



**Town of Shandaken Town Board**  
**Regular Monthly Meeting Agenda**  
**Monday, August 4, 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
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
  97. Pay All Bills
  98. Town Board – Approve MOU with AWSMP (Stream Program)
  99. Town Board – Approve transfer of existing Cell Tower Lease
    - a. Mariner's Tower to SBA Towers V LLC
  100. Town Board – Approve Easement for MTC for access to Cell Tower
  101. Town Board – Approve Vehicle Replacement from Existing Budget line
    - a. Crown Victoria for 2003 Chevy Trailblazer
  102. SAFARI – Advertise for Bids on Stream Bank Stabilization Project
    - a. Stony Clove Lane Stabilization (paid through USDA)
  103. SAFARI – Set Special Meeting to Receive Bids on Stream Project
    - a. Mon., August 18 & Wed., August 20, 2014 @ 1pm
  104. Town Board – Liquor License Notification Waiver
    - a. Graham & Co.
12. Meeting Adjournment - *IN MEMORY OF:* Thomas VanLeuvan, Michael O'Donnell, Howard Sebald

**RESOLUTION # 97-14**

**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:

<b>General</b>	<b>\$ 75,412.57</b>
<b>Highway</b>	<b>34,570.42</b>
<b>Phoenicia Water</b>	<b>3,955.47</b>
<b>Pine Hill Water</b>	<b>3,474.60</b>
<b>Phoenicia Lights</b>	<b>896.77</b>
<b>Chichester Lights</b>	<b>132.80</b>
<b>Pine Hill Lights</b>	<b>523.96</b>

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY  
ROLL CALL **5 AYES**

**RESOLUTION # 98- 14**

**OFFERED BY MALLOY**

**RESOLUTION TO RE-NEW MEMORANDUM OF UNDERSTANDING WITH CORNELL COOPERATIVE EXTENSION OF ULSTER COUNTY AND ASHOKAN WATERSHED STREAM MANGAMENT PROGRAM**

**WHEREAS**, the Town of Shandaken has had a Memorandum of Understanding (MOU) with the Cornell Cooperative Extension and the Ashokan Watershed Stream Management Program (AWSMP) located in Phoenicia, New York; and

**WHEREAS**, the MOU with AWSMP has assisted the Town in in several capacities over the past few years, including funding for flood protection and stream stabilization work, financing infrastructure protection as well as improving professional knowledge and understanding of the watershed; and

**WHEREAS**, the Town and AWSMP would like to continue this mutually beneficial agreement understanding that this MOU shall remain in good standing until or upon thirty (30) days written notice to terminate said MOU by either party.

**THEREFORE BE IT RESOLVED** the Town Board of Shandaken hereby approves renewing the MOU with AWSMP,

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN  
ROLL CALL **5 AYES**

**RESOLUTION # 99-14**

**OFFERED BY STANLEY**

**RESOLUTION APPROVING TRANSFER OF CELL TOWER GROUND LEASE FROM MARINER'S TOWERS TO SBA TOWERS**

**WHEREAS**, the Town of Shandaken currently holds a Ground Lease and Lease Extensions for a cell tower on the Town Gravel Bank on Rte. 42, Shandaken, NY; and

**WHEREAS**, Mariner Tower II, LLC (MARINER) currently owns said cell tower and is the second party to the Ground Lease Agreement and Lease extensions for a period to terminate on December 31, 2036; and

**WHEREAS**, MARINER has initiated transfer of assets to SBA Towers V, LLC (SBA) including said cell tower; and

**WHEREAS**, the Town Attorney and Town Supervisor have reviewed the documents to transfer the Ground Lease and Amendments from MARINER to SBA and found the language to be consistent with the existing agreement between the Town and MARINER;

**THEREFORE BE IT RESOLVED**, the Town of Shandaken Town Board hereby approves the transfer of said Ground Lease and Amendments for the cell tower located on Town-owned property and authorize the Town Supervisor to approve said transfer to SBA Towers V, LLC.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY  
ROLL CALL **5 AYES**

**RESOLUTION # 100-14**

**OFFERED BY HIGLEY**

**RESOLUTION APPROVING EASEMENT AGREEMENT WITH MARGARETVILLE TELEPHONE COMPANY**

**WHEREAS**, the Town of Shandaken has been approached by Margaretville Telephone Company (MTC) concerning acquiring an easement for fiber-optic cables to connect to the Cell Tower located at the Town of Shandaken Gravel Bank on Rte. 42 in Shandaken, NY; and

**WHEREAS**, the Town's Highway Superintendent has determined that said easement and placement of two telephone poles will not impede nor interfere with Highway operations; and

