

**RULES OF PROCEDURE**

**WHEREAS**, §63 of New York State Town law provides that the Town Board may determine the rules of its procedures:

**THEREFORE BE IT RESOLVED**, that the following "Rules of Procedure" for regular Town Board meetings be adopted.

The Town Supervisor, as Chairman of the Town Board, shall call meetings of the Town Board to order and shall be the Presiding Officer or Chair of the meeting, and as such shall officiate, maintain order and decorum, and permit public participation in an orderly manner and in accordance with the rules stated below.

1. **PLEDGE:** Call to order shall be followed by the pledge of allegiance to the flag of the United States of America.
2. **ROLL CALL:** The Chair shall request Roll Call of the Town Board members by the Town Clerk, and after determining that a quorum exists, the Town Supervisor shall declare the meeting open. The Town Supervisor shall read the agenda (if not already published and distributed) and proceed to the business of the Town Board at hand.
3. **MINUTES:** At each meeting following the new Town Board's January Special Organizational Meeting, the Chair shall provide opportunity for the Town Board to review the minutes of the previous meeting of the Town Board. Thereafter, the Chair shall entertain a motion to approve the minutes as presented or to amend.
4. **CORRESPONDENCE:** The Chair shall first call for acknowledgment and summary of any petitions or written communications received by the Town Board. Copies shall be given to the Town Clerk for recording into the minutes.
5. **COMMITTEE REPORTS:** The Chair shall recognize committee chairmen for their committees report.
6. **PUBLIC PARTICIPATION:** The Public will be invited to comment as requested on items appearing in the published agenda, expressing any views, opinions, requests, recommendations or questions to the Board to address and/or take under advisement in its deliberations. A maximum time limit of 30 minutes. The Public is requested to be brief with their comments.
7. **CONDUCT NEW BUSINESS**
  - a. **THE SUPERVISOR'S FISCAL REPORT** shall be the first order of new business. It shall set forth public monies received through the Town clerk's Office and other sources, and the disbursement of public monies. The Chair shall entertain motions to approve the Supervisor's Fiscal Report and to approve all necessary disbursements of public monies through authorized fund accounts. All actions of the Town Board concerning the Supervisor's Fiscal Report shall be by motion.

b. **RESOLUTIONS:** For its deliberations on new matters of Town Business, the Board will work from the written agenda distributed to Board members in advance, posted on the Town bulletin board and distributed at Board meetings to public. Formal actions of the Town Board must be authorized by motion or resolution of the Town Board. No motion or resolution shall be brought to a vote unless it has been presented to all members of the Town Board at least 48 hours prior to the opening of the meeting and on the Town website. In emergency circumstances, however, all of the above requirements may be waived by a vote of a majority of the Town Board present, provided there is a quorum.

c. Every motion or resolution must be seconded before discussion of the Town Board or the Supervisor calls for a vote. All motions and resolutions shall be recorded in their entirety in the minutes of the Town Board meeting. As a member of the town Board, the Supervisor may offer or second motions and resolutions.

d. Town Board members must recuse themselves from participation in discussion or voting on matters that involve a conflict of interest and must place in the minutes their reasons for recusal. Abstention from a vote shall only be permitted for reasons of conflict of interest, and not for political considerations.

8. **PUBLIC PARTICIPATION:** The Board recognizes the value of public participation but reminds the Public that it is a privilege. Please address the Board with respect and civility.

9. **ADJOURNMENT:** Following resolutions, and open agenda period, the Town Board meeting shall be adjourned by motion, in memory of residents deceased.

**IF THE ABOVE RULES OF PROCEDURE SHOULD AT ANY TIME BE IN CONFLICT WITH STATUTORY LAW, THEN STATUTORY LAW PREVAILS.**

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

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

**MEETING DATES**

**WHEREAS**, under § 62 of the Town Law, the Town Board should adopt a resolution determining the time and place it shall hold its regular meeting; therefore be it

**RESOLVED**, that the regular meetings of the Town Board be held the first Monday of the Month (unless noted) in the Town Hall of Shandaken, New York on the following dates during the year 2015

January 5th	6:00 PM
February 2nd	7:00 PM
March 2nd	7:00 PM
April 6th	7:00 PM
May 4th	7:00 PM
June 1st	7:00 PM
July 6th	7:00 PM
August 3rd	7:00 PM
September 14th	7:00 PM (second Monday)
October 5th	7:00 PM
November 4th	7:00 PM (first Wednesday)
December 7th	7:00 PM

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL		
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

## TOWN DEPOSITORY

**WHEREAS**, under § 64, Subdivision 1 of the Town Law, the Town Board should adopt a resolution designating a bank or banks, or trust company in which all Town Officials shall deposit all monies coming into their hands by virtue of their offices; therefore be it

**RESOLVED**, that **KEY BANK of NEW YORK**, and **COMMUNITY BANK N.A.** be and hereby are designated as depositories for the Town of Shandaken for the Fiscal Year 2015.

