



**Town of Shandaken Town Board**  
**Regular Monthly Meeting Agenda**  
**Monday, March 7, 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
8. Public Comments on Resolutions
9. Motions:
10. Resolutions:
  62. Pay All Bills
  63. Town Board – Support City of Kingston Sales Tax Agreement with County
  64. Supervisor– Authorize Independent Auditor for Federal Grant Requirements
    - a. Mostert, Manzanero & Scott, LLP, Oneonta, NY
  65. Phoenicia Water – Designate Supervisor as Certifying Officer and Town Board request SEQR Lead Agency Status for Phoenicia Water Grant
  66. Police – Accept Retirement of F/T Officer and move P/T Officer to F/T
    - a. Officer Frisenda to Retire March 9, 2016
    - b. Officer Benincasa move from P/T to F/T status
  67. Supervisor – Upgrade accounting software
    - a. Enhanced Business Systems
  68. Court – Fill Special Prosecutor Vacancy
    - a. Hire – Konstandinos Leris
  69. Planning – Appoint Alternate for Ulster County Planning Board
    - a. Sam Spata
  70. Highway – Award Bid for Engineering Firm for Pantherkill Bridge (NY Rising)
    - a. Brinnier & Larios, Kingston, NY
  71. Highway – Award Bid for Muddy Brook Slope Failure Project (FEMA)
    - a. Wm. J. Keller & Sons, Castleton, NY
  72. Highway – Accept Bids for Peck Hollow Bridge Project (FEMA)
  73. Town Board – April is Parkinson's Awareness Month Proclamation
  74. Advertise for Bids – Muller Road Bridge Replacement (FEMA)
  75. Highway – Revenue Anticipation Note Resolution
  76. Highway – Town Board Approve Highway Contract
  77. Town Bd – Accept final LFA Report by Milone & MacBroom
11. Open Public Comment
12. Meeting Adjournment - *IN MEMORY OF: Diane O'Donnell, John Hadinger, Tim Warfield, Ryan Molnar, John Gaede & Carmelo Barrientos.*

**RESOLUTION # 62-16**

**OFFERED BY: Disclafani**

**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>\$ 58,907.86</b>
<b>Highway</b>	<b>47,923.55</b>
<b>Phoenicia Water</b>	<b>3,422.07</b>
<b>Pine Hill Water</b>	<b>----</b>
<b>Phoenicia Lights</b>	<b>1,002.03</b>
<b>Chichester Lights</b>	<b>141.80</b>
<b>Pine Hill Lights</b>	<b>571.23</b>
	<b>-----</b>
	<b>\$111,968.54</b>

**AND MOVES ITS ADOPTION**

Seconded by: Malloy

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u>  X  </u>	_____
BOARD MEMBER DISCLAFANI	<u>  X  </u>	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 63 - 16**

**OFFERED BY MALLOY**

**MEMORIALIZING RESOLUTION IN EXTENDING THE 2011 SALES TAX AGREEMENT  
BETWEEN THE COUNTY OF ULSTER AND THE CITY OF KINGSTON FOR AN ADDITIONAL  
FIVE YEAR TERM**

**WHEREAS**, by agreement dated October 10, 2010, the City of Kingston and the County of Ulster entered into a Sales Tax Sharing Agreement (the "Agreement"), which provided for the County of Ulster imposing a county-wide sales tax, the City of Kingston refraining from imposing a sales tax, and for the net proceeds of the sales tax to be shared between the following municipal entities:

- County of Ulster – 85%
- City of Kingston – 11.5%
- Towns and Villages (distributed based upon full valuation) – 3%; and

**WHEREAS**, said Agreement was to be in place for the period from March 1, 2011 to February 29, 2016; and

**WHEREAS**, the Town of Shandaken projects a sales tax distribution of approximately \$120,000.00 for FY 2016 based upon the Agreement's distribution percentages; and

**WHEREAS**, Ulster County Government has proposed cutting the portion of the net sales tax revenue that is allocated to the Towns from 3% to 2%; and

