

November 5, 2014

RESOLUTION # 124-14

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:

General	\$ 42,609.40
Highway	86,954.15
Phoenicia Water	3,047.88
Pine Hill Water	880.14
Phoenicia Lights	942.00
Chichester Lights	136.77
Pine Hill Lights	544.02

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL 5 AYES

RESOLUTION #125-14

OFFERED BY MALLOY

RESOLUTION ADOPTING 2015 PRELIMINARY BUDGET AS 2015 TOWN BUDGET

WHEREAS, the Town of Shandaken has prepared a 2015 Preliminary Budget for review;

THEREFORE, BE IT RESOLVED the Town Board of the Town of Shandaken following a Public Hearing held at 6:15 pm on Wednesday, November 5, 2014 hereby adopts the 2015 Preliminary Budget as amended as the **2015 Town Budget** for the Town of Shandaken

AND MOVES ITS ADOPTION

Seconded by: HIGLEY

ROLL CALL 5 AYES

RESOLUTION #: 126-14

OFFERED BY: STANLEY

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SHANDAKEN
DETERMINING THAT THERE ARE NO ADVERSE IMPACTS ON THE ENVIRONMENT FOR A
LOGGING PERMIT**

WHEREAS, the Town Board is looking to approve a logging permit for Bergen County Sportsmen's Protective Association, Branch No. 7, Inc. (hereinafter **BCS**); and

WHEREAS, the possible environmental impacts of the approval of the logging permit for **BCS** have been considered by the Town Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board has determined that the approval of the logging permit for **BCS** will not have significant adverse impacts on the environment; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to take such further steps as might be necessary to discharge the Board's responsibility as lead agency for this action including, but not limited to, the issuance of a negative declaration consistent with this resolution.

AND MOVE ITS ADOPTION

Seconded by: MALLOY

ROLL CALL 5 AYES

RESOLUTION #: 127-14

OFFERED BY: HIGLEY

**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 Bergen County Sportsmen's Protective Association, Branch No. 7, Inc. (hereinafter **BCS**); and

WHEREAS, the possible environmental impacts of the logging permit for **BCS** have been considered by the Town Board and said Board has issued a Negative Declaration under State Environmental Quality Review;

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

AND MOVE ITS ADOPTION

Seconded by: STORMS

ROLL CALL 5 AYES

RESOLUTION #: 128-14

OFFERED BY: STORMS

**A RESOLUTION FOR THE TOWN OF SHANDAKEN TO PARTICIPATE IN THE
COMMUNITY WASTEWATER MANAGEMENT PROGRAM III
ADMINISTERED BY THE CATSKILL WATERSHED CORPORATION**

WHEREAS, the Hamlet of Shandaken in the Town of Shandaken is an eligible community to participate in the Community Wastewater Management Program III; and

WHEREAS, the Catskill Watershed Corporation (CWC) is the administrator of the Community Wastewater Management Program III; and

WHEREAS, the Community Wastewater Management Program III will fund block grants for the design and construction of a community septic system and/or the creation of septic maintenance districts or if they are not practicable due to site conditions and there is a demonstrable water quality problem due to failing septic systems, the New York City Department of Environmental Protection (NYCDEP), in consultation with the CWC and a participating Town, can elect to construct a new wastewater treatment plant; and

WHEREAS, the Town of Shandaken can participate in the study phase of the Community Wastewater Management Program III at no cost; and

WHEREAS, the CWC has asked the Town of Shandaken whether or not it desires to participate in the Community Wastewater Management Program III administered by the Catskill Watershed Corporation.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Shandaken elects to participate in the Community Wastewater Management Program III administered by the Catskill Watershed Corporation and authorizes the Town Supervisor to execute the Participating Community Agreement between CWC and the Town.

AND MOVE ITS ADOPTION

Seconded by: HIGLEY

ROLL CALL 5 AYES

RESOLUTION #: 129-14

OFFERED BY: STORMS

A RESOLUTION AUTHORIZING THE TOWN OF SHANDAKEN TO ENTER INTO THE REQUIRED SUBRECIPIENT AGREEMENT WITH THE HOUSING TRUST FUND CORPORATION AS REQUIRED IN THE IMPLEMENTATION OF THE NY STATE COMMUNITY DEVELOPMENT BLOCK GRANT—DISASTER RECOVERY (CDBG-DR) PROGRAM; AND, TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN ANY AND ALL DOCUMENTS REQUIRED IN THE IMPLEMENTATION OF THE PROGRAM

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, HUD requires the State to spend 80% of all CDBG-DR funds so allocated within the counties of Nassau, Rockland, Suffolk, Westchester, Bronx, Kings, New York, Queens, and Richmond; and

WHEREAS, in accordance with HUD directive, the Town of Shandaken has been notified of its ability to participate in the NY State Community Development Block Grant--Disaster Recovery (CDBG-DR); and

WHEREAS, implementation of the CDBG-DR Recovery Program requires the execution of the Subrecipient Agreement between Town of Shandaken and the Housing Trust Fund Corporation, which will be substantially similar to the Subrecipient Agreement Template attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED by the Town Board, on behalf of the Town of Shandaken that, Town Supervisor, Robert A. Stanley, be hereby authorized to enter into the required Subrecipient Agreement with the Housing Trust Fund Corporation to secure Community Development Block Grant—Disaster Recovery (CDBG-DR) funds; and, to sign any and all documents required in the administration of the New York State CDBG-DR Recovery Program.