**AND MOVES IT ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 4-15**

**OFFERED BY: STANLEY**

**OFFICIAL NEWSPAPER**

**WHEREAS**, under § 64, Subdivision 11 of the Town Law, the Town Board should adopt a resolution designating the Official Newspaper of the Town; therefore be it

**RESOLVED**, that the **Daily Freeman** be and hereby is the **Official Newspaper** for the Town of Shandaken, for the year 2015.

**AND MOVES IT ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 5-15**

**OFFERED BY: HIGLEY**

**MILEAGE ALLOWANCE**

**WHEREAS**, under §12, notes of Decision 32 of the Town Law, a Town Officer is entitled to be paid a mileage allowance fixed by the Town Board; therefore be it

**RESOLVED**, that all Town Officers and employees be paid the IRS mileage rate of **\$0.575 per mile**, when discharging their duties as Town Officials.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 6-15**

**OFFERED BY: STORMS**

**PARKING LOT LEASE**

**WHEREAS**, the Town of Shandaken has entered into an agreement with Martin Millman to lease the parking lot adjacent to the Phoenicia Pharmacy in Phoenicia for the sum of \$1.00, for the fiscal year 2014 therefore be it

**RESOLVED**, that this agreement be extended for the fiscal year 2015 and all terms of said original contract be agreed upon.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**EXPENSES FOR THE ASSOCIATION OF TOWNS' ANNUAL MEETING**

**WHEREAS**, under § 102, notes of Decision 10, of the Town Law, Towns may incur obligations for compensation of Town Officers; therefore be it

**RESOLVED**, that the Town Board hereby authorizes the payment of expenses incurred, to all Town Officers attending the Annual Meeting of the Association of Towns, in an amount not to exceed \$1,000 each, with \$200 in advance with all expenses to be supported by voucher and receipts and be it further

**RESOLVED** that in the case of the Zoning Board of Appeals and the Planning Board a maximum of three will be allowed to attend.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>



**AMERICAN LEGION AND VETERANS OF FOREIGN WARS**

**WHEREAS**, the annual budget approved by the Town Board provides monies for Patriotic Observances and Veteran's Organizations; and

**WHEREAS**, it has been the procedure to pay this money to the **American Legion and Veterans of Foreign Wars**, for said purposes; therefore be it

**RESOLVED**, that the sum of \$1,250.00 each be and hereby is appropriated for Rent of Rooms and Patriotic Observances for each of the organizations for the year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	RECUSE	_____ (MEMBER)
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER MALLOY	RECUSE	_____ (MEMBER)
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**PROGRAM FOR THE AGING & SENIOR NUTRITION PROGRAM**

**WHEREAS**, the annual budget approved by the Town Board provides monies for the Program for the Aging and the Senior Nutrition Program, therefore be it

**RESOLVED**, that the sum of \$2,000.00 be and hereby is appropriated to the **Program for the Aging**, and

**BE IT FURTHER RESOLVED**, that the sum of \$2,000 be and hereby is appropriated for the **Senior Nutrition Program**.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**ATTORNEYS FOR THE TOWN**

**WHEREAS**, the Town Board may, pursuant to Town Law, § 20 Subdivision 25, employ an attorney to give it such professional service and legal counsel; therefore be it

**RESOLVED**, that the Supervisor be empowered to utilize the services of **Kellar, Kellar & Javien** as General Counsel to the Town Board, **Greenwald & Doherty, LLP** as Labor Counsel and **Jacobowitz & Gubits, LLP** as Zoning and Planning Counsel.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**TOWN AUDITOR**

**WHEREAS**, the Town Board appoints all employees and officers of the Town pursuant to § 20 of the Town Law; therefore be it

