a mountain top in Tennessee, the self-proclaimed greenest state in the land of the free, raised in the woods so's he knew every tree and killed him a bear when he was only three; and

**WHEREAS**, Mr. Crockett then went off to Congress and served a spell fixin' up the government and laws as well. Took over Washington, as we hear tell, and even patched up the crack in the Liberty Bell. When he got home, his politickin' was done, while the western march had just begun, so he packed his gear, and his trusty gun and let out a grinnin' to follow the sun; and

**WHEREAS**, Mr. Crockett, that is Davy, Davy Crockett is the King of the Wild Frontier; and

**WHEREAS**, members of our community would like to hold a special celebration acknowledging the re-establishment of Mr. Crockett along Main Street Phoenicia with an event to be held on the 227<sup>th</sup>

anniversary of his birthday (Saturday, August 17, 2013), including a Davy Crockett Look-a-like contest and “mehbe a bar er two.”

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board hereby recognizes **Saturday, August 17, 2013** as “**Davy Crockett Day**” and welcomes all visitors to join us at **High Noon, on Main Street, Phoenicia** in the events and celebration.

**AND MOVES ITS ADOPTION**

Seconded by: Stanley

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	Recuse	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

\* Board Member Bernstein is a descendant of Davy Crockett

**August 21, 2013 SM**

**Resolution 116-13**

**Offered by: Stanley**

**RESOLUTION APPROVING INDEPENDENT AUDITOR TO MEET FEDERAL GUIDELINES**

**Whereas**, the Town of Shandaken Town Board advertised for bids for Auditor for services to meet federal guidelines, following the August 5<sup>th</sup> 2013 meeting; and

**Whereas**, Bids were received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Rt. 28, PO Box 67, Shandaken, NY 12480 no later than 12pm on Wed. Aug. 21, 2013 with bids to be opened at the Town Board meeting on the same date at 1pm.

**Therefore Be It Resolved**, that the Town of Shandaken Town Board approve the bid from:  
**Mostert, Manzanero & Scott LLP 4 Associate Dr. Oneonta, NY 13820**

**AND MOVES ITS ADOPTION**

Seconded by: Jordan

**ROLL CALL 4 Ayes, 1 Absent (Higley)**

August 26, 2013

**Resolution 117-13**

**Offered by: Stanley**

**RESOLUTION APPROVING BID FOR REPAIR OF SMITH RESERVOIR  
Phoenicia Water District**

**Whereas**, the Town of Shandaken Town Board advertised for bids for repair to the Smith Reservoir in Phoenicia Water District, following a motion at the August 5<sup>th</sup> 2013 meeting; and

**Whereas**, Bids were received at the Town Clerk's Office, Shandaken Town Hall, 7209 Rt. 28, PO Box 67, Shandaken, NY 12480 no later than 12pm on Monday Aug. 26, 2013 with bids to be opened at the Town Board meeting on the same date at 1pm.

Bids Received by: Bids Received from Ken Ostrander Willow, NY \$1,800  
Stone Heart Farm Glenford, NY \$9,500

**Therefore Be It Resolved**, that the Town of Shandaken Town Board approve the bid from:  
**Stone Heart Farm & Home 763 Ohayo Mtn. Rd. Glenford, NY 12433**  
**\$9,500 & Excavator @ \$100. Per hr.**

AND MOVES ITS ADOPTION  
Seconded by: Bartlett

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	__X__	_____
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	Absent	
BOARD MEMBER JORDAN	Absent	
SUPERVISOR STANLEY	__X__	_____

**Resolution 118-13**

**Offered by: Stanley**

**RESOLUTION APPROVING BID WARNER CREEK STREAM RESTORATION**

**Whereas**, the Town of Shandaken Town Board advertised for bids WARNER CREEK STREAM RESTORATION, pursuant to Resolution 112-13 at the August 5<sup>th</sup> 2013 meeting; and

**Whereas**, Bids were received at the Town Clerk's Office, Shandaken Town Hall, 7209 Rt. 28, PO Box 67, Shandaken, NY 12480 no later than 12pm on Wed. Aug. 21, 2013 with bids to be opened at the Town Board meeting on the same date at 1pm.

The following bids were received and accepted as qualified bidders:

<b>Fastracs PO Box 56, Red Hook, NY 12571</b>	<b>\$ 1,765,862.50</b>
<b>Kingston Equip. Baker Bros. 78 Stone Rd. W.Hurley, NY 12480</b>	<b>\$ 1,477,862.50</b>
<b>Evergreen Mtn. 25 Evergreen Mtn. Rd. West Kill, NY 12492</b>	<b>\$ 1,802,600.00</b>

**Therefore Be It Resolved,** that the Town of Shandaken Town Board approve the bid from:

**Kingston Equip. Baker Bros. 78 Stone Rd. W.Hurley, NY 12480**

**\$ 1,477,862.50**

AND MOVES ITS ADOPTION

Seconded by: Bartlett

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	Absent	
BOARD MEMBER JORDAN	Absent	
SUPERVISOR STANLEY	<u>  X  </u>	_____

