



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, May 4, 2015

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 Central School 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 – Standardizing Employee Healthcare Contribution Rates
 - a. 25% for all coverage plans for eligible employees post 1/1/2012
 - b. Effective 6/1/2015, not retroactive
 72. Building/Zoning – Hire Warren Tutt as Municipal Code Officer
 - a. Accept C. Kimble resignation
 73. NY Rising – Approve CDBG-DR Procurement Policy
 74. NY Rising – Approve CDBG-DR Citizen Participation Plan
 75. Planning – Pine Hill 20/20 Visioning Committee Appointments
 76. Ambulance – Accept Ambulance Bids
 77. Town Board – Set Special Meetings
 - a. Wed. 5/13/15, Tues. 5/19/15, Thurs. 5/21/15 @ 1pm
 78. Hire Ambulance Technician
 79. Approval of Festival of Voice Public Assembly Permit
11. Open Public Comment
12. Meeting Adjournment - *IN MEMORY OF: Helen Friedman*

RESOLUTION #70-15

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 | \$ 54,263.26 |
| Highway | 35,088.63 |
| Phoenicia Water | 14,318.44 |
| Pine Hill Water | 2,715.59 |
| Phoenicia Lights | 974.47 |
| Chichester Lights | 139.50 |
| Pine Hill Lights | 568.27 |
| | ----- |
| | \$108,068.16 |

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL

| | | |
|--|-------------|-------------|
| | AYES | NAYS |
|--|-------------|-------------|

| | | |
|------------------------|--------------|-------|
| BOARD MEMBER BERNSTEIN | <u> X </u> | _____ |
| BOARD MEMBER HIGLEY | <u> X </u> | _____ |
| BOARD MEMBER MALLOY | <u> X </u> | _____ |
| BOARD MEMBER STORMS | <u> X </u> | _____ |
| SUPERVISOR STANLEY | <u> X </u> | _____ |

RESOLUTION # 71 - 15

OFFERED BY: MALLOY

STANDARDIZING HEALTH CARE CONTRIBUTIONS BY EMPLOYEES

WHEREAS, the Town of Shandaken has in the past allowed different and varying levels of contribution for healthcare coverage offered to full-time employees and elected officials in the Town, based on substantial differences in contractual language in multiple agreements and contracts for different departments throughout the Town; and

WHEREAS, the Town in an effort to standardize municipal costs of contributions across all departments for said healthcare wishes to establish a standard contribution rate; and

WHEREAS, the Town does not wish to penalize long-term employees that currently use and contribute to their healthcare plans; and

WHEREAS, the Town also recognizes that standardization of the employee contribution rate would help the Town in future and ongoing budgetary estimates, would help to simplify calculating those costs for prospective and new employees and normalizes rates between all employees of all departments from 2012-13 to today and forward;

NOW, THEREFORE BE IT RESOLVED that the Town of Shandaken Town Board, through passage of this resolution, hereby notifies that any employee who currently has or was eligible for healthcare prior to January 1, 2012, continue under their current rates and contributions, but that any eligible employee hired after January 1, 2012 or current employees who have not previously opted for Town healthcare coverage prior to January 1, 2012 and any elected official whose term starts on or after January 1, 2012, shall be responsible for 25% of the cost of their selected healthcare coverage plan if they choose to use the coverage offered by the Town.

BE IT FURTHER RESOLVED that said rates shall not be retroactive and that these contribution rates shall be made effective as of June 1, 2015 and continuing forward.

AND MOVES ITS ADOPTION

Seconded by: STORMS

ROLL CALL
AYES NAYS

BOARD MEMBER BERNSTEIN X

BOARD MEMBER HIGLEY X

BOARD MEMBER MALLOY X

BOARD MEMBER STORMS X

SUPERVISOR STANLEY X

RESOLUTION # 72-15

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 **WARREN TUTT** be appointed as as Municipal Code Officer to be paid \$15 per hour, 25-30 hr. per week not to exceed an annual salary of \$ 19,485.00 and mileage while on Town Business.

AND MOVES ITS ADOPTION

Seconded by: **HIGLEY**

ROLL CALL
AYES NAYS

| | | |
|------------------------|--------------|---------------|
| BOARD MEMBER BERNSTEIN | <u> X </u> | <u> </u> |
| BOARD MEMBER HIGLEY | <u> X </u> | <u> </u> |
| BOARD MEMBER MALLOY | <u> X </u> | <u> </u> |
| BOARD MEMBER STORMS | <u> X </u> | <u> </u> |
| SUPERVISOR STANLEY | <u> X </u> | <u> </u> |