**RESOLVED** that the firm of **Sickler, Torchia Allen & Churchill** be and hereby is reappointed Town Auditors and Accountants at an allowance up to \$20,000 as allocated in the 2015 budget.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 12-15****OFFERED BY: BERNSTEIN****SALARIES**

**WHEREAS**, under § 27 of the Town Law, the Town Board shall fix the salaries and expenses of Elective Officials for the Town; therefore be it

**RESOLVED**, that the annual salaries of said officers be and hereby are fixed and determined for the year 2015 and shall be as follows:

	<b>SALARY</b>
<b>Supervisor -</b> Robert A. Stanley	33,000.00
<b>Councilman –</b> Vincent Bernstein	9,000.00
Alfred Higley, Jr.	9,000.00
Timothy Malloy	9,000.00
Faye Storms	9,000.00
<b>Highway Supt. -</b> Eric Hofmeister	47,500.00
<b>Clerk/Collector –</b> Joyce Grant	33,000.00
<b>Assessor/Chairman -</b> Heidi Clerk	33,000.00
<b>Assessor -</b> Peter DiModica	5,250.00
Carol Seitz	5,250.00
<b>Justice -</b> Tom Crucet	17,750.00
Michael Miranda	17,750.00

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**DEPUTY SUPERVISOR**

**WHEREAS**, under § 42 of the Town Law, the Town Board may create the post of Deputy Supervisor; therefore be it

**RESOLVED**, that the Town Board approve the appointment of **Timothy Malloy** to act as Deputy Supervisor, in the absence of the supervisor, without compensation, for the year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**SECRETARY / BOOKKEEPER TO THE SUPERVISOR**

**WHEREAS**, under §29, Subsection 15, of the Town Law the Town Board may authorize the Supervisor to make a designation for the position of Full time Secretary/Bookkeeper to the Supervisor; therefore be it

**RESOLVED**, that the Town Board approve the appointment of **Sheila Pratt** to serve at the pleasure of the Supervisor, and receive \$10.76 per hour when discharging the duties of said office, not to exceed \$20,000, for the Fiscal Year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 15-15**

**OFFERED BY: HIGLEY**

**SECRETARY / BOOKKEEPER TO THE SUPERVISOR**

**WHEREAS**, under §29, Subsection 15, of the Town Law the Town Board may authorize the Supervisor to make a designation for the position of Part time Secretary/Bookkeeper to the Supervisor; therefore be it

**RESOLVED**, that the Town Board approve the appointment of **Patricia Heinz** to serve at the pleasure of the Supervisor, and receive \$13.42 per hour when discharging the duties of said office, not to exceed \$13,962.00, for the Fiscal Year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>



**DEPUTY HIGHWAY SUPERINTENDENT**

**WHEREAS**, the Superintendent of Highways has requested that the Town Board establish the office of Deputy Superintendent of Highways,

**THEREFORE BE IT RESOLVED** that **Neil Grant** be reappointed to this position, without compensation for the Year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**SECRETARY TO HIGHWAY SUPERINTENDENT**

**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 upon the recommendation of the Highway Superintendent, that **Sue Christiana** be appointed to serve as Secretary to the Highway Superintendent, and to serve at his pleasure, and to be paid \$12.61 per hour when performing the duties of said office, not to exceed \$26,230.00, with \$1000.00 additionally allotted for overtime, for the Fiscal Year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 18-15**

**OFFERED BY: MALLOY**

**DEPUTY TOWN CLERKS & TAX COLLECTORS**

**WHEREAS**, under §30, Subdivision 10 of the Town Law, the Town Clerk determines the designation of Deputies, the Town Board shall determine by resolution the powers and duties of such deputies, and whether or not, such deputies shall be compensated by the Town;

**THEREFORE BE IT RESOLVED**, that the Town Board appoint, **Jacqueline Gugliemetti** as full time Deputy Town Clerk/Tax Collector and be paid \$13.99 per hour, not to exceed \$25,485 for the Fiscal Year 2015, and to perform the duties of the Town Clerk/Tax Collector in her absence and be it further

**BE IT FURTHER RESOLVED**, that **Amie Goodrich** be appointed as part time Deputy Town Clerk/Tax Collector and be paid \$10.76 per hour, not to exceed \$6,856 for the Fiscal Year 2015, and to perform the duties of the Town Clerk /Tax Collector in her absence