**Sept. 9, 2013 Regular Monthly Meeting**

**RESOLUTION # 119-13**

**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:

<b>General</b>	<b>\$ 40,325.90</b>
<b>Highway</b>	<b>39,761.29</b>
<b>Phoenicia Water</b>	<b>4,854.75</b>
<b>Pine Hill Water</b>	<b>816.91</b>
<b>Phoenicia Lights</b>	<b>867.79</b>
<b>Chichester Lights</b>	<b>130.35</b>
<b>Pine Hill Lights</b>	<b>511.07</b>

AND MOVES ITS ADOPTION

Seconded by: Higley

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	Absent	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____

BOARD MEMBER JORDAN  
SUPERVISOR STANLEY  
RESOLUTION #120-13

  X       \_\_\_\_\_  
  X       \_\_\_\_\_

OFFERED BY **Stanley**

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN  
A ONE-YEAR EXTENSION FOR SMART GROWTH GRANT**

**WHEREAS**, the Town of Shandaken has been awarded a Smart Growth Grant through the NYS-DEC; and  
**WHEREAS**, the Town of Shandaken has started work through this grant including Pavilion Repairs at  
Glenbrook Park, New Town-wide Welcome Signage and Informational Kiosks; and

**WHEREAS**, the Town of Shandaken anticipates this work to continue over the next year,

**THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Shandaken hereby authorizes the  
Supervisor to sign an agreement extending the Grant period for an additional one-year period.  
**AND MOVES ITS ADOPTION**

Seconded by: Bartlett

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	Absent	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

RESOLUTION #121-13

OFFERED BY **Higley**

**RESOLUTION REQUESTING NO CAMPAIGN SIGNAGE  
UNTIL AFTER COLUMBUS DAY (October 14, 2013)**

**WHEREAS**, the Town of Shandaken recognizes the importance of preserving its natural beauty and viewscapes throughout the Town and

**WHEREAS**, Columbus Day weekend is recognized as a highly desirable time for visitors to travel to our area and enjoy the pristine beauty of Shandaken.

**THEREFORE**, the Town Board of Shandaken requests that campaign signs for the General Election regardless of party affiliation or contest, not be displayed until after Columbus Day, October 14, 2013.

**AND MOVE ITS ADOPTION**

Seconded by: Stanley

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	Absent	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #122-13**

**OFFERED BY Bartlett**

**RECOGNIZING TOWN CLERK AS TOWN INFORMATION OFFICE**

**WHEREAS**, The Town Clerk acknowledges that an online presence is a huge asset to our Town; for posting information regarding Town events & happenings, as well as Emergencies & during extended outages, and

**WHEREAS**, The Town Clerk recognizes the importance of quickly distributing emergency information and safety information to the public, and

**WHEREAS**, the Town Clerks office can offer consistent coverage of events and information and post on a regular basis to keep town information up to date.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby appoints the Town Clerk's office as Town of Shandaken Public Information Office - whose duties will include: Town Website Posting, Facebook Administrator, Posting on Google Town Events Calendar & Liaison to Channel 23 Public Access TV.

**AT NO ADDITIONAL COMPENSATION.** \*During State of Emergencies, postings will have prior approval from Emergency Response Command Control Unit.

**AND MOVE ITS ADOPTION**

Seconded by: Jordan

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	Absent	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 123 -13**

**OFFERED BY Jordan**

**RESOLUTION AUTHORIZING LEASE FOR HIGHWAY TRUCK**

**WHEREAS**, the Town of Shandaken Highway Department lost several vehicles earlier this year due to fire, and

**WHEREAS**, the Town Highway Department is purchasing a 2013 International Tri-Axle Chassis with Viking Dump, and

**WHEREAS**, in the interest of lessening the impact on the taxpayers of the Town the Town Board wishes to amortize the cost of this vehicle over a period of five years,

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board authorize the Town Supervisor to enter into agreement with First Niagara Leasing, Inc. located in Albany, NY for the annual lease amount of \$22,095.85 (twenty –two thousand ninety five dollars and eighty five cents) with installment payments to be made annually starting 2014 and ending 2018.

**AND MOVE ITS ADOPTION**

Seconded by: Stanley

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	Absent	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 124 -13**

**OFFERED BY Stanley**

**HIRING AMBULANCE PERSONNEL**

**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 Paramedic:** \$189.11 per 12 hour shift, including trips - Melvin Harrington

**AND MOVE ITS ADOPTION**

Seconded by: Jordan

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	Absent	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 125-13**

**OFFERED BY** Higley

**ACCEPT PLANNING BOARD RESIGNATION**

**WHEREAS**, Joan Munster, has submitted a resignation letter to the Town of Shandaken for her position with Town of Shandaken Planning Board; and

**WHEREAS**, the Town would like to advertise for the opening Planning Board Member.

**THEREFORE BE IT RESOLVED**, that the Town Board of Shandaken hereby accepts Joan Munster’s resignation from the Town of Shandaken Planning Board and the Town will immediately advertise for the vacant position.

