



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, May 5, 2014

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of previous T/B Meeting minutes
5. Supervisor's Financial Report
6. Communications
 - a. Onteora School Board - Budget Presentation
7. Committee Reports:
 - a. Ambulance
 - b. Police
 - c. Phoenicia Water
 - d. Pine Hill Water
 - e. Museum
 - f. Recreation
8. Public Comments on Resolutions
9. Motions:
10. Resolutions
 70. Pay All Bills
 71. Town Board - Public Assembly Permit
 - a. Phoenicia International Festival of the Voice (July/Aug. 2014)
 72. Recreation - Advertise for Summer Counselors
 73. Highway - Release of funds for Road Paving (*PULLED*)
 74. Supporting Planning Board Professional Assistance
 75. Town - Authorize Supervisor to Sign AWSMP Grant Contracts
 - a. Stream Work and Flood Analysis Work
 76. Building/Planning/Zoning - Accept Resignation (Gina Komuves-Barta)
 - a. Appoint Interim -
12. Open Public Comment
13. Meeting Adjournment - *IN MEMORY OF:*
Savannah Guglielmetti - Gavin Owen - Doris Regan - Carter VanZandt

Town of Shandaken
County of Ulster
State of New York
Monday, May 5, 2014

The Town of Shandaken Town Board conducted their Regular Monthly Meeting, as per Resolution #2-14, on Monday May 5, 2014 at 7pm, Shandaken Town Hall, 7209 Rt. 28 Shandaken, NY.

Call To Order
Pledge of Allegiance

Roll Call

Members Present Vincent Bernstein, Board Member
Tim Malloy, Board Member - Deputy Supervisor
Faye Storms, Board Member
Alfred Higley, Jr Board Member

Members Absent Robert Stanley, Supervisor

Recording Secretary Joyce Grant, Town Clerk

On a Bernstein/Higley motion the Town Board unanimously approved the minutes of the February Meeting as submitted by Town Clerk.

Annual Open Burning Ban is still in effect until May 15th.. at that time we can again give out burning permits at our office.

Computer Classes have started & will be ongoing every wed. night from 6:00 to 7:30 pm at the Phoenicia School – Until June 11th. If you would like to learn about Microsoft Word & Excell – these classes are for you! You can take one class or all. Call Town Clerks' to sign up. 845-688-5004

Upcoming Events

Saturday May 10th is the 4th Annual Bake-Off Fundraiser for the Phoenicia Library at Mama's Boys. Enter now! Stop by Mama's Boy or Library to register. All items will be auctioned off at Noon on that day.

We have a Rabies – Distemper Clinic for Dogs & Cats here at Town hall on Saturday May 17th 10am to Noon. Rabies shots \$10, Distemper \$15. No appt. needed.

Thunder Bear Spring Festival at Big Park is Saturday May 17th More info call Marylou or Frank at 254-4238

Spring Fling Flea Market & Bake Sale is at the Shandaken United Methodist Church on Saturday May 24th. Vendor Spaces Available. Call 688-7164

Annual Boy Scout Yard Sale is May 24th & 25th. Donations are needed – call Nancy at 688-5823

Memorial Day parade is Monday May 26th at 10:30.

There will be a Blood Drive at the Big Indian Fire Dept. on Sat. May 31st. 9-1pm. Call Patty Rudge to reserve your time 254-4126.

Communications: Onteora School Board – Budget Presentation

Dr. Phyllis McGill, Victoria McLaren, Tony Fletcher & Ann McGuillicutty.

Public Vote will be Tuesday May 20th 2pm-9pm at all 4 Elementary Schools (including West Hurley). More info on their Youtube page www.youtube.com/OnteoraCSD

Comments:

Bd. Member Bernstein asked if it would be possible to see individual activity reports for each officer. Officer Neher said he would relay the request to Chief McGrath.

Bob Kalb asked if the board was interested in the Museum & has not had a response from Bd. Member Bernstein (Museum Liaison), after being invited up to a meeting at the museum. Bernstein responded that he was not really interested in the Museum and did not want to enter into a working relationship with Mr. Kalb because he considered him a “South end of a horse going North.”

Mr. Kalb responded that Mr. Bernstein should resign from the position and let someone who cares about the museum take over.

Bd. Member Malloy offered to meet with Mr. Kalb at the museum.

Phoenicia Water – Al Peavy – All systems working well. All leaks fixed. Next meeting at the water plant: May 21st 6:30.

