

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	\$	33,519.80
Highway		14,303.22
Phoenicia Water		8,616.59
Pine Hill Water		362.36
Phoenicia Lights		929.99
Chichester Lights		135.66
Pine Hill Lights		539.88

		\$ 58,407.50

AND MOVES ITS ADOPTION

Seconded by: STORMS

ROLL CALL

AYES NAYS

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

Resolution #142-15

OFFERED BY: STANLEY

RESOLUTION IN SUPPORT OF LOCAL TRANSPORTATION FUNDING

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York’s travelling public and its economy; and

WHEREAS, 85 percent of New York’s roads and bridges are maintained by local governments; and

WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

WHEREAS, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

WHEREAS, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

WHEREAS, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

WHEREAS, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

NOW THEREFORE BE IT RESOLVED, that the Town of Shandaken calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and

BE IT FURTHER RESOLVED, that the Town of Shandaken calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and

BE IT FURTHER RESOLVED, that the Town of Shandaken calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

BE IT FURTHER RESOLVED, that the Town of Shandaken Town Board **HEREBY** directs the Town of Shandaken Town Clerk to record Said resolution upon the official record of the Town and a Certified copy sent to all of the Town's State representatives.

AND MOVE ITS ADOPTION

Seconded by: MALLOY

ROLL CALL
AYES NAYS

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION #143-15

OFFERED BY STORMS

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 **December 31, 2015**,

THEREFORE BE IT RESOLVED that the Town Board contract with Marshall & Sterling Insurance for the period (**January 1, 2016 – December 31, 2016**), **Not to exceed \$80,000.00**

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL

AYES NAYS

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION #144-15

OFFERED BY MALLOY

RESOLUTION TO ESTABLISH TOWN VOLUNTEER CEMETERY PROGRAM

WHEREAS, the Town of Shandaken has many abandoned cemeteries; and

WHEREAS, the abandoned cemeteries are in need of maintenance, repair and cleanup; and

WHEREAS, Section 165(1) of the New York State General Municipal Law authorizes a municipal corporation to establish volunteer cemetery maintenance and cleanup programs (“THE PROGRAM”) to maintain abandoned cemeteries wholly contained within such municipal corporation; and

WHEREAS, pursuant to Section 165(3) of the New York State General Municipal Law, a municipal corporation shall not be liable for any damages sustained by any person participating in THE PROGRAM, and written notice of the liability exemption shall be provided to all participants in the THE PROGRAM;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SHANDAKEN IN REGULAR SESSION DULY CONVENED AS FOLLOWS:

The Town Board hereby authorizes and establishes a volunteer cemetery maintenance and cleanup committee. There shall be three members appointed to said committee by the Town Board. Said members shall serve as volunteers.

BE IT FURTHER RESOLVED, Appointed Members are Richard Bennett, Teresa Grant & Brian Grant, and

Pursuant to Section 165(4) of the New York State General Municipal Law, all members of said committee and any other volunteers who may participate in the THE PROGRAM shall be given written notice that the Town of Shandaken is not liable for any damages sustained as a result of participating in THE PROGRAM.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL
AYES NAYS

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION #145-15

OFFERED BY STANLEY

RESOLUTION DESIGNATING SHANDAKEN DAY AS CATSKILL MTN. SCENIC BYWAY EVENT

WHEREAS, Shandaken Day has been a yearly event since 2004. AND is a Town-sponsored family event highlighting the area’s Native American history as well as local history, our local people (through “Hamlet Heroes” & “Pride of Shandaken”), as well as local businesses and community events.

WHEREAS, This is an all-day affair that welcomes vendors throughout the scenic byway corridor and a collaborative effort with scenic byway towns, through a “Getaway/Giveaway” Raffle which also hosts many civic groups that promote our town and its scenic assets.

WHEREAS, The event, Shandaken Day, is located in our Hamlet of Big Indian on rt. 28 – along the newly-appointed Catskill Mountains Scenic Byway.