**WHEREAS**, such a cut would have a severe impact on the Town of Shandaken's finances, and could potentially result in the elimination of public services currently provided by the Town; and

**WHEREAS**, it is in the best interest of the Town of Shandaken that the current Agreement, which expires on February 29, 2016, be extended, in an unmodified form, for an additional five year period; and

**WHEREAS**, such extension of the Agreement would provide financial stability to the Town of Shandaken, as well as to all other municipal entities located in Ulster County;

**THEREFORE, BE IT RESOLVED** that the Town of Shandaken Town Board requests that the City of Kingston and the County of Ulster reach an agreement to extend the 2010 Sales Tax Sharing Agreement, which is set to expire on February 29, 2016, for an additional five year period, in an unmodified form; and

**BE IT FURTHER RESOLVED** that the Town of Shandaken Town Board calls upon its elected Ulster County Legislator, John Parete, to support extending the 2010 Sales Tax Sharing Agreement for an additional five year period, in an unmodified form; and

**BE IT YET FURTHER RESOLVED** that a certified copy of this resolution be forwarded to each member of the Ulster County Legislator, Ulster County Executive Michael Hein, and the Mayor of the City of Kingston.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	__X__	_____
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**RESOLUTION # 64 - 16**

**OFFERED BY STANLEY**

**RESOLUTION APPOINTING  
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 fiscal years 2013 & 2014 or which expends \$750,000.00 or more of federal funding from all sources during fiscal years 2015 & 2016, 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**, 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 (Division of Homeland Security and Emergency Services) DHSES; and

**WHEREAS**, the Town of Shandaken has expended in excess of \$500,000.00 of federal funds during the 2013 & 2014 fiscal years, and in excess of \$750,000.00 in 2015, and anticipates expending in excess of \$750,000.00 in 2016.

**THEREFORE BE IT RESOLVED**, the Town of Shandaken Town Board extend such services as provided by the firm **Mostert, Manzeno & Scott, LLP, 4 Associate Dr., Oneonta, NY 13820**; and

**BE IT FURTHER RESOLVED**, that as per the proposal provided to the Town Board that such services shall not exceed \$18,000 per fiscal year audit and may be considerably less pending hourly time accruals for said audit.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	_X_	___
BOARD MEMBER DISCLAFANI	_X_	___
BOARD MEMBER MALLOY	_X_	___
BOARD MEMBER STORMS	_X_	___
SUPERVISOR STANLEY	_X_	___

**RESOLUTION # 65 - 16**

**OFFERED BY STORMS**

**RESOLUTION DESIGNATING TOWN SUPERVISOR AS CERTIFYING OFFICER AND SUPPORTING SHANDAKEN TOWN BOARD REQUEST FOR LEAD AGENCY STATUS FOR COMPLIANCE WITH OFFICE OF COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT FOR PHOENICIA WATER DISTRICT**

**WHEREAS**, New York State Homes & Community Renewal (**NYSHCR**) assists in the administration of federal funds awarded to the Phoenicia Water District for planned improvements (**the project**); and

**WHEREAS**, **NYHCR** has requirements that must be met in order to start processing the grant as well as to allow **the project** to proceed; and

**WHEREAS**, **NYHCR** requires an environmental review be reported by a Certifying Officer to be designated by the Town (awardee) and that a State Environmental Quality Review (**SEQR**) be performed;

**THEREFORE BE IT RESOLVED**, the Town of Shandaken Town Board hereby designates Town Supervisor Robert A. Stanley as the Certifying Officer for **the project**; and

**BE IT FURTHER RESOLVED**, that the Town Board authorize the Supervisor to contact all involved agencies requesting the Shandaken Town Board be allowed Lead Agency Status in order to conduct the necessary **SEQR**.