Chris Fisher – Phoenicia- stated that The Phoenician restaurant re-build is larger than the original footprint and feels the proper procedures were not met for permits. He also stated that, there is unethical behavior involved and would like to file a complaint with the ethics committee.



Town of Shandaken

P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

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

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

Upcoming Town Board Topics & Activity

Month of May 2014

Signs and Kiosks: Kurt Boyer Design has completed the new Town signs and

they are ready for installation. Eric is trying to schedule a time where the crew can install these in the most efficient manner possible. Most of the signs should be installed prior to Memorial Day to welcome our summer visitors.

As for information kiosks - thanks to Dave Channon, the information panels are complete and we intend to start construction of these over the summer starting with the kiosk to be placed in Big Indian Park. We are advertising for volunteer contractors or simply the mechanically inclined, to assist us on the installation of these kiosks in each of the designated areas (Phoenicia, Shandaken, Big Indian and Pine Hill) in return for your assistance the Town, will be placing plaques on each kiosk acknowledging either you or your company's donation of time. Each kiosk has eight panels, four relating to the entire Town's history, culture, recreational assets, geography and special events. The other four are specific to the Hamlets adjacent to where they are to be placed. Anyone interested in assisting the Town in this effort may either call or email the Town Supervisor's Office at 688-7165 or shandakensupervisor@yahoo.com. Every hand is welcome.

Hanover Farms: After a lengthy and costly legal battle to the Town, the

Town and Hanover Farms reached an agreement to allow them to attempt to come into compliance with Zoning laws for their operation. On Thursday, the ZBA will hold a Public Hearing on several variances that Hanover Farms is requesting in order to continue with their site plan review and possible reopening. Note that this hearing is not a public referendum but a hearing on the right of Hanover Farms to vary from existing zoning codes/laws of the Town. Anyone interested in participating should try to attend to have their voice heard. The meeting is to be held here this Thursday, May 8th at 7pm, but we advise you arrive early as Hanover Farms has promoted the meeting start time as 6:30 pm.

Planning & Building: There are two resolutions concerning the Planning and Building Department. The first is simply recognizing the Planning Board's selection of the

Chazen Company to assist them in their site plan review of the Belleayre Resort project. The Town Board needs to support this as a legal measure to allow us to pay them through vouchers. The second resolution, we saddened to report, is to accept the resignation of the current Planning, Zoning and Building Department Secretary. We are nearing the height of the building season and need a smooth transition while we consider all of our options. The Supervisor has contacted several people who had previously shown an interest and Julia Large has accepted to perform these duties on an Interim basis to assist the Town. We will be appointing an Interim Secretary for these activities and most likely advertising for the position with full appointment next month.

Grants: The Town has applied and been awarded four grants through the Ashokan Watershed Stream Management Program for Stream work and Detailed Flood Hazard Analysis work. These grants have no local match requirement and total \$102,000. The resolution tonight will allow us to move these projects ahead within the coming month. The Flood Hazard Analysis will heavily involve Phoenicia and Mt. Tremper areas and we will be announcing upcoming public meetings specific to each of those hamlet areas.

Resolutions: Tonight we have resolutions for the FESTIVAL OF THE VOICE to approve their Public Assembly Permit. This year's event is expanded to five days and is sure to be better than previous years. - We are advertising for Summer RECREATION COUNSELORS.

**Our next regular meeting is scheduled for
Monday, June 2, 2014 at 7:00 pm.**

Supervisor Report April 2014

Interest and Penalties		\$5,000.00
Ambulance Fees	\$	4,013.46
Phoenicia Water Dist. Interest		\$1.05
Phoenicia Library Rent		\$300.00
Phoenicia Library Electric(reimbursement)		
Justice Fees	\$	7,942.50
Planning Fees	\$	200.00
Building Permit Fees	\$	460.00
Town clerk fees	\$	61.66
Dog Licenses	\$	136.00
Police Fees	\$	15.00
Highway Interest	\$	32.09
Fuel Reimbursement	\$	32,794.80
Mariner Cell Tower	\$	945.07
Registrar	\$	10.00
Zoning Permits	\$	250.00
Total		\$52,161.63

TOWN OF SHANDAKEN AMBULANCE SERVICE



7209 STATE ROUTE 28 SHANDAKEN, NY 12480
WWW.SHANDAKENAMBULANCE.ORG

April 2014 Report

Total Calls received- 26

Mutual aid given- 0

Mutual aid received- 0

Every year we see a dramatic increase in wildfires in the Months of April and May. This isn't just particular to the Town of Shandaken, but Statewide. This can be attributed to the lack of green vegetation, abundance of available fuels such as dry grass and leaves, warm temperatures, and wind in the early months of Spring. The facts that debris burning caused nearly 40 percent of wildfires in the state between 1985 and 2009, and New York's fire departments responded to an average of 2,300 wildfires each year during the period of March 14 through May 16 which is nearly 50% of all wildfire responses, the DEC put into effect an outside burn ban in 2009 during those dates.