**WHEREAS**, the Town's Attorney has reviewed said easement and given his approval of said agreement,

**THEREFORE BE IT RESOLVED**, the Town of Shandaken Town Board hereby approves the easement requested from MTC for lands adjacent to the Highway Gravel Bank on Rte. 42 in Shandaken, NY

**AND MOVES ITS ADOPTION**

Seconded by: STORMS  
ROLL CALL **5 AYES**

**RESOLUTION # 101-14**

**OFFERED BY STORMS**

**RESOLUTION APPROVING TOWN VEHICLE PURCHASE**

**WHEREAS**, the Town of Shandaken Assessors, Building & Zoning, Dog Control and Supervisor's Offices are using the same vehicle for their respective business, and

**WHEREAS**, the current vehicle is insufficient to provide adequate service for all these departments and creates scheduling issues and increase mileage payouts to employees, and

**WHEREAS**, the Town has available funds in its existing Capital Improvement Budget line available for vehicle replacements

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board, approve the release of these funds for the purchase of a **2003 Chevy Trailblazer** (VIN # 1GNDDT13S632154904) from **Brookside Hardware Ltd., 4242235 State Route 28, Margaretville, NY 12455** for the price of **\$3,995.00** plus a trade-in of the **2008 Ford Crown Victoria** (VIN # 2FAHP71V28X154651) currently owned by the Town.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY  
ROLL CALL **5 AYES**

**RESOLUTION # 102-14**

**OFFERED BY BERNSTEIN**

**RESOLUTION ADVERTISING FOR COSTRUCTION WORK  
FOR TOWN FLOOD RECOVERY WORK**

**WHEREAS**, the Town of Shandaken is in need of construction work in order to repair and stabilize portions of the Stony Clove Creek following damages that occurred due to Tropic Storms Irene and Lee; and

**WHEREAS**, the amount needed to pay for such services are reimbursable to the Town from Natural Resources Conservation Service (NRCS) and Ulster County Soil and Water Conservation District (UCSWCD);

**THEREFORE BE IT RESOLVED** that the Town of Shandaken advertise for independent construction bids for the following projects:

Stony Clove Lane Bank and Channel Restoration

**BE IT FURTHER RESOLVED**, that any person(s) interested in applying for such work must attend a mandatory pre-bid meeting at the Shandaken Town Hall located at 7209 Rte. 28, Shandaken, NY 12480 on Thursday, August 7, 2014 @ 10am for site visits. Responsible bidders must attend the site visit specific to the job they are bidding; and

**BE IT FURTHER RESOLVED**, that any person(s) interested in bidding on such may purchase bid documents, starting Tuesday, August 5, 2014 during regular business hours, engineering drawings at the Ulster County Soil and Water Conservation District Office located at 6375 Rte. 28, Phoenicia, NY 12464 and, upon appointment, at the Shandaken Highway Garage Office located at 7209 Rte. 28, Shandaken, NY 12480. Bidders may purchase bid packets on Thursday, August 8, 2014 at 10am during the mandatory site visits with bids to be received no later than 12pm on Monday, August 18, 2014 in the Town of Shandaken Town Clerk's Office, PO Box 67. Bids must be clearly marked "STONY LANE BID" on the outside of the sealed bid. Bids will be opened at a Public Meeting at the

Shandaken Town Hall at 1pm that same day. Following review bids will be awarded at a subsequent meeting slated for 1pm on Wednesday, August 20, 2014 at the Shandaken Town Hall. The Town of Shandaken reserves the right to reject any and all bids.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

ROLL CALL 5 AYES

**RESOLUTION # 103-14**

**OFFERED BY MALLOY**

**RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETINGS**

**WHEREAS**, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning a Stream Project;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm on Monday, August 18, 2014** for the purpose of conducting business related to receiving bids for said Stream Project,

**THEREFORE BE IT FURTHER RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm on Wednesday, August 20, 2014** for the purpose of conducting business related to awarding bids for said Stream Project,

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL 5 AYES

**RESOLUTION # 104 -14**

**OFFERED BY: STANLEY**

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

**WHEREAS**, UGO New York LLC, d/b/a Graham & Co., 80 Route 214, Phoenicia NY 12464, has applied for a liquor license, and

**WHEREAS**, UGO New York LLC, d/b/a Graham & Co., 80 Route 214, Phoenicia NY 12464, 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 UGO New York LLC, d/b/a Graham & Co., 80 Route 214, Phoenicia NY 12464 and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Shandaken does hereby grant the request of the UGO New York LLC, d/b/a Graham & Co., 80 Route 214, Phoenicia NY 12464, and does hereby waive the thirty (30) day Liquor License notice requirement to UGO New York LLC, d/b/a Graham & Co., 80 Route 214, Phoenicia NY 12464

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL 5 AYES