**AND MOVES ITS ADOPTION**

Seconded by: ALBA

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	_X_	_____
BOARD MEMBER DISCLAFANI	_X_	_____
BOARD MEMBER MALLOY	_X_	_____
BOARD MEMBER STORMS	_X_	_____
SUPERVISOR STANLEY	_X_	_____

**RESOLUTION # 66 - 16**

**OFFERED BY ALBA**

**TOWN POLICE DEPARTMENT**

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

**WHEREAS**, there is a Town Police Department; and

**WHEREAS**, a Full-time Officer has submitted for his retirement and the Town is required to maintain a specific number of Full-Time Officers; and

**WHEREAS**, a Part-Time Officer has been recommended by the Police Commissioners to be hired Full-Time;

**THEREFORE, BE IT RESOLVED** that the Town Board hereby accepts the retirement of Officer Kris Frisenda following more than twenty (20) years of service to the Town; and

**BE IT FURTHER RESOLVED**, that, pursuant to the Town Law of the State of New York § 20 (1) (b), the Town Board hereby appoints the following individual as Full –Time Police Officer to receive compensation as indicated:

<b>NAME</b>	<b>COMPENSATION</b>	
<b>Ryan Benincasa</b>	<b>\$43,896.42 plus longevity</b>	<b>(\$21.10 per hour)</b>

And that said police officer 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: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	_X_	_____
BOARD MEMBER DISCLAFANI	_____	_X_
BOARD MEMBER MALLOY	_X_	_____
BOARD MEMBER STORMS	_X_	_____
SUPERVISOR STANLEY	_X_	_____
SUPERVISOR STANLEY	_____	_____

**RESOLUTION # 67 - 16**

**OFFERED BY DISCLAFANI**

**RESOLUTION TO UPGRADE TOWN ACCOUNTING SOFTWARE**

**WHEREAS**, the Town of Shandaken has certain fiscal responsibilities to the taxpayers of the Town in addition to federal and state requirements for reporting fiscal health; and

**WHEREAS**, the current accounting software being used in the offices has become obsolete and lacks certain capabilities that would make the offices more efficient especially concerning accountant remote interface; and

**WHEREAS**, the Town has received a proposal to provide new software from Enhanced Business Systems, PO Box 13804, Albany, NY 12212 and that said software would meet all the criteria necessary and additional modules are available for future enhancements to the system; and

**WHEREAS**, the proposal includes a one-time fee for installation and training as well as dramatically reduces annual fees currently being paid for system upgrades and maintenance;

**THEREFORE, BE IT RESOLVED** that the Town Board hereby authorizes the Supervisor to enter into contract with Enhanced Business Services for said software for a one-time price of \$6,740.00 (six thousand seven hundred forty dollars) and annual fee of \$900.00 (nine hundred dollars) for the “Enhanced Support Plan” to provide continuous upgrades and unlimited technical support.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL

	AYES	NAYS
BOARD MEMBER ALBA	<u>  X  </u>	_____
BOARD MEMBER DISCLAFANI	<u>  X  </u>	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 68 - 16**

**OFFERED BY MALLOY**

**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 **Kontandinos Leris** be appointed to serve as Special Prosecutors for the Town of Shandaken, and to serve at the pleasure of the Town Board, and to be paid \$150.00 per hour, not to exceed \$15,000 when performing the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	_X_	_____
BOARD MEMBER DISCLAFANI	_X_	_____
BOARD MEMBER MALLOY	_X_	_____
BOARD MEMBER STORMS	_X_	_____
SUPERVISOR STANLEY	_X_	_____

**RESOLUTION #69-16**

**OFFERED BY STANLEY**

**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, upon recommendation by the Town of Shandaken Planning Board, **Sam Spata** be appointed Alternate to the Ulster County Planning Board.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER ALBA	<u>  X  </u>	_____
BOARD MEMBER DISCLAFANI	<u>  X  </u>	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #70-16**