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 19-15**

**OFFERED BY: STANLEY**

**RECORDS MANAGEMENT AND INFORMATION OFFICER**

**WHEREAS**, pursuant to §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town,

**THEREFORE BE IT RESOLVED** that **Joyce Grant** be and hereby is reappointed Records Management Officer and Public Information Officer, and hold office at the pleasure of the Town Board, and receive no compensation for the discharge of said duties.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**CHAIRMAN OF BOARD OF ASSESSORS**

**WHEREAS**, under §22b of the Town Law, the Town Board should designate the appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **Heidi Clark** be appointed Chairman of the Board of Assessors for the Town of Shandaken for the Fiscal Year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

## ASSESSOR'S CLERK

**WHEREAS**, under § 20 of the Town Law, notes of Decision 9, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Grace Grant** be and hereby is appointed Assessor's Clerk, to assist in the Clerical duties of the Assessors, and be paid \$10.76 per hour, not to exceed \$19,600 for the Fiscal Year 2015, while discharging the duties of said office;

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

## ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 22-15**

**OFFERED BY: BERNSTEIN**

**CLERK FOR THE JUSTICE COURT**

**WHEREAS**, under § 20 of the Town Law, notes of Decision 9, the Town Board should designate all appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **Wendy Helm** be reappointed as Clerk of the Justice Court, to assist in the Clerical Duties of the Town Justice Court and be paid an annual salary not to exceed \$24,540.00 for the Fiscal Year 2015 while discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 23-15**

**OFFERED BY: MALLOY**

**POLICE COMMISSION**

**WHEREAS**, pursuant to §20 of the Town Law it is the duty of the Town Board to appoint all boards and commissions; therefore be it

**RESOLVED**, that **Theodore R. Byron, William Lundberg, William J. McGrath and Henry J. Strauss** be reappointed to the Police Commission for the year 2015

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 24-15**

**OFFERED BY: HIGLEY**

**TOWN POLICE DEPARTMENT CHIEF**

**WHEREAS**, pursuant to §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town,

**THEREFORE BE IT RESOLVED** that **Chad Storey** be and hereby is appointed Police Chief for the Town of Shandaken Police Department, and hold office at the pleasure of the Town Board, and receive an annual salary not to exceed \$20,500.00 for the Fiscal Year 2015, while discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**AMBULANCE TECHNICIANS**

**WHEREAS**, under §20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED** that the following personnel be appointed to the Shandaken Town Ambulance at rates not to exceed the following for the Fiscal Year 2015:

**Ambulance Chief** - Richard Muellerliele at \$12,000 per year

**Part Time Paramedics:** at \$197.68 per 12 hour shift, including trips

Mark Bedell	Matthew Kay	Mike Williams
Duane Davis	Richard Muellerliele	
Melvin Harrington	Brendan Whalen	

**Full Time EMT** - Ernest Longhi, Sr. at \$32,243.00 per year

**Part Time EMT's:** \$70.62 per 12 hour shift, & \$31.77 per trip

Concha Cowan	Michael Janensch	Jack Spinneweber
Dennis Frano	Tracy Longhi	Alicia Schnack

**Ambulance Drivers and Certified First Responders** \$53.00 per shift, \$27.07 per trip

Kenneth Booth	Jesse Cowan	Ernest Longhi, Jr.
Joe Camperlino	Tom Crucet	Gerald Neal
Todd Carr	Peter DiSclafani	Brian Perez
Courtney Carr	Keith Johnson	John Rossitz, Jr.

**Equipment Manager** - Dennis Frano at \$5,000 per year and

**Training Official** - Brendon Whalen at \$5,000 per year

and that said employees shall serve at the discretion of the Ambulance Chief and Town Board.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**PHOENICIA WATER COMMITTEE**

**WHEREAS**, pursuant to §20 of the Town Law it is the duty to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED** that **Alfred Peavy, John Kilb, Don Bucher, George Blank and Nick Formont** be appointed to the Phoenicia Water Committee for 2015 and

**BE IT FURTHER RESOLVED** that **Alfred Peavy** chair this committee.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**SUPERINTENDENT OF PHOENICIA WATER DISTRICT**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Richard Ricciardella** hereby is reappointed Superintendent of the Phoenicia Water District, and hold office at the pleasure of the Town Board, and receive an annual salary, not to exceed \$20,490.00 to be disbursed once each month and expenses as allotted in the 2015 budget as pursuant to law, while discharging the duties of said office;