**AND MOVE ITS ADOPTION**

Seconded by: Jordan

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____

BOARD MEMBER BERNSTEIN	Absent	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

October 7, 2013  
**RESOLUTION # 126-13**

**OFFERED BY: BERNSTEIN**

**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:

<b>General</b>	<b>\$ 46,088.84</b>
<b>Highway</b>	<b>134,480.26</b>
<b>Phoenicia Water</b>	<b>15,608.16</b>
<b>Pine Hill Water</b>	<b>100.00</b>
<b>Phoenicia Lights</b>	<b>925.17</b>
<b>Chichester Lights</b>	<b>135.28</b>
<b>Pine Hill Lights</b>	<b>536.60</b>

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 127-13**

**OFFERED BY JORDAN**

**RESOLUTION ADOPTING TENTATIVE BUDGET AS PRELIMINARY BUDGET**

**WHEREAS**, the Town of Shandaken has prepared a 2014 Tentative Budget for review;

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken hereby adopts the 2014 Tentative Budget as the 2014 Preliminary Budget for the Town of Shandaken

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 128-13**

**OFFERED BY STANLEY**

**RESOLUTION FOR PUBLIC HEARING ON 2014 TOWN BUDGET**

**WHEREAS**, a Public Hearing is held every year for the purpose of hearing all those in favor or against the adoption of the Preliminary Budget for the Town of Shandaken as the Annual Budget

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken will meet and review the 2014 Preliminary Budget and hold a Public Hearing thereon, at the Shandaken Town Hall on **Wednesday, November 6, 2013 at 6:30 pm**, and at such hearing any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any items or items therein contained.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 129-13**

**OFFERED BY HIGLEY**

**RESOLUTION APPROVING TOWN HIGHWAY EMPLOYEES CONTRACT**

**WHEREAS**, the Town of Shandaken Highway Department employees, through their CSEA representatives, have approved the contract negotiated with the Town;

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken approve the contract, as negotiated, and that all contents of said agreement, where applicable, shall be retroactive to January 2012 and through December 31, 2015.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 130-13**

**OFFERED BY BARTLETT**

**RESOLUTION ACCEPTING THE CENTRAL CATSKILL CHAMBER AS INTERIM ADMINISTRATOR FOR THE PROPOSED RTE 28 CORRIDOR SCENIC BY-WAY**

WHEREAS, the Town of Shandaken, Ulster County, in March of 2013 adopted the draft Corridor Management Plan for the Rte. 28 Catskill Mountain Scenic-By-Way; and

WHEREAS, the process toward the final approval of the Rte. 28 By-Way Plan by NYS can take anywhere from twenty-four to thirty-six months; and

WHEREAS, the Central Catskills Chamber of Commerce has been performing the administrative duties required for the coordination of the approval process as well as communicating with and connecting the various municipal leaders and communities, collecting and maintaining records and documentation and seeking grant funding and further developing the marketing strategy that is included in the Corridor Management Scenic By-way comprehensive draft plan, all on behalf of the Byway municipalities; and

WHEREAS, there are no financial or other obligations attached to this step and formalization of the responsibilities during the final NYSDOT review and approval process will facilitate the process;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Shandaken, Ulster County, New York, does hereby recognize the Central Catskills' Chamber of Commerce as the *interim administrator* of the By-Way Plan through its final review and approval process.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>      </u>	<u>  X  </u>
BOARD MEMBER HIGLEY	<u>      </u>	<u>  X  </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 131-13**

**OFFERED BY BERNSTEIN**

**AUTHORIZING CONTRACT EXTENSION WITH  
ULSTER COUNTY RESOURCE RECOVERY AGENCY (UCRRA)**

**WHEREAS**, the Town of Shandaken has an existing 20 year contract between the Town and the Ulster County Resource Recovery Agency for recycling services available for all Town residents, and

**WHEREAS**, said contract expires in October 2013, and

**WHEREAS**, the UCRRA has requested a one year extension of said contract

**THEREFORE BE IT RESOLVED** that the Town Board of Shandaken authorize the Town Supervisor to enter into a one year contract extension, with no changes or amendments to the existing contract

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 132 -13**

**OFFERED BY JORDAN**

**HIRING AMBULANCE PERSONNEL**

**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 EMT:** \$67.52 per 12 hour shift plus \$30.39 per transport  
- Michael Janensch

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #133 - 13**

**OFFERED BY STANLEY**

**RESOLUTION APPROVING PUBLIC ASSEMBLY PERMIT  
FOR THE PHOENICIA TURKEY TROT**

**WHEREAS**, the Town of Shandaken Town Board under §59 of the Town of Shandaken Code has the sole authority to approve applications for the purpose of a Public Assembly in excess of five hundred (500) persons, and

**WHEREAS**, the Town Board recognizes the benefits of public events to the economy of the Town and also recognizes the necessity to provide adequate protections and a safe environment for its residents and participants alike, and

**WHEREAS**, the Town is in receipt of documentation illustrating compliance under the law providing the necessary insurance, permits, security, parking, lighting, sanitation, emergency and evacuation requirements, and

**WHEREAS**, the Town Board is satisfied with the application from the **Phoenicia Turkey Trot** for their event to be held in **Phoenicia, NY on Saturday, November 30, 2013** from 7am until 4pm.