THEREFORE, Be It Resolved, That the Town Board of the Town of Shandaken hereby recognize and designate Shandaken Day as the Town’s Catskill Mountain Scenic Byway Event.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL
AYES NAYS

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION #146-15

OFFERED BY: STORMS

RESOLUTION TO AUCTION OBSOLETE VEHICLE & EQUIPMENT

WHEREAS, the Town of Shandaken has identified several pieces of equipment that he has deemed obsolete; and

WHEREAS, the Town would like to offer the vehicle & equipment up for auction through Auctions International; and

WHEREAS, the following vehicle and equipment have been identified as obsolete:

- * 2006 Ford E350 Type 3 Ambulance
- *Surplus Radio Equipment
- *Surplus Durable Medical Supplies
- *Miscellaneous Surplus Vehicle Equipment

THEREFORE BE IT RESOLVED, that the Town Board hereby authorize to place the above mentioned items up for bid through Auctions International

AND MOVE ITS ADOPTION

Seconded by: STANLEY

ROLL CALL
AYES NAYS

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION # 147-15

OFFERED BY MALLOY

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF A \$70,000 STATUTORY
INSTALLMENT BOND OF THE TOWN OF SHANDAKEN, COUNTY OF ULSTER,
PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE PHOENICIA WATER
DISTRICT WATER MAIN REPAIR ON BRIDGE STREET BRIDGE**

BE IT RESOLVED, by the Town board of the Town of Shandaken, in the County of Ulster, as follows:

Section 1. The Town of Shandaken, County of Ulster, shall issue its serial bonds of the aggregate principal amount of SEVENTY THOUSAND AND 00/100 (\$70,000.00) DOLLARS pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is: the repair to the damaged water main on the Bridge Street Bridge in the Phoenicia Water District

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town board is TWO HUNDRED EIGHT THOUSAND NINE HUNDRED AND 00/100 (\$208,900.00) DOLLARS, and (b) the Town has applied for and been approved to utilize, to a maximum, a ONE HUNDRED FIFTY THOUSAND AND 00/100 (\$150,000.00) DOLLARS Emergency Community Water Assistance Grant (ECWAG) provided and approved by the United States Department of Agriculture – Rural Development (USDA-RD) to be applied to a portion of the payment of the costs of said purpose, and (c) the Town Board plans to finance the Town’s balance of the costs of said purpose entirely from funds raised from the issuance of such Statutory Installment bond (notwithstanding the interim use of funds derived from Bond anticipation Notes that may be issued in contemplation of the eventual issuance of said Statutory Installment Bond), and

Section 4. It is hereby determined that said purpose is an object or purpose described in Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is more than seven (7) years.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be seven (7) years or less.

Section 6. Subject to the terms and contents of this resolution and the Local Finance law, and pursuant to the provisions of Sections 30.00, 50.00 and 60.00, inclusive, of said law, the power to authorize Bond Anticipation notes in anticipation of the issuance of the Statutory Installment Bond authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form and contents of said Statutory Installment Bond, and said Bond Anticipation Notes, and the power to sell and deliver said Statutory Installment Bond and any bond anticipation notes issued in anticipation of the issuance of such bonds is hereby delegated to the town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any Statutory Installment Bond issued pursuant to this resolution and any Bond Anticipation Notes issued in anticipation of the issuance of said Statutory Installment Bond, and the Town Clerk is hereby authorized to affix the corporate seal of said Town to any of said Statutory Installment Bond or any Bond Anticipation Notes and to attest such seal.

Section 7. This resolution shall be published in full by the Town Clerk of said Town together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in The Daily Freeman, a newspaper published in the City of Kingston, and having a general circulation in said Town. The validity of said Statutory Installment Bond or of any bond anticipation notes issued in anticipation of the sale of said Statutory Installment bond may be contested

only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION #148-15

OFFERED BY STANLEY

RESOLUTION ESTABLISHING TOWN BOARD ANNUAL YEAR-END MEETING

WHEREAS, the Town of Shandaken needs to conduct certain business before the close of the 2015 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 **Wednesday December 30th, 2015** for the purpose of conducting related business.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

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 4, 2016** for the purpose of conducting related business.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL
AYES NAYS

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____