AND MOVE ITS ADOPTION

Seconded by: MALLOY

ROLL CALL 5 AYES

RESOLUTION #130-14

OFFERED BY BERNSTEIN

**RESOLUTION APPROVING PUBLIC ASSEMBLY PERMIT
FOR THE PHOENICIA TURKEY TROT**

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 Turkey Trot** for their event to be held in **Phoenicia, NY on Saturday, November 29, 2014** from 7am until 4pm.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board hereby approves the permit for a Public Assembly to the Phoenicia Turkey Trot for their event and that a certified copy of this resolution shall suffice as the approval certificate.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL 5 AYES

RESOLUTION #: 131-14

OFFERED BY: MALLOY

RESOLUTION TO AUCTION OBSOLETE HIGHWAY EQUIPMENT

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

WHEREAS, the Highway Superintendent would like to offer the vehicles up for auction through Auctions International; and

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

- * 1993 GMC K2500
- * 1999 Chevy 3500
- * 1998 Chevy 3500
- * 1979 Brigadier
- * Dresser Roller – Model VOS 2/66 B
- * 1970 Spread Master Chip Box Model K
- * Lot of Assorted Pistons

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

AND MOVE ITS ADOPTION

Seconded by: HIGLEY

ROLL CALL 5 AYES

RESOLUTION #132-14

OFFERED BY: HIGLEY

HIGHWAY PLOWING OF TOWN CHURCHES & FIREHOUSES

WHEREAS, the Town of Shandaken shall perform certain snow plowing and sanding services during the winter of 2014 - 2015 for and on the premises of the St Francis de Sales Church in Phoenicia, Shandaken Methodist Church in Shandaken, Phoenicia Methodist Church in Phoenicia and Shandaken Community Church in Mt. Tremper.

WHEREAS, the Town of Shandaken shall perform certain snow plowing and sanding services during the winter of 2014 - 2015 for and on the premises of the Mt. Tremper, Phoenicia, Shandaken, Big Indian - Oliverea and the Pine Hill Firehouses,

THEREFORE BE IT RESOLVED, that for and in consideration of such snow plowing and sanding services the said Churches & Firehouses shall EACH pay to the Town of Shandaken the sum of \$1.00 receipt whereof is hereby acknowledged,

BE IT FURTHER RESOLVED that said churches and firehouses shall save the Town of Shandaken free of any claims, causes of action or liability for damages to persons or property arising out of the services to be performed by the Town of Shandaken, its agents, servants or employees in the performance of this agreement.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL 5 AYES

RESOLUTION # 133- 14

OFFERED BY STORMS

RESOLUTION SUPPORTING RENEWAL OF CONTRACT WITH ULSTER COUNTY FOR ULSTER REGIONAL GANG ENFORCEMENT NARCOTICS TEAM (URGENT)

WHEREAS, various Towns and Village Police Departments in the County of Ulster together with the Ulster County Sheriff's Office and the Ulster County District Attorney's Office, as Member Agencies, seek to operate and act collectively as a task force team pursuant to Federal policies and guidelines, such task force known as the Ulster Regional Gang Enforcement Narcotics Team (hereinafter referred to as 'URGENT'); AND

WHEREAS, the mission of URGENT is to achieve maximum coordination and cooperation, through utilizing the combined resources of Member Agencies, to primarily investigate gang members and affiliates involved in criminal enterprises, as well as investigate narcotic related offenses and the possession and sale of illegal firearms in Ulster County; and

WHEREAS, membership in the URGENT task force will benefit the Town of Shandaken in that will provide a specialized unit to combat gang violence and narcotic trafficking within the Town and County of Ulster; and

WHEREAS, the Town Board has reviewed the Inter-Municipal Cooperative Agreement (URGENT) PROPOSED BY THE Ulster County District Attorney and the Ulster County Sheriff; and

WHEREAS, the Police Chief of the Town of Shandaken has also reviewed the Inter-Municipal Cooperative Agreement and has recommended that the Town Board approve the agreement.

THEREFORE BE IT RESOLVED the Town Board of Shandaken hereby approves the agreement and membership in the task force;

BE IT FURTHER RESOLVED THAT the Town of Shandaken Police Chief Chad Storey is authorized to execute the agreement on behalf of the Town of Shandaken.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

ROLL CALL 5 AYES