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board hereby approves the permit for a Public Assembly to the Phoenicia Turkey Trot for their event and that a certified copy of this resolution shall suffice as the approval certificate.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION #134 - 13**

**OFFERED BY HIGLEY**

**HALLOWEEN CURFEW**

**WHEREAS**, the Town of Shandaken Town Board in prior years adopted a resolution pertaining to a Halloween Curfew to alleviate the damage resulting from unsupervised Trick or Treating.

**THEREFORE BE IT RESOLVED**, that a curfew throughout the Town of Shandaken is declared for the evening of Thursday, October 31, 2013, commencing at 9:00 PM and continuing until daylight. Said curfew to bar all children under the age of 18 unless accompanied by a parent or guardian from being on the streets, bridges, roadways or properties other than their own and empowering the Police to enforce the same.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #135 - 13**

**OFFERED BY BARTLETT**

**RESOLUTION AUTHORIZING WAIVER OF 30 DAY NOTIFICATION REQUIRED BY THE NEW YORK STATE LIQUOR AUTHORITY**

**WHEREAS, BOSTON CULINARY GROUP, Sunset Lodge**, has applied for a liquor license, and

**WHEREAS, BOSTON CULINARY GROUP, Sunset Lodge** has requested that the Town waive the 30 day notification required by the New York State Liquor Authority in an effort to expedite the granting of a liquor license to **BOSTON CULINARY GROUP, Sunset Lodge**, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Shandaken does hereby grant the request of the **BOSTON CULINARY GROUP, Sunset Lodge**, and does hereby waive the thirty (30) day Liquor License notice requirement to **BOSTON CULINARY GROUP, Sunset Lodge – Route 28 Belleayre Mountain, Highmount NY 12441**.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 136-13**

**OFFERED BY: BERNSTEIN**

**APPROVAL OF PHOENICIA WATER RENTS**

**WHEREAS**, the Town Board must approve Water Rents for the Phoenicia Water District;

**THEREFORE BE IT RESOLVED**, that upon the recommendation of the Phoenicia Water District Billing Clerk, that bills totaling **\$42,013.22** be billed to the users within the Phoenicia Water District for **May 2013 through and including September 2013**.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 137-13**

**OFFERED BY: JORDAN**

**APPROVAL OF PINE HILL WATER RENTS**

**WHEREAS**, the Town Board must approve Water Rents for the Pine Hill Water District;

**THEREFORE BE IT RESOLVED**, that upon the recommendation of the Pine Hill Water District Billing Clerk, that bills totaling **\$29,533.32** be billed to the users within the Pine Hill Water District for **July 2013 through and including September 2013**.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**At the October 7, 2013 Town Board Meeting a motion was made by Stanley/Jordan to support The Town of Shandaken Recreation Committee’s Resolution passed on Sept. 16, 2013, which requests that the DEC Reconsiders their Classification of Big Indian Land Acquisition & “in it’s final determination, significantly expand the lands to “INTENSIVE USE” particularly expanding the recreational potential for lands adjacent the Belleayre Ski Center, allowing the residents of the town and it’s visitors to maximize the recreational activities available in the Town of Shandaken . Motion was passed:**

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>      </u>	<u>  X  </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER JORDAN	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

November 6, 2013 Budget Hearing & Regular Meeting  
**RESOLUTION # 138-13**

**OFFERED BY: BERNSTEIN**

**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:

<b>General</b>	<b>45,440.15</b>
<b>Highway</b>	<b>441,990.06</b>
<b>Phoenicia Water</b>	<b>24,854.93</b>
<b>Pine Hill Water</b>	<b>1,011.65</b>
<b>Phoenicia Lights</b>	<b>931.71</b>
<b>Chichester Lights</b>	<b>135.89</b>
<b>Pine Hill Lights</b>	<b>539.74</b>

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL – 5 AYES**

**RESOLUTION #139-13**

**OFFERED BY JORDAN**

**RESOLUTION ADOPTING 2014 PRELIMINARY BUDGET AS 2014 TOWN BUDGET**

**WHEREAS**, the Town of Shandaken has prepared a 2014 Preliminary Budget for review;

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken following a Public Hearing held at 6:30 pm on Wednesday, November 6, 2013 hereby adopts the 2014 Preliminary Budget as amended as the **2014 Town Budget** for the Town of Shandaken