**OFFERED BY: STORMS**

**AWARD BID – Engineering Pantherkill Bridge Project  
A RESOLUTION APPROVING THE SELECTION OF AN ENGINEER FOR THE TOWN OF SHANDAKEN’S  
NEW YORK RISING COMMUNITY RECONSTRUCTION PROGRAM COMMUNITY DEVELOPMENT  
BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) “PANTHERKILL ROAD BRIDGE REPLACEMENT”  
PROJECT.**

**WHEREAS**, pursuant to Town Resolution 58-16, and subsequent execution of a Subrecipient Agreement between the NY Housing Trust Fund Corporation and the Town of Shandaken, the Town appointed an Evaluation Committee to evaluate responses received from design engineer firms in response to a “Request for Qualifications for Design/Engineering Services,” which convened on February 24, 2016 to evaluate responsive statements;

**WHEREAS**, On February 24<sup>th</sup>, 2016 the following bids were received and accepted as qualified bidders-

- Erdman Anthony & Assoc. 145 Culver Rd, Rochester NY 14620**
- MJ Engineering 1533 Crescent Rd. Clifton Park, NY 12065**
- Brinnier & Larios 67 Maiden Lane, Kingston NY 12401**
- Milone & MacBroom 231 Main St. New Paltz, NY 12561**
- KC Engineering 2142 Rt. 302 Circleville, NY 10919**
- South Col 678 Troy Schenectady Rd. Suite 203 Latham NY 12110**

**WHEREAS**, the Evaluation Committee evaluated and scored all responsive submittals based on qualifications evaluation criteria; and,

**WHEREAS**, the Town of Shandaken Evaluation Committee recommends “**Brinnier and Larios, P.C.**,” based on the highest points awarded by the Evaluation Committee on qualifications criterion.

**BE IT RESOLVED** by the Town Board of the Town of Shandaken acting as governing authority of said Town that the Town of Shandaken enters into contract negotiations with the aforementioned firm

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	_X_	_____
BOARD MEMBER DISCLAFANI	_X_	_____
BOARD MEMBER MALLOY	_X_	_____
BOARD MEMBER STORMS	_X_	_____
SUPERVISOR STANLEY	_X_	_____

**RESOLUTION #71-16**

**OFFERED BY: ALBA**

**AWARD BID – Muddy Brook Slope Stabilization Project**

**WHEREAS**, Pursuant to Resolution 137-15, the Town of Shandaken Town Board Advertised for & Received bids for Muddy Brook Slope Stabilization Project.

**WHEREAS**, On February 1st, 2016 the following bids were received and accepted as qualified bidders-

<b>Badger Machinery 3170 Bordentown Ave. Old Bridge, NJ 08857</b>	<b>\$ 674,000.</b>
<b>Baker Bros. Kingston Equip. 78 Stone Rd. West Hurley, NY 12491</b>	<b>476,500.</b>
<b>CFI Construction. 286 Sacandaga Rd. Johnstown, NY 12095</b>	<b>510,000.</b>
<b>Evergreen Mtn. Contracting 25 Evergreen Mtn. Rd. West Kill NY 12455</b>	<b>491,108.</b>
<b>Wm. J. Keller &amp; Sons 1435 Rte. 9 Castleton NY 12033</b>	<b>350,800.</b>
<b>Roehrs Construction PO Box 406 Clintondale NY 12515</b>	<b>438,450.</b>
<b>Tweedie Construction 90 Crystal Creek Rd. Walton NY 13856</b>	<b>394,778.</b>

**THEREFORE, BE IT RESOLVED**, That after a review, the Town of Shandaken Town Board award the Muddy Brook Slope Stabilization Project to: **Wm. J. Keller & Sons. \$350,800.00**  
**(Pending property owner approval).**

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	_X_	___
BOARD MEMBER DISCLAFANI	_X_	___
BOARD MEMBER MALLOY	_X_	___
BOARD MEMBER STORMS	_X_	___
SUPERVISOR STANLEY	_X_	___

**RESOLUTION #72-16**

**OFFERED BY: DISCLAFANI**

**ACCEPT BIDS – Replace Peck Hollow Bridge Project**

**WHEREAS**, Pursuant to Resolution 59-16, the Town of Shandaken Town Board Advertised for bids for Repair Peck Hollow Bridge Project.