Since then the State has seen a 35% decrease in wildfires during the period. The regulation exists for the safety of everyone, as wildfires are extremely dangerous for both citizens and responders, and burning garbage and yard waste releases dangerous chemical compounds including arsenic, carbon monoxide, benzene, formaldehyde, lead, and other toxins and carcinogens. Instead of burning, utilize Town recycling, try composting, reuse or reimagine, and take advantage of local unique waste disposal solutions at the County, and locally such as the electronics recycling. Following the conclusion of the burn ban make sure to obtain a burn permit from our Town Clerk's office or DEC official and check the DEC's website for more resources. Remember the only exceptions to this rule are;

- Small cooking and campfires (untreated wood only and no larger than 3' tall and 4' wide).
- Ceremonial bonfires.
- Onsite burning of agricultural waste (organic in origin) generated on farms larger than 5 acres.
- In towns with less than 20,000 residents (like ours), burning of downed limbs and branches with leaves attached is allowed but subject to the above date restrictions.

As an old friend of ours' says- only you can prevent forest fires. Did I mention watch out for the bears?

UNIT NUMBER	MILEAGE	TOTAL
7850	74454	2255
7851	64572	20 (Out for Service)
625	35804	539
626	93469	537

Stay safe out there!

Committed To Care In The Heart Of The Catskills

TOWN OF SHANDAKEN POLICE DEPARTMENT

#64 State Route 42, P.O. Box 134
 Shandaken, New York, 12480
 845 688-9748
 Fax 845 688-5332
 Chief W.J. McGrath

April 2014 Monthly Statistical Report

Incident Type	Number	Incident Type	Number
Accident Hit & Run	2	Lockout	5
Accident Animal	2	Lost Plate	1
Accident Property Damage	2	Lost Person	1
Aggravated Harassment (M)	1	Medical	10
Animal Complaint	1	Mental Health	2
Assault (Misd)	1	Missing Person	1
Automated Intrusion Device	10	Narcotics Investigation	3
ATV Complaint	2	Noise Complaint	3
Bad Check	1	Open Door	1
Burglary	1	Request Patrol	6
Check Welfare	6	Request for Assistance	2
Civil Process/Dispute	2	Security Check	15
Criminal Mischief	2	Suicide	3
COPP	2	Suspicious Activity	6
Custody Dispute	1	Suspicious Person	1
Disabled Vehicle	3	Suspicious Vehicle	3
Disorderly Conduct	2	Traffic Hazard	5
Domestic	3	Traffic Post	1
Fire Structure	2	Trespass	3
Fire Vehicle	1	Unwanted Subject	2
Fire Brush	3	Unattended Death	2
Found Property	1	Vehicle and Traffic Complaint	12
Fraud	2	Wires Down	1
Harassment	4	E911 Abandoned Calls	7
Illegal Dumping	1	School Bus Detail	9
Illegal Parking	1		
Juvenile No Crime	1		
Larceny Misdemeanor	4	TOTAL	166

Unit #	Odometer	Miles	Arrests/Charges/Vehicle Summons'			
			Violation		Parking Ticket	
83	117790	3028	Violation	3	Parking Ticket	2
84	45694	3531	Misdemeanor	6	Traffic Ticket	25
85	68248	397	Felony	0		
86	102303	406	Warrant	0		
87	155906	99	Total Charges	9		
	Total Miles	7461	Total Arrests	6		

RESOLUTION # 70-14

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:

General	\$ 43,450.87
Highway	36,807.82
Phoenicia Water	12,723.13
Pine Hill Water	34.99
Phoenicia Lights	1,099.13
Chichester Lights	150.00
Pine Hill Lights	614.39

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL: 4 AYES, 1 ABSENT (STANLEY)

RESOLUTION # 71-14

OFFERED BY MALLOY

**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 Wednesday July 30 – Sunday August 3, 2014**

AND MOVES ITS ADOPTION

Seconded by: HIGLEY

ROLL CALL: 4 AYES, 1 ABSENT (STANLEY)

RESOLUTION #72-14

OFFERED BY HIGLEY

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 2, 2014 at 3 pm.**

AND MOVES ITS ADOPTION

Seconded by: BERNSTEIN

ROLL CALL: 4 AYES, 1 ABSENT (STANLEY)