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL – 3 AYES (Bartlett, Jordan, Stanley) 2 NAYS (Bernstein, Higley)**

**RESOLUTION # 140-13**

**OFFERED BY: STANLEY**

**APPROVAL OF CORRECTIVE ACTION PLAN FOR NYS COMPTROLLER**

**WHEREAS**, the Town Board, following an audit by the NYS Comptroller's Office, is required to issue a Corrective Action Plan (CAP) letter in response to their recommendations as listed in the Town of Shandaken Report of Examination to their offices no later than 90 days after said Report is issued;

**THEREFORE BE IT RESOLVED**, that Town Board of the Town of Shandaken hereby approves the CAP letter, provided by the Town Supervisor, attached to this resolution.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL – 5 AYES**



*"The Heart of the Park... Where the Eagle Soars"*

[www.shandaken.us](http://www.shandaken.us)

November 7, 2013  
17180

P.O. Box 134, 7209 Rte. 28, Shandaken, NY

Supervisor: (845) 688-7165  
 Police: (845) 688-9902  
 Town Clerk: (845) 688-5004  
 Justice Court: (845) 688-5005  
 Assessor: (845) 688-5003  
 ZBA/ZEO/Planning: (845) 688-5008  
 Highway: (845) 688-9901  
 Fax: (845) 688-2041

Office of the State Comptroller  
 Newburgh Regional Office  
 33 Airport Center Drive Suite 103  
 New Windsor, NY 12553

**RE: Town of Shandaken Corrective Action Plan**

Dear State Comptroller's Office,

This letter shall serve as the Town of Shandaken's Corrective Action Plan (CAP) to the Report of Examination received by the town on August 21, 2013. For simple purpose the Town will respond to each recommendation in order as it appears in the Report of Examination as follows:

**Recommendation # 1**

*The Board and Town officials should monitor the Secretary's and Secretary/Bookkeeper's duties, and audit disbursements, including payroll, made to employees.*

The Secretary, Secretary/Bookkeeper and Highway Secretary are all located within the same office as the Town Supervisor. They are submitting time cards which are validated and signed by the Supervisor and Highway Superintendent respectively. Outgoing disbursements must be approved by a majority of the Town Board, through signature, and checks are physically signed by the Supervisor. The Town Supervisor and Highway Superintendent review payroll records monthly, bi-weekly and weekly dependent on pay regularity.

**Recommendation # 2**

*The Board should consult with the Town Attorney about possible recovery of the unauthorized payments received by the Secretary.*

The Town in consult with the Town Attorney has decided on a course of action relative to current proceedings against the former Highway Secretary. We will following our due diligence in accordance with what is allowable under NYS law.

**Recommendation # 3**

*The Supervisor and Superintendent should certify the payroll by reviewing the payroll details prior to payment, including periodically reviewing salaries and hourly wage rates to ensure that they match Board-approved amounts, before pay checks are distributed.*

The Town Supervisor created Certification Sheets for the following: General Employees, Police, Ambulance, Highway, Phoenicia Water District and Pine Hill Water District. These Certification sheets follow spreadsheets created by the Town Supervisor to assist Department heads in validating the payroll expenditures within their Department prior to them signing the Certification. The payroll is then reviewed by the Secretary or Secretary/Bookkeeper and then reviewed by the Town Supervisor or Highway Superintendent who also sign the Certification before payroll is released to the employees.

**Recommendation # 4**

*The Supervisor should ensure employee withholding amounts are accurate. Town officials should consult with the Town attorney about possible recovery of the unpaid contribution amounts from employees who under-paid, as well as reimbursement of the amounts over-paid by other employees.*

The Town Supervisor has created spreadsheets pertaining to Healthcare costs and contributions from every eligible employee in the General, Highway and two Water Districts. The duties of healthcare contribution calculations by employees has been diversified so that no one employee is in charge of these responsibilities in order to provide oversight, backup review and preparation in case of the loss of the employee(s).

These calculations are reviewed directly by the Town Supervisor for accuracy and to ensure that no employee receives any benefit that they are not entitled to and that no employee is contributing more or less than what is expected of them through their respective contribution rate. The Town has already consulted with the Town Attorney and each current employee has/is paying back any under payments through payroll or are receiving a discount on their medical expenses commensurate to the amount owed to the respective employee. We will continue tracking these numbers weekly until every employee comes into balance. We are still discussing with the Town Attorney and Town Accountant on how to proceed with a few employees that have left our employment previous to the discovery of the discrepancy.

The Town moving forward will be providing each employee with a general worksheet at the beginning of the Fiscal Year to show what the anticipated contributions will be for each of the coverage plans based on varying contribution rates. The Town has also unified the enrollment dates and renewals for Health, Dental and Eye-care where before the rates were renewed at three different times during the year. The Town anticipates continuing to work toward a singular contribution rate for all employees in order to standardize the deduction rates instead of having to calculate four different contribution rates for four different levels of coverage as occurs currently. Many of these will become standardized through attrition and contractual negotiations over the coming years.