**BE IT FURTHER RESOLVED** that the Town Board, upon the recommendation of the Water Superintendent, hire laborers as the Water Superintendent deems necessary within budget constraints.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	_____	__X__
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**PHOENICIA WATER DISTRICT BOOKKEEPER**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Sue Christiana** be and hereby is appointed Bookkeeper for the Phoenicia Water District, and be paid \$10.72 hourly, not to exceed \$2,635.00 for the Fiscal Year 2015, while discharging said duties,

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**PHOENICIA WATER DISTRICT BILLING CLERK**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **Sue Christiana** be and hereby is reappointed Billing Clerk for the Phoenicia Water District, and be paid at a rate of \$10.72 per hour, not to exceed \$1,380.00 for the Fiscal Year 2015, while discharging said duties,

**BE IT FURTHER RESOLVED** that she serve at the pleasure of the Town Board, Phoenicia Water Commissioner and the Tax Collector.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**PINE HILL WATER COMMITTEE**

**WHEREAS**, pursuant to §20 of the Town Law it is the duty to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED** that **Peter DiModica, Lowell Smith, Richard Schaedle, and Michelle Wooton** be appointed to the Pine Hill Water Committee for 2015, and

**BE IT FURTHER** resolved that **Michelle Wooton** chair this committee.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 31-15**

**OFFERED BY: BERNSTEIN**

**SUPERINTENDENT OF PINE HILL WATER DISTRICT**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Donald Clark** be and hereby is reappointed Superintendent of the Pine Hill Water District, and hold office at the pleasure of the Town Board, and receive an annual salary of \$24,209.00 to be disbursed once each month and expenses as allotted in the 2015 budget as pursuant to law, while discharging the duties of his office;

**BE IT FURTHER RESOLVED** that the Town Board, upon the recommendation of the Water Superintendent, hire laborers as the Water Superintendent deems necessary within budget constraints.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>



**PINE HILL WATER DISTRICT BOOKKEEPER**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Patricia Heinz** be and hereby is appointed Bookkeeper for the Pine Hill Water District, and be paid an annual salary not to exceed \$350.00 for the Fiscal Year 2015,

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**PINE HILL WATER DISTRICT BILLING CLERK**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **Sue Christiana** be and hereby is reappointed Billing Clerk for the Pine Hill Water District, and be paid at a rate of \$10.72 per hour, not to exceed \$1,246.00 for the Fiscal Year 2015, while discharging said duties,

**BE IT FURTHER RESOLVED** that she serve at the pleasure of the Town Board, Pine Hill Water Commissioner and the Tax Collector.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**PLANNING BOARD MEMBER**

**WHEREAS** pursuant to §20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED** that **Kathy Jordan** be reappointed to the Shandaken Planning Board with his term to expire in December 31, 2021.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 35-15**

**OFFERED BY STORMS**

**RESOLUTION APPOINTING CHAIRMAN OF PLANNING BOARD**

**WHEREAS**, pursuant to §20 of the Town Law, it is the duty of the Town Board to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED**, that **Donald Brewer** be reappointed as Chair of the Planning Board and **Kathy Jordan** be reappointed as Vice-Chair of the Planning Board for the year 2015

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 36-15**

**OFFERED BY BERNSTEIN**

**ZONING BOARD OF APPEALS MEMBERS**

**WHEREAS** pursuant to §20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED**, that **Gary Guglielmetti** be reappointed to the Zoning Board of Appeals with his term to expire in December 31, 2019.

**BE IT FURTHER RESOLVED** that **Mark Loete** be appointed for the remainder of the recently vacated seat with his term to expire on December 31, 2016

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 37-15**

**OFFERED BY MALLOY**

**RESOLUTION APPOINTING CHAIRMAN OF ZONING BOARD OF APPEALS**

**WHEREAS**, pursuant to §20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED** that **Keith Johnson** be appointed as Chair and **Gary Guglielmetti** as Vice Chair of the Zoning Board of Appeals for the year 2015

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**APPOINTMENT OF  
PROVISIONAL MUNICIPAL CODE OFFICER**

**WHEREAS**, pursuant to Town Law §20 & §138 and pursuant to §'s 116-63, 116-64 and 77-11 of the Code of the Town of Shandaken, Municipal Code Officer in the Town is responsible for the enforcement of Zoning, Flood Plain Administration, Building and Fire Prevention/Protection Ordinances and rules and regulations;