**WHEREAS**, bidders were required to attend a pre-bid meeting on Thursday February 11, 2016 at 1pm & bids, clearly marked on envelope REPAIR PECK HOLLOW BRIDGE PROJECT –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 March 7, 2016, to be opened at the Regular Monthly Town Board meeting scheduled for 7PM that evening. The Town Board reserves the right to reject any or all bids.

**THEREFORE, BE IT RESOLVED**, that the following bids were received and accepted as qualified bidders-

Advanced Enterprise – 40 Mullens Lane Saugerties, NY 12477	\$727,690.
Evergreen Mtn. Cont. 25 Evergreen Mtn. Rd. West Kill, NY 12492	535,750.
Hubbell Inc. PO Box 664 Margaretville, NY 12455	632,780.
Kingston Equip. Rental 78 Stone Rd. West Hurley, NY 12491	486,000.
Tweedie Construction 90 Crystal Creek Rd. Walton, NY 13856	544,561.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u>  X  </u>	<u>      </u>
BOARD MEMBER DISCLAFANI	<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 #73-16**

**OFFERED BY MALLOY**

**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 2016 as Parkinson’s Awareness Month in the Town of Shandaken**

**AND MOVES ITS ADOPTION**

**Seconded by: DISCLAFANI**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	_X_	_____
BOARD MEMBER DISCLAFANI	_X_	_____
BOARD MEMBER MALLOY	_X_	_____
BOARD MEMBER STORMS	_X_	_____
SUPERVISOR STANLEY	_X_	_____

**RESOLUTION #74-16**

**OFFERED BY STANLEY**

**Advertise for Bids - MULLER ROAD BRIDGE REPLACEMENT**

WHEREAS. THE Town of Shandaken Highway Department is seeking bids for MULLER ROAD BRIDGE REPLACEMENT, as a result of Hurricane Irene damage. There will be a MANDATORY Bid Meeting on Thursday March 17<sup>th</sup> at 1pm at the Shandaken Town Hall.

Specifications are available at the Highway Superintendant’s Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-5031 and on our website [www.shandaken.us/bids](http://www.shandaken.us/bids)

THEREFORE BE IT RESOLVED, that bids – clearly marked on envelope ‘Muller Road Bridge Replacement’ - 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, April 4, 2016, to be opened at the regular Town Board meeting scheduled for 7 pm that evening. The Town Board reserves the right to reject any or all bids.

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u>  X  </u>	_____
BOARD MEMBER DISCLAFANI	<u>  X  </u>	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #75-15**

**OFFERED BY STANLEY**

**REVENUE ANTICIPATION NOTE RESOLUTION**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE ANTICIPATION NOTES OF THE TOWN OF SHANDAKEN, ULSTER COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 PURSUANT TO THE LOCAL FINANCE LAW.**

BE IT RESOLVED, by the Town Board of the Town of Shandaken, Ulster County, New York (the "Town") as follows:

SECTION 1. The revenue anticipation notes of the Town in an aggregate principal amount not to exceed \$2,500,000 are hereby authorized to be issued in anticipation of the collection by the Town of moneys from the Federal Emergency Management Agency ("FEMA") to finance the cost of the stabilization of the embankment on Muddy Brook Road and the replacement of the Muller Road bridge, the Little Peck Hollow bridge, the Peck Hollow bridge and the Lower Birch Creek bridge. Such moneys are due and payable in fiscal year 2016 and are revenues other than real estate taxes or assessments.

SECTION 2. The amount of moneys to be collected from FEMA against which said revenue anticipation notes are authorized to be issued is \$2,500,000.

SECTION 3. Said revenue anticipation notes shall mature on March 31, 2017.

SECTION 4. Each of the notes authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the punctual payment of the principal of and interest on said revenue anticipation notes as the same respectively become due and payable.