**Recommendation # 5**

*The Board should enforce the established policy to ensure that all Town employees complete a time record and that employees' time sheets/cards have supervisory approval prior to processing the payroll.*

The Town has implemented a policy where all employees must either submit a regular time card or submit a calendar of activities showing their time commitment. The time cards and calendars are signed by each Department Supervisor and submitted to the Supervisor's Office for review and subsequently to the Town Clerk's Office who handles Records Management duties. The Town Supervisor has established that each January following each election period for the Town (every two years) officials will complete a three month calendar of activities which is then verified through the Town Clerk's office which will verify work times and full or part time status under the New York State Retirement System as required under the law.

Again, the Town would like to thank your office for its assistance and guidance in these matters. If you have any questions or comments regarding this Corrective Action Plan (CAP) please do not hesitate to call my office directly at (845) 688-7165 or email me at shandakensupervisor@yahoo.com.

Sincerely yours,

Robert A. Stanley  
**Supervisor – Town of Shandaken**

**RESOLUTION #141-13**

**OFFERED BY HIGLEY**

**UC PLANNING BOARD MEMBER**

**WHEREAS** pursuant to section 20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED** that **Keith Holmquist** be appointed Regular Member & **Bob Kalb** be appointed Alternate to the Ulster County Planning Board.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN  
**ROLL CALL – 5 AYES**

**RESOLUTION #142-13**

**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: HIGLEY  
**ROLL CALL – 4 AYES, 1 Abstain**  
\*Board Member Bernstein Abstained – he did not read the contract.

**RESOLUTION #143-13**

**OFFERED BY BERNSTEIN**

**RESOLUTION AUTHORIZING CONTRACT WITH MAVEN Technologies (*eWaste*)**

**WHEREAS**, the Town of Shandaken has operated a recycling center on the Town Hall property for the past twenty years with the Ulster County Resource Recovery Agency (UCRRA), and

**WHEREAS**, the recycling service currently provided is an asset to the Town and its residents,  
and

**WHEREAS**, the Town, due to technological advances, recognizes the growing need for electronic waste (e-waste) disposal and recycling (including televisions, computers, cell phones, laptops, VCRs, DVD and compact disc players, sound equipment, etc.), and

**WHEREAS**, MAVEN TECHNOLOGIES, LLC is an e-waste recycling service operating in Rochester, NY and contracted with UCRRA, and is fully certified by R2 & RIOS standards.

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board authorize the Town Supervisor to enter into a one year agreement with MAVEN TECHNOLOGIES, to provide e-waste disposal and recycling service with no fee to be paid by the Town and operating on the same schedule as the current Town recycling facility for the benefit of our residents.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT  
**ROLL CALL – 5 AYES**

**RESOLUTION #144-13**

**OFFERED BY: JORDAN**

**RESOLUTION ADVERTISING FOR HIGHWAY DEPARTMENT  
EQUIPMENT PURCHASE**

**WHEREAS**, the Town of Shandaken Highway Department is in need of a Double –Drum Vibratory Roller for standard operating work, and

**WHEREAS**, the Highway Superintendent has selected a Double-Drum Vibratory Roller for purchase by the Town,

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board, advertise for the bids for a Double-Drum Vibratory Roller, and

**BE IT FURTHER RESOLVED**, all bids will be accepted until 3 p.m. on Monday, December 2, 2013. All bids must have written in block letters on the outside of envelope, “Double Drum Vibratory Roller Bid.” The bids will be opened and publicly read aloud at the regular Shandaken Town Board Meeting scheduled for 7 p.m. on Monday, Dec. 2, 2013. The Town of Shandaken retains the right to reject any and all bids.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY  
**ROLL CALL – 5 AYES**

December 2, 2013

**RESOLUTION # 145-13**

**OFFERED BY: JORDAN**

**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:

<b>General</b>	<b>58,241.81</b>
<b>Highway</b>	<b>54,674.58</b>
<b>Phoenicia Water</b>	<b>3,015.46</b>
<b>Pine Hill Water</b>	<b>1,832.39</b>
<b>Phoenicia Lights</b>	<b>1,055.00</b>
<b>Chichester Lights</b>	<b>146.27</b>
<b>Pine Hill Lights</b>	<b>594.62</b>

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	_____

**RESOLUTION #146 - 13**

**OFFERED BY**

**APPROVING HIGHWAY - DOUBLE DRUM VIBRATORY ROLLER BID**

**WHEREAS**, the Town of Shandaken Highway Department advertised for bids for a Double Drum Vibratory Roller ; and

**WHEREAS**, bids were received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, December 2, 2013 with bids to be opened at the Town Board meeting on the same date at 7pm;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approve the bid from \_\_\_\_\_ located in \_\_\_\_\_ for the bid amount of \$\_\_\_\_\_.