**THEREFORE BE IT RESOLVED**, that **Patrick Davis** be appointed as Provisional Municipal Code Officer to be paid \$15.00 per hour not to exceed \$19,485.00 and mileage while on Town Business for the Fiscal Year 2015, while dispensing the duties of said office,

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 39-15**

**OFFERED BY: STANLEY**

**BUILDING DEPARTMENT SECRETARY**

**WHEREAS**, under §20 of the Town Law it is the duty of the Town Board to appoint all employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Tracy Longhi**, be appointed as Building Department Secretary with an hourly rate of \$10.51, not to exceed \$19,129 for the Fiscal Year 2015 and serve at the pleasure of the Planning Board, Zoning Board of Appeals, Municipal Code Officer and be accountable to the Town Board while dispensing duties of said office,

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 APPOINTING  
PARKS AND RECREATION BOARD MEMBERS**

**WHEREAS**, pursuant to §20 of the Town Law, it is the duty of the Town Board to appoint all Boards and Commissions,

**THEREFORE BE IT RESOLVED**, that **Martie Gailes** be reappointed as **Parks and Recreation Board Chair** with her term to expire December 31, 2017 and shall serve without compensation at the pleasure of the Town Board,

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**TOWN HISTORICAL MUSEUM BOARD AND MUSEM DIRECTOR**

**WHEREAS**, The Town Board recognizes the Town of Shandaken Museum Board of Directors.

**THEREFORE BE IT RESOLVED** that **Richard Bennett, Richard Der Airs, Catherine Greenburg, Robert Kalb, June LaMarca, Rusty Mae Moore, Nancy Smith, MaryLou Stapleton and Selleck Warren** are hereby recognized as being on the Town of Shandaken Historical Museum Board and that **Robert Kalb** is the Chair of the Board.

**BE IT FURTHER RESOLVED** that **Kathleen Myers** be reappointed as **Museum Director** and that she receive \$10.46 hourly not to exceed \$5,994.00 as per the 2015 Town Budget while dispensing duties of said office,

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**TOWN HISTORIAN**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town and the Town Board wishes to appoint a Town Historian;

**THEREFORE BE IT RESOLVED**, that **Nancy Smith** be reappointed Historian, for the Town of Shandaken for the year 2015, without compensation while performing the duties of said office

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 43-15**

**OFFERED BY: STORMS**

**ETHICS COMMITTEE**

**WHEREAS**, Pursuant to Chapter 20 of the Code of the Town of Shandaken, Article III §20 -7 Establishment of a Board of Ethics,

**THEREFORE BE IT RESOLVED**, that **Richard Loveless, Helen Morelli and Glen Buchinger** be reappointed as the Ethics Committee for the Town of Shandaken and to serve at the pleasure of the Town Board and follow Chapter 20 of the Code of the Town of Shandaken

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**DOG CONTROL OFFICER AND DOG ENUMERATOR**

**WHEREAS**, under § 20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Nancy Hudler** be hereby reappointed Dog Control Officer and Enumerator for the year 2015 and shall receive an annual salary not to exceed of \$8,818.00 and **Tom Rinaldo** be hereby appointed Assistant Dog Control Officer and shall receive an annual wage of \$4,080.00 and contractual expenses of \$3,500 for expenses incurred pursuant to law contained within the 2015 Budget, when discharging the duties of said offices at the pleasure of the Board.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**RECYCLING ATTENDANT**

**WHEREAS**, under §20 of the Town law, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Joe Rotella, Jr** be reappointed as **Recycling Attendant** and be paid \$10.46 hourly, not to exceed \$8,380.00, as per the 2015 Town Budget while dispensing duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**MUNICIPAL WORKER**

**WHEREAS**, Pursuant to §20 of the Town Law it is the duty of the Town Board to appoint all employees of the Town

**THEREFORE BE IT RESOLVED** that **Robert Gasperini** be reappointed as the Municipal Worker for the Town of Shandaken for 2015, at \$9.41 per hour, not to exceed \$13,592.00, while dispensing duties of said office,

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**SOCIAL SERVICES OFFICER**

**WHEREAS**, under Municipal Affairs, the State Comptroller, §71-1098 grants the Town Board the right to authorize someone to act as Town Social Services Officer;