SECTION 5. 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 56.00 to 63.00, inclusive, of said Law, the power to authorize the issuance of the revenue anticipation notes authorized by this resolution and the renewals of said notes (including, without limitation, dates, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to sell and deliver said revenue anticipation notes, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign the revenue anticipation notes issued pursuant to this resolution, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to said revenue anticipation notes and to attest such seal.

SECTION 6. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the revenue anticipation notes authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the revenue anticipation notes authorized by this resolution as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 7. The validity of said revenue anticipation notes may be contested only if:

(a) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of the publication of this resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

(c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 8. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in The Daily Freeman, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 9. This resolution shall take effect immediately upon its adoption.

**AND MOVES ITS ADOPTION**

**Seconded by: ALBA**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u>  X  </u>	_____
BOARD MEMBER DISCLAFANI	<u>  X  </u>	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION #76-16**

**OFFERED BY STORMS**

**Approving Town CSEA Highway Contract**

**WHEREAS**, the Shandaken Highway Department employees are contractual employees of the Town of Shandaken; and

**WHEREAS**, Town Officials, employees of the Town Highway Department and their respective CSEA representative recently met to negotiate renewal of their contract with the Town; and

**WHEREAS**, all parties in attendance had reached an accord; and

**WHEREAS**, the Shandaken Highway Department employees met on March 1, 2016 and by majority vote ratified the contents of the new contract;

**THEREFORE, BE IT RESOLVED** that the Town of Shandaken Town Board hereby approves the contract as negotiated for the period of January 1, 2016 through December 31, 2019, including all terms agreed to through negotiation and ratification.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER ALBA	<u>  X  </u>	<u>      </u>
BOARD MEMBER DISCLAFANI	<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 - 16**

**OFFERED BY ALBA**

**ACCEPTING FINAL LOCAL FLOOD ANALYSIS REPORT  
FOR HAMLETS OF PHOENICIA AND MT. TREMPER**

**WHEREAS**, the Shandaken Town Board, in 2015, had enlisted the services of the Town Engineering Firm, Milone and MacBroom, Inc. (MMI) to conduct a Local Flood Analysis (LFA) Report for the Hamlets of Phoenicia and Mt. Tremper to investigate multiple options for flood reduction and resiliency projects within each of those Hamlets in order to qualify those Hamlets for funding through certain programs for flood mitigation and resiliency; and

**WHEREAS**, following several Town Board and community meetings where the public was invited to provide input and questions as to options they would like to see investigated; and

**WHEREAS**, in January 2016 MMI made a presentation of their final findings at a public meeting with the Town Board including feasibility of the options investigated and the most economically viable options using a Benefit-Cost Analysis (BCA); and

**WHEREAS**, the Shandaken Town Board members and the Shandaken Area Flood Assessment Remediation Initiative (SAFARI) had until February 15, 2016 to submit comments for inclusion in the Final LFA Report; and

**WHEREAS**, those comments have been included in the Final LFA including a more detailed BCA illustrating specific potential damage totals and structures that would benefit from any such action to be taken; and

**WHEREAS**, the Town Board also recognizes that any such projects to be implemented shall be embarked upon with the support of the public within that community and the Town Board will maintain a “willing property owner” position concerning any project effecting a specific property (i.e., no eminent domain proceedings, no takings) ; and

**WHEREAS**, the Shandaken Town Board also recognizes the need to implement flood resiliency and mitigation projects in order to maintain tax-base, the economy and, most importantly, the well-being of its residents and businesses;

**THEREFORE, BE IT RESOLVED** that the Town of Shandaken Town Board hereby accepts the Final LFA Report prepared by MMI, including all amendments as prescribed by Town Board members and the SAFARI group and that the Town Board embark on finding funding for any such feasible projects and report back to the public on any progress toward any goals as prescribed in said LFA.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER ALBA	<u>  X  </u>	_____
BOARD MEMBER DISCLAFANI	<u>  X  </u>	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____