



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, September 12, 2016

- 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**
- 7. Committee Reports:**
 - a. Ambulance*
 - b. Police*
 - c. Phoenicia Water*
 - d. Pine Hill Water*
 - e. Museum*
 - f. Recreation*
 - g. Shandaken Day*
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions:**
 - 130. Pay All Bills**
 - 131. Town Board – SEQR – Approve Logging Permit**
 - a. Balsam Gleann, LLC c/o Robert F. Cruickshank**
 - 132. NY Rising – Approve Construction Firm for Pantherkill Bridge Project**
 - 133. NY Rising – Approve Firm for Town Hall Relocation Project**
 - 134. Town Board – Apply to CWC for Purchase of Phoenicia Parcel**
 - a. Critical Infrastructure Relocation – Town Hall**
 - 135. Town Board – Set Public Hearing – New Flood Maps and Ordinances**
 - a. TBD**
 - 136. Town Board – Authorize Property Buyouts from Hurricane Irene**
 - a. Parcel # 8602, SBL# 12.18-1-12, Owner: Thomas J Hickey III**
 - 137. Town Board – Waiver of 30 Day Notice for Liquor License**
 - a. Catskill Pines, LLC.; The Pines (formerly Tiso's)**
 - 138. Town Board – No Campaign Signs until after Columbus Day 2016**
 - a. Monday, October 10, 2016**
- 11. Open Public Comment**
- 12. Meeting Adjournment - *IN MEMORY OF: Doris Gilbert***

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	\$ 51,452.95
Highway	347,594.44
Phoenicia Water	2,911.58
Pine Hill Water	100.00
Phoenicia Lights	910.00
Chichester Lights	139.04
Pine Hill Lights	540.54

	\$ 403,648.55

And Move Its Adoption

Seconded by: ALBA

ROLL CALL

	AYES	NAYS
Board Member Alba	<u> X </u>	<u> </u>
Board Member DiSclafani	<u> X </u>	<u> </u>
Board Member Malloy	ABSENT	<u> </u>
Board Member Storms	<u> X </u>	<u> </u>
Supervisor Stanley	<u> X </u>	<u> </u>

****TABLED****

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SHANDAKEN
APPROVING A LOGGING PERMIT**

WHEREAS, the Town Board has received and reviewed a logging permit application for Balsam Gleann, LLC at a property located at 132 Cruickshank Rd. Big Indian, N.Y. 12410; and

WHEREAS, the possible environmental impacts of the logging permit for Balsam Gleann, LLC have been considered by the Town Board and said Board determines a Negative Declaration under State Environmental Quality Review;

WHEREAS, Permittee is required to provide to the Town a Bond or Certified Bank Check in the amount of \$10,000, be held by the Town until completion of job and Highway Superintendent's approval to release funds.

THEREFORE BE IT RESOLVED, that the Town Board hereby approves said logging permit for Balsam Gleann, LLC as long as all legal requirements continue to be met;

And Move Its Adoption

Seconded by:

ROLL CALL

	AYES	NAYS
Board Member Alba	_____	_____
Board Member DiSclafani	_____	_____
Board Member Malloy	_____	_____
Board Member Storms	_____	_____
Supervisor Stanley	_____	_____

TO APPROVE KINGSTON EQUIPMENT RENTAL, INC. AS THE CONSTRUCTION FIRM FOR THE CDBG – DISASTER RECOVERY NEW YORK RISING COMMUNITY RECONSTRUCTION “PANTHERKILL ROAD BRIDGE” PROJECT.

WHEREAS, sealed bids were received by the Town of Shandaken, NY at 12:00 P.M., September 2, 2016 to replace bridge infrastructure on Pantherkill Road; and

WHEREAS, **Kingston Equipment Rental, Inc. 78 Stone Rd, West Hurley, NY 12491** submitted the lowest responsible bid, totaling \$568,000.00; and

WHEREAS, the Town of Shandaken Supervisor has permission, through a Subrecipient Agreement between the Town of Shandaken and the Governor’s Office of Storm Recovery, to sign documents pertaining to this project; and

NOW THEREFORE BE IT RESOLVED, by the Town of Shandaken Town Board, acting as the governing authority of the Town of Shandaken, certifies approval of the Town to enter into a contract with **Kingston Equipment Rental, Inc.**, contingent on final consent by the Governor’s Office of Storm Recovery.