**THEREFORE BE IT RESOLVED**, that the Town Board approve **Robert A. Stanley** to act as Social Services Officer, to be paid no compensation, and be allowed expense money in the amount of \$300 for expenses incurred pursuant to law, when discharging the duties of said office.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

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**RESOLUTION # 48-15**

**OFFERED BY: STANLEY**

**DIRECTOR OF CIVIL DEFENSE**

**WHEREAS**, under §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Gary Carr, Jr.** be reappointed as director of Civil Defense for the Town of Shandaken with no compensation for the year 2015.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 APPOINTING CENTRAL CATSKILL COLLABORATIVE MEMBERS**

**WHEREAS**, the Town of Shandaken is a member community of the Central Catskills Collaborative which includes the municipalities of Andes, Fleischmanns, Margaretville, Middletown, and Olive; and

**WHEREAS**, the Town is requested to annually appoint two standing members and one alternate to the Collaborative;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board hereby appoints Town Board Member **Faye Storms** and **Doris Bartlett** as the standing representatives and Parks and Recreation Board Chair **Martie Gailes** as the Alternate member for the Town of Shandaken on the Catskill Collaborative Committee for the year 2014

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**ADVANCE PAYMENT OF UTILITY BILLS**

**WHEREAS**, under § 118, notes of Decision 2 of the Town Law, the Town Board may authorize payment of public utility services, in advance of audit of claims;

**THEREFORE BE IT RESOLVED**, that the Town Board authorize the Supervisor to pay said bills in advance of audit of claims.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 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>\$ 34,994.47</b>
<b>Highway</b>	<b>65,716.34</b>
<b>Phoenicia Water</b>	<b>7,793.28</b>
<b>Pine Hill Water</b>	<b>72.44</b>
<b>Phoenicia Lights</b>	<b>1,104.48</b>
<b>Chichester Lights</b>	<b>150.45</b>
<b>Pine Hill Lights</b>	<b>616.11</b>
<b>TOTAL</b>	<b>\$110,447.57</b>

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

February 2015  
**RESOLUTION # 52-15**  
**BERNSTEIN**

**OFFERED BY:**

**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>\$ 60,330.98</b>
<b>Highway</b>	<b>28,602.23</b>
<b>Phoenicia Water</b>	<b>6,102.27</b>
<b>Pine Hill Water</b>	<b>1,655.49</b>
<b>Phoenicia Lights</b>	<b>1,139.50</b>
<b>Chichester Lights</b>	<b>153.50</b>
<b>Pine Hill Lights</b>	<b>632.37</b>
<b>TOTAL</b>	<b>\$ 98,616.34</b>

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION #53-15**

**OFFERED BY: MALLOY**

**APPOINT MEMBER ASSESSMENT BOARD OF REVIEW**

**WHEREAS**, under §22b of the Town Law, the Town Board should designate the appointed officers and employees of the Town; therefore be it

**RESOLVED**, that **LYNN DAVIDSON** be re-appointed To **Assessment Board of Review** for the Town of Shandaken and at no compensation

## AND MOVES ITS ADOPTION

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

## RESOLUTION # 54-15

OFFERED BY: STANLEY

### NOMINATION FOR CWC BOARD OF DIRECTORS

**WHEREAS**, the Town of Shandaken is a town located in the West-of-Hudson New York City Watershed located in Ulster County, NY; and

**WHEREAS**, the town has received aa request for a nominee to the Catskill Watershed Corporation's Board of Directors who must be "(a) a resident of a town in this county, which is located partially or wholly in the West-of-Hudson Watershed, and (b) is a publicly elected official, to represent the County of Ulster as a Director of the Corporation."

**THEREFORE BE IT RESOLVED** that the Town of Shandaken does hereby authorize the Town Supervisor to nominate **Richard Parete** to this position as the Director for Ulster County.

## AND MOVES ITS ADOPTION

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**APPROVING INTERMUNICIPAL AGREEMENT FOR PURCHASE OF STREET SWEEPER**

**WHEREAS**, the Highway Departments of the Towns of Shandaken, Hurley, Woodstock and Ulster have consulted on the purchase of a used Street Sweeper; and

**WHEREAS**, the Highway Superintendents agree that the purchase price for a used Sweeper from Joe Johnson Equipment in the amount of \$49,950 (Forty Nine Thousand Nine Hundred