RESOLUTION # 73 - 15

OFFERED BY: HIGLEY

A RESOLUTION ADOPTING THE FOLLOWING PROCEDURES AND POLICIES FOR THE TOWN OF SHANDAKEN FOR THE PROCUREMENT OF GOODS AND SERVICES NECESSARY FOR THE IMPLEMENTATION OF PROJECTS FUNDED BY THE GOVERNOR'S OFFICE OF STORM RECOVERY OF THE NEW YORK STATE HOUSING TRUST FUND CORPORATION

WHEREAS, in the aftermath of Superstorm Sandy, the United States Congress, through Public Law passed the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013), as amended (the "Act"), appropriating \$16 billion, later reduced to \$15.18 billion, to the U.S. Department of Housing and Urban Development ("HUD") for Community Development Block Grant Disaster Recovery ("CDBG-DR") funds for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure, and housing and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared due to Superstorm Sandy and other eligible events, including Hurricane Irene and Tropical Storm Lee, in calendar years 2011, 2012, and 2013 (the "Storms"), subject to the Federal statutes and regulations governing CDBG grants, as modified by exceptions and waivers previously granted and which may hereafter be granted by HUD; and,

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 14,329), published March 5, 2013, titled, "*Allocations, Common Applications, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended)," the State has received an allocation of CDBG-DR funds from HUD in the amount of \$1,713,960,000; and

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 69,104), entitled *Second Allocation, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended)," the State has received a second allocation of CDBG-DR funds from HUD in the amount of \$2,097,000,000; and

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (79 Fed. Reg. 62,183), entitled *Third Allocation, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended)," the State has received a third allocation of CDBG-DR funds from HUD in the amount of \$605,922,000 (of which \$185,000,000 has been allocated towards the proposals developed through the Rebuild by Design competition); and

WHEREAS, the Town of Shandaken has entered into a subrecipient agreement with the Governor's Office of Storm Recovery of the New York State Housing Trust Fund Corporation.

NOW, THEREFORE BE IT RESOLVED by the Town of Shandaken Town Board, on behalf of the Town of Shandaken that the Town of Shandaken shall follow these policies and procedures in the procurement of goods and services necessary for the implementation of projects funded by the Governor's Office of Storm Recovery of the New York State Housing Trust Fund Corporation:

PROCUREMENT PROCEDURES

The Town of Shandaken will comply with the procurement standards required under 24 CFR 85.36 for all procurement activities utilizing CDBG-DR funds granted by the Governor's Office of Storm Recovery of the New York State Housing Trust Fund Corporation.

AVOIDING PROCUREMENT OF UNNECESSARY OR DUPLICATIVE ITEMS OR SERVICES

The director or supervisor of each department or agency of the Town of Shandaken responsible for procurement of services, supplies, equipment, or construction obtained with Federal, State or Local funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the director or supervisor, an analysis should be made of lease versus purchase alternatives and any other analysis to determine the most economical approach.

PROCUREMENT AND CONTRACT PROTEST PROCEDURES

Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Statement. Any protest against solicitations must be received before the due date for receipt of bids or proposals, and any protest against the award of a contract must be received within ten calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to Purchasing Agent or Town of Shandaken Town Clerk. The Purchasing Agent or Town of Shandaken Town Clerk may, at his/her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL
AYES NAYS

| | | |
|------------------------|--------------|---------------|
| BOARD MEMBER BERNSTEIN | <u> X </u> | <u> </u> |
| BOARD MEMBER HIGLEY | <u> X </u> | <u> </u> |
| BOARD MEMBER MALLOY | <u> X </u> | <u> </u> |
| BOARD MEMBER STORMS | <u> X </u> | <u> </u> |
| SUPERVISOR STANLEY | <u> X </u> | <u> </u> |

RESOLUTION # 74 - 15

OFFERED BY: STORMS

A RESOLUTION TO ADOPT A CITIZEN PARTICIPATION PLAN AS REQUIRED UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM.

WHEREAS, the Town of Shandaken is a subrecipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Housing Trust Fund Corporation, Governor’s Office of Storm Recovery (GOSR) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and,

WHEREAS, participation in the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program requires the adoption and implementation of a Citizen Participation Plan to comply with Section 508 of the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the purpose of this plan is to provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used.

NOW, THEREFORE, BE IT RESOLVED by the Town of Shandaken Town Board that the attached New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Citizen Participation Plan be hereby officially adopted for implementation in the Town of Shandaken’s New York State CDBG-DR Program.