And Move Its Adoption

Seconded by: STORMS

ROLL CALL

	AYES	NAYS
Board Member Alba	<u> X </u>	_____
Board Member DiSclafani	<u> X </u>	_____
Board Member Malloy	ABSENT	_____
Board Member Storms	<u> X </u>	_____
Supervisor Stanley	<u> X </u>	_____

APPROVE ___CT MALE___ AS THE ARCHITECTURAL / ENGINEERING FIRM FOR THE CDBG – DISASTER RECOVERY NEW YORK RISING COMMUNITY RECONSTRUCTION “SHANDAKEN MUNICIPAL COMPLEX” PROJECT.

WHEREAS, an Evaluation Committee composed of residents of Shandaken, NY met on September 12, 2016 to evaluate and score responses relative to a Request for Qualifications released by the Town of Shandaken on August 15, 2016; and

WHEREAS, the Committee has recommended CT MALE 50 Century Hill Dr. Latham, NY 12110, for this project; and

WHEREAS, the Town of Shandaken Supervisor has permission, through a Subrecipient Agreement between the Town of Shandaken and the Governor’s Office of Storm Recovery, to sign documents pertaining to this project; and

WHEREAS, the Governor’s Office of Storm Recovery (GOSR) has reviewed the process utilized by the Town of Shandaken in its procurement of engineering services and consents to the Town entering into negotiations and subsequent award of a contract agreement with the aforementioned firm.

NOW THEREFORE BE IT RESOLVED, by the Town of Shandaken Town Board, acting as the governing authority of the Town of Shandaken, certifies approval of the Town to enter into contract negotiations with, and to execute a contract with CT MALE 50 Century Hill Dr. Latham, NY 12110 to perform architectural/engineering design services for the above named project, contingent on GOSR consent.

And Move Its Adoption

Seconded by: STORMS

ROLL CALL

	AYES	NAYS
Board Member Alba	<u> X </u>	<u> </u>
Board Member DiSclafani	<u> X </u>	<u> </u>
Board Member Malloy	ABSENT	<u> </u>
Board Member Storms	<u> X </u>	<u> </u>
Supervisor Stanley	<u> X </u>	<u> </u>

**SET PUBLIC HEARING FOR ADOPTION OF FLOOD ORDINANCES, MAPS AND INSURANCE STUDY
PROVIDED BY FEMA**

WHEREAS, the Town of Shandaken (*Town*) has over the past several years been in review of new Flood Insurance Rate Maps, an accompanying Insurance Study and Model Flood Ordinances (*FIRMs & Accessory Items*) provided by the Federal Emergency Management Agency (*FEMA*) and New York State Department of Environmental Conservation (*NYS –DEC*); and

WHEREAS, under federal guidelines, the *Town* has been notified by *FEMA* to move ahead with adoption of the *FIRMs & Accessory Items*; and

WHEREAS, the adoption of the *FIRMs & Accessory Items* must be completed by October 18, 2016 in order to avoid Town-wide termination of all Flood Insurance policies; and

WHEREAS, the adoption of the *FIRMs & Accessory Items* is an amendment to law which requires a Public Hearing; and

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board does hereby set a **Public Hearing** to be held on **Tuesday, September 27th, 2016 at 6:30 pm** to hear all those in favor of and against said adoption of the *FIRMs and Accessory Items*

AND MOVE ITS ADOPTION

Seconded by: STORMS

ROLL CALL

	AYES	NAYS
Board Member Alba	<u> X </u>	<u> </u>
Board Member DiSclafani	<u> X </u>	<u> </u>
Board Member Malloy	ABSENT	<u> </u>
Board Member Storms	<u> X </u>	<u> </u>
Supervisor Stanley	<u> X </u>	<u> </u>