**AND MOVES ITS ADOPTION**

Seconded by:

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	_____	_____
BOARD MEMBER BERNSTEIN	_____	_____
BOARD MEMBER HIGLEY	_____	_____
BOARD MEMBER JORDAN	_____	_____
SUPERVISOR STANLEY	_____	_____

**\*On a Bernstein/Jordan Motion, the Town Board unanimously voted to table Resolution #145 until the Dec. 30<sup>th</sup> meeting. 2 Bids were received & the board will need time to review them.**

**Resolution #147-13**

**OFFERED BY HIGLEY**

**APPOINT PLANNING BOARD MEMBER**

**WHEREAS** pursuant to section 20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED** that **KATHY JORDAN** be appointed to the Shandaken Planning Board with her term to expire in December 31, 2014.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	RECUSE	_____
SUPERVISOR STANLEY	ABSENT	_____

**RESOLUTION #148-13**

**OFFERED BY BARTLETT**

**AUTHORIZING AGREEMENT WITH USDA-NRCS FOR STREAM WORK**

**WHEREAS**, the Town of Shandaken has, over the past two years, contracted with United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) for stream work throughout the Town under Emergency Watershed Protection (EWP) Funding; and

**WHEREAS**, USDA-NRCS has informed the Town that they have been funded for another round of EWP projects previously listed in the Town of Shandaken; and

**WHEREAS**, these projects will provide extensive benefits to the Town and residents surrounding the project reaches without incurring financial harm to the Town;

**THEREFORE BE IT RESOLVED** that the Town Board of Shandaken authorize the Town Supervisor to enter into agreement with USDA-NRCS for the remaining previously identified EWP eligible projects.

**AND MOVES ITS ADOPTION**

Seconded by: JORDAN

**ROLL CALL**

<b>AYES</b>	<b>NAYS</b>
_____	_____

BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	

**RESOLUTION #149-13**

**OFFERED BY JORDAN**

**RESOLUTION ESTABLISHING TOWN BOARD ANNUAL YEAR-END MEETING**

**WHEREAS**, the Town of Shandaken needs to conduct certain business before the close of the 2013 Fiscal Year;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board, will conduct their annual Year-End meeting at **1:00 pm on Monday, December 30, 2013** for the purpose of conducting related business.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____
SUPERVISOR STANLEY	ABSENT	

**RESOLUTION #150-13**

**OFFERED BY BERNSTEIN**

**ESTABLISHING TOWN BOARD ANNUAL RE-ORGANIZATIONAL MEETING**

**WHEREAS**, the Town of Shandaken annually conducts a meeting to appoint employees and officers of the Town, establish a meeting schedule and meet contractual obligations;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board, will conduct their annual Re-Organizational meeting at **6:00 pm on Monday, January 6, 2014** for the purpose of conducting related business.

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u>  X  </u>	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	<u>  X  </u>	_____

SUPERVISOR STANLEY

ABSENT

December 30, 2013 End Of Year

**RESOLUTION #151-13 (#146 – 13)**

**OFFERED BY STANLEY**

**APPROVING HIGHWAY - DOUBLE DRUM VIBRATORY ROLLER BID**

**WHEREAS**, the Town of Shandaken Highway Department advertised for bids for a Double Drum Vibratory Roller ; and

**WHEREAS**, bids were received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, December 2, 2013 with bids to be opened at the Town Board meeting on the same date at 7pm;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approve the bid from MONTANO located in **571 Rt. 212 Saugerties, NY** for the bid amount of \$48,600.00

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u> X </u>	_____
BOARD MEMBER BERNSTEIN	<u> X </u>	_____
BOARD MEMBER HIGLEY	<u> X </u>	_____
BOARD MEMBER JORDAN	ABSENT	_____
SUPERVISOR STANLEY	<u> X </u>	_____

**RESOLUTION # 152-13**

**OFFERED BY: STANLEY**

**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 re-appointed to the Shandaken Town Ambulance:

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

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BARTLETT	<u> X </u>	_____
BOARD MEMBER BERNSTEIN	<u> X </u>	_____
BOARD MEMBER HIGLEY	<u> X </u>	_____
BOARD MEMBER JORDAN	ABSENT	_____
SUPERVISOR STANLEY	<u> X </u>	_____

**RESOLUTION 153-13****OFFERED BY: STANLEY****RESOLUTION TRANSFERRING FUNDS FOR GENERAL FUND – END OF YEAR**

**WHEREAS** The Town Board, In accordance with section 112 of the Town Law, may increase existing appropriations,

**THEREFORE BE IT RESOLVED** that the Town Board is amending the 2013 Town Budget in order to transfer the amount(s) listed below From Available Funds Appropriations Account TO Appropriations Account for the lawful purpose of utilizing these funds to pay anticipated lawful claims:

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
CONTINGENCY \$30,000	Justice Contractual	\$6,200
	Accounting Expense	19,700
	Attorney Contractual	4,100
UC Sales Tax Revenue 10,000	Attorney Contractual	10,000
Prior Yr. Expenditure 13,000	Attorney Contractual	10,713
	Elections Contractual	744
	Records Mgt Contractual	28
	Building Contractual	704
	Gas, Diesel, Fuel Oil	811
Gen. DP Contract Exp. 1,000	Gas, Diesel Fuel Oil	1,000
Ambulance P/T Personal Serv \$15,000	Gas, Diesel, Fuel Oil	5,463
	Unallocated Insurance	2,250
	Ambulance Equipt.	430
	Ambulance Contractual	4,031
	Town Electric	171
	Recreation Contractual	1,981
	GIS Plan.& Mgt. Develop.	195
	Unemployment	479
Part Time Police Off. 5,371		
Time Warner Franchise Fee 5,000	Unemployment	10,371
P/T Police Officers 4,629		
Secy-Supt-Hwy Per.Ser. 10,000		
Health Ins. 12,043	Capital Project	26,672
<b>TOTAL 106,043</b>		<b>\$106,043</b>

**AND MOVES ITS ADOPTION**

Seconded by: BARTLETT

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BARTLETT	<u>  X  </u>	<u>      </u>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY		RECUSE – Attorney Fees
BOARD MEMBER JORDAN	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION 155-13**

**OFFERED BY: STANLEY**

**RESOLUTION TRANSFERRING FUNDS FOR HIGHWAY FUND – END OF YEAR**

**WHEREAS** The Town Board, In accordance with section 112 of the Town Law, may increase existing appropriations,

**THEREFORE BE IT RESOLVED** that the Town Board is amending the 2013 Town Budget in order to transfer the amount(s) listed below From Available Funds Appropriations Account (B) TO Appropriations Account (A) for the lawful purpose of utilizing these funds to pay anticipated lawful claims:

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
Parks Per.Ser 41,376	Garage Cont. Exp	5,536.46
	CHIPS Proj. Cont. Expense	35,839.54
HWY Misc. Rev. 46,056.35	CHIPS Proj/Cont/Exp	45,745.46
	Highway Mach. Rental	310.89
HWY/CONT/ACCT 20,000	HWY Machinery Rental	6,584.46
	HWY Snow Plow Parts Chain	11,971.87
	Machinery & Equip Repairs	1,443.67
CHIPS Revenues 51,000	Machinery & Equip Repairs	20,623.97
	HWY/Sand Salt Calcium	20,621.97
	P.I. Signs Guides Road Main.	9,754.06
Misc. Revenue 36,200	Highway Truck	36,200
NO Offset 257,662.09	FEMA Flood 2011	257,662.09
<b>TOTAL</b>	<b>452,294.44</b>	<b>452,294.44</b>

**AND MOVES ITS ADOPTION**

Seconded by: Higley

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	_X_	_____
BOARD MEMBER BERNSTEIN	_X_	_____
BOARD MEMBER HIGLEY	_X_	_____
BOARD MEMBER JORDAN	ABSENT	_____
SUPERVISOR STANLEY	_X_	_____

**RESOLUTION 156-13**

**OFFERED BY: STANLEY**

**RESOLUTION TRANSFERRING FUNDS FOR PHOENICIA WATER – END OF YEAR**

**WHEREAS** The Town Board, In accordance with section 112 of the Town Law, may increase existing appropriations,

**THEREFORE BE IT RESOLVED** that the Town Board is amending the 2013 Town Budget in order to transfer the amount(s) listed below From Available Funds Appropriations Account TO Appropriations Account for the lawful purpose of utilizing these funds to pay anticipated lawful claims:

FROM	TO	AMOUNT
PWD Water Bills 10,770.32		
Water Dist Cont. Exp 1,000		
Water Dist. Fuel Utility 1,000		
Unallocated Ins. Bond Payment 2,500		
Contingency 2,209.80	Water Dist. Labor Pers Serv.	17,480.12
Contingency 2,790.10	Equip Capital Outlay	2,790.10
<b>Total</b>	20,270.22	20,270.22

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	_X_	_____

BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	ABSENT	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 157-13**

**OFFERED BY STANLEY**

**RESOLUTION TO ACCEPT AUDIT OF TOWN COURT**

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

**WHEREAS**, the NYS Office of Court Administration has requested that the Town of Shandaken provide a copy of our most recent audit or examination of our local court’s records and a copy of the board resolution acknowledging that the required examination or audit was conducted, and

**WHEREAS**, such examination or audit was conducted on DECEMBER 5, 2013, by Town Board Member Doris Bartlett,

**THEREFORE BE IT RESOLVED** that the Town Board acknowledge that the examination or audit was conducted.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BARTLETT	ABSTAIN	_____
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER JORDAN	ABSENT	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____