AND MOVES ITS ADOPTION

Seconded by: HIGLEY

| | ROLL CALL | |
|------------------------|-----------|-------|
| | AYES | NAYS |
| BOARD MEMBER BERNSTEIN | __X__ | _____ |
| BOARD MEMBER HIGLEY | __X__ | _____ |
| BOARD MEMBER MALLOY | __X__ | _____ |
| BOARD MEMBER STORMS | __X__ | _____ |
| SUPERVISOR STANLEY | __X__ | _____ |

RESOLUTION # 75 - 15

OFFERED BY: MALLOY

RESOLUTION APPOINTING PINE HILL 2020 VISIONING COMMITTEE

WHEREAS, the Town of Shandaken wishes to establish a committee to address current and future needs within the Hamlet of Pine Hill; and,

WHEREAS, the Town Board of Shandaken recognizes the importance of public participation in these discussions and the vision of the current residents, business owners and homeowners as to what they envision for the future of the Hamlet; and

WHEREAS, *Peg Ellsworth*, Executive Director from *M-ARK Project* located in Margaretville, NY, has offered to provide guidance and direction for funding for any identified projects to assist in the revitalization of the Hamlet of Pine Hill,

THEREFORE, BE IT RESOLVED the Town of Shandaken Town Board formally recognizes the following as members of the Pine Hill 2020 Visioning Committee: *Michael & Amelia Hegeman, Valerie & Robert Konefal, Richard Stokes, Steve Witte, Jan Jaffe, Michael Boyer, Tony Jannetti, Florence Hamling, Rusty Mae Moore, Neil Jocelyn, Molly Slater, Carol Chanler, Adam Turba and Jim Nevin.*

BE IT FURTHER RESOLVED that *Eric Hofmeister, Kathy Jordan, Martie Gailes and Faye Storms* be present at committee meetings to address questions or information needed from their respective departments within the Town.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

| | ROLL CALL | |
|------------------------|-----------|-------|
| | AYES | NAYS |
| BOARD MEMBER BERNSTEIN | _____ | __X__ |
| BOARD MEMBER HIGLEY | _____ | __X__ |
| BOARD MEMBER MALLOY | __X__ | _____ |
| BOARD MEMBER STORMS | __X__ | _____ |
| SUPERVISOR STANLEY | __X__ | _____ |

RESOLUTION #76-15

OFFERED BY BERSTEIN

RESOLUTION ACCEPTING AMBULANCE VEHICLE BID

WHEREAS, the Town of Shandaken Ambulance Department advertised for bids for a replacement Ambulance Vehicle following the Town Board meeting on March 2, 2015; 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, May 4th, 2015 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 accept the bid from
North Eastern Rescue Vehicle Inc. Syracuse, NY.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL
AYES NAYS

| | | |
|------------------------|--------------|---------------|
| BOARD MEMBER BERNSTEIN | <u> X </u> | <u> </u> |
| BOARD MEMBER HIGLEY | <u> X </u> | <u> </u> |
| BOARD MEMBER MALLOY | <u> X </u> | <u> </u> |
| BOARD MEMBER STORMS | <u> X </u> | <u> </u> |
| SUPERVISOR STANLEY | <u> X </u> | <u> </u> |

RESOLUTION # 77-15

OFFERED BY STANLEY

Special Meeting Dates for Phoenicia Water District Repairs

WHEREAS, Problems with Phoenicia Water District has made it a priority to initiate Emergency Repairs and to seek Grants, Bids for repairs, etc. and

WHEREAS, The procedures for Grants, Bidding, and Repairs is a timely endeavor, and we need to expedite the process

Be It Resolved, that the Town of Shandaken Town Board set the following dates & times, if needed, for the month of May 2015, pertaining to Phoenicia Water District Repairs.

Wed. May 13, 2015 - 1PM

Tues. May 19, 2015 – 1 PM

Thurs. May 21, 2015 – 1PM

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL

AYES NAYS

BOARD MEMBER BERNSTEIN X

BOARD MEMBER HIGLEY X

BOARD MEMBER MALLOY X

BOARD MEMBER STORMS X

SUPERVISOR STANLEY X

RESOLUTION #78-15

OFFERED BY: HIGLEY

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 personnel be appointed to the Shandaken Town Ambulance at rates not to exceed the following for the Fiscal Year 2015:

Part Time EMT's: \$70.68 per 12 hour shift, & \$31.77 per trip – **Vincent Pease.**

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL
AYES NAYS

| | | |
|------------------------|--------------|---------------|
| BOARD MEMBER BERNSTEIN | <u> X </u> | <u> </u> |
| BOARD MEMBER HIGLEY | <u> X </u> | <u> </u> |
| BOARD MEMBER MALLOY | <u> X </u> | <u> </u> |
| BOARD MEMBER STORMS | <u> X </u> | <u> </u> |
| SUPERVISOR STANLEY | <u> X </u> | <u> </u> |

RESOLUTION #79-15

OFFERED BY STORMS

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

July 29 – August 2, 2015

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL

AYES NAYS

BOARD MEMBER BERNSTEIN X _____

BOARD MEMBER HIGLEY X _____

BOARD MEMBER MALLOY X _____

BOARD MEMBER STORMS X _____

SUPERVISOR STANLEY X _____