AUTHORIZING SUPERVISOR TO ENTER AGREEMENT WITH NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING FEMA BUYOUT PROPERTIES

WHEREAS, the Town of Shandaken (*Town*) suffered devastating losses from Hurricane Irene and Tropical Storm Lee (*Storms*) in August and September of 2011; and

WHEREAS, multiple residential parcels endured ‘Substantial Damages’ from said *Storms* as prescribed under Federal Emergency Management Agency (*FEMA*) Guidelines which makes them eligible for purchase through the *FEMA* Buyout Program; and

WHEREAS, sixteen (16) parcels have been identified and have remained in the *FEMA* Buyout Program which includes demolition of any structures and restricting the parcels as open space perpetually; and

WHEREAS, the *Town* has declined taking ownership of these parcels whereby the New York City Department of Environmental Protection (*NYC-DEP*) is willing to take ownership; and

WHEREAS, in order for these buyouts to continue being processed the *Town* and *NYC-DEP* must enter into an agreement regarding maintenance of said parcels whereby *NYC-DEP* is offering minimal maintenance including annual property inspections, boundary maintenance and signage but not including active management (mowing, snowplowing, etc.); and

WHEREAS, the *Town* understands that moving forward if the *Town* wishes active management activities to take place on these parcels the *Town* would have to take responsibility for these through a permitting process of the *NYC-DEP*; and

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to enter into an agreement with *NYC-DEP* with understanding of all that is prescribed above and moves the following parcel forward through the *FEMA* Buyout Program:

Parcel # 8602 SBL# 12.18-1-12 Owner: Thomas J Hickey III

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL

	AYES	NAYS
Board Member Alba	<u> X </u>	_____
Board Member DiSclafani	<u> X </u>	_____
Board Member Malloy	ABSENT	_____
Board Member Storms	<u> X </u>	_____
Supervisor Stanley	<u> X </u>	_____

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

WHEREAS, CATSKILL PINES LLC, 5327 Rt, 212, Mt. Tremper, NY 12457, has applied for a liquor license, and

WHEREAS, CATSKILL PINES LLC 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 PINES LLC**, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Shandaken does hereby grant the request of the **CATSKILL PINES LLC**, and does hereby waive the thirty (30) day Liquor License notice requirement to **CATSKILL PINES LLC**, 5327 Rt, 212, Mt. Tremper, NY 12457

AND MOVES ITS ADOPTION

Seconded by: DISCLAFANI

ROLL CALL

	AYES	NAYS
Board Member Alba	<u> X </u>	_____
Board Member DiSclafani	<u> X </u>	_____
Board Member Malloy	ABSENT	_____
Board Member Storms	<u> X </u>	_____
Supervisor Stanley	<u> X </u>	_____

**RESOLUTION REQUESTING NO CAMPAIGN SIGNAGE
UNTIL AFTER COLUMBUS DAY (October 10, 2016)**

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 10, 2016.

AND MOVE ITS ADOPTION

Seconded by: ALBA

ROLL CALL

	AYES	NAYS
Board Member Alba	<u> X </u>	<u> </u>
Board Member DiSclafani	<u> X </u>	<u> </u>
Board Member Malloy	ABSENT	<u> </u>
Board Member Storms	<u> X </u>	<u> </u>
Supervisor Stanley	<u> X </u>	<u> </u>

Motions:

On a Stanley/Alba motion, the Town Board unanimously voted to close the Public Hearing on the Balsam Gleann Logging Permit application.

On a Stanley/Disclafani motion, the Town Board unanimously voted to accept the resignation of Thomas Sharon & Sheila Pratt. Also, to hire Tina Rice as interim Confidential Secretary to the Supervisor, at \$10.30 per hour, and to advertise for a replacement Confidential Secretary.