RESOLUTION #73 -14

TABLED

OFFERED BY

RESOLUTION TO ALLOCATE FUNDS FOR PAVING OF TOWN ROADS

WHEREAS, the Town of Shandaken Highway Department currently has reserve monies available in its current Fund Balance, and

WHEREAS, the Highway Superintendent, has identified the following roads for repaving or improvements during the 2014 Fiscal Year:

- Pine Lane, Mt. Tremper
- Miller Rd., Mt. Tremper
- Mount Laurel Rd., Phoenicia
- Water Works Rd., Phoenicia
- Silver Hollow Rd., Chichester
- Rion Rd., Chichester
- Herdman Rd., Phoenicia
- Pantherkill Rd., Woodland Valley
- Woodland Valley Rd., *Upper Portion*
- Erika Drive, Bushnellsville
- Rudy Frank Rd., Shandaken
- U&D Turnpike, Highmount
- Highlands Rd., Highmount

THEREFORE BE IT RESOLVED, the Town Board of Shandaken hereby allows release of the funds necessary for paving or improvement of the above listed roads during the current Fiscal Year 2014.

AND MOVES ITS ADOPTION (Tabled)

RESOLUTION # 74 -14

OFFERED BY STORMS

RESOLUTION SUPPORTING PLANNING BOARD PROFESSIONAL ASSISTANCE

WHEREAS, the Town of Shandaken Planning Board had advertised for professional services to assist them in the Site Plan Review for the proposed Belleayre Resort Proposal, and

WHEREAS, the Planning Board has selected **The Chazen Companies** located in **Troy, New York** as their preference at a meeting held on Tuesday, April 22, 2014, and

WHEREAS, these services are to be paid through an escrow account monies provided by Crossroads' Ventures, LLC

THEREFORE BE IT RESOLVED, that the Town Board of Shandaken reasserts and supports the selection of The Chazen Companies for the sole purpose of assisting the Town Planning Board with review of the Site Plan for the proposed Belleayre Resort and to pay any bills associated from provided escrow account monies for such

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL: 4 AYES, 1 ABSENT (STANLEY)

RESOLUTION #75 -14

OFFERED BY BERNSTEIN

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER GRANT CONTRACTS

WHEREAS, the Town of Shandaken has been awarded a total of \$102,000 (one hundred two thousand dollars) in Stream Management Implementation Project (SMIP) grant monies from the Ashokan Watershed Stream Management Program (AWSMP), and

WHEREAS, these grant monies will be provided to the Town for various activities with no matching funds required from the Town, and

WHEREAS, the following projects are to be funded over the coming months:

Contract #	Project	Amount Awarded
AWSMP-2013-78	Woodland Creek Grade Control at Fawn Hill Bridge	\$10,000.00
AWSMP-2013-79	Fox Hollow Bridge Grade Control at Panther Mtn. Park	\$10,000.00
AWSMP-2013-80	Fox Hollow Rd. Grade Control at Herdman Bridge	\$10,000.00
AWSMP-2013-78	Local Flood & Feasibility Analysis (Phoenicia/Mt. Tremper)	\$72,000.00

THEREFORE BE IT RESOLVED the Town Board of Shandaken hereby authorizes the Town Supervisor to enter into contract for these SMIP grants with AWSMP to implement these projects as soon as possible

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL: 4 AYES, 1 ABSENT (STANLEY)

RESOLUTION # 76-14

OFFERED BY: MALLOY

BUILDING/ZONING/PLANNING DEPARTMENT SECRETARY

WHEREAS, the current Building, Zoning & Planning Secretary has submitted a letter of resignation effective Friday, May 9, 2014; and

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

THEREFORE BE IT RESOLVED, that the Town Board of Shandaken hereby accepts the resignation of **Gina Komuves-Barta** and that **JULIA LARGE** be appointed as **Interim Building, Zoning and Planning Department Secretary** with an hourly rate of \$10.30, not to exceed \$11,750.00 for the remainder of the Fiscal Year 2014 and serve at the pleasure of the Planning Board, Zoning Board of Appeals, Municipal Code Officer and be accountable to the Town Board while dispensing duties of said office,

AND MOVES ITS ADOPTION

Seconded by: BERNSTEIN

ROLL CALL: 4 AYES, 1 ABSENT (STANLEY)

All business pertinent having been discussed, the Town Board adjourned at 8:35pm on a Higley/Storms motion.

Signed this 6th day of May, 2014

Joyce Grant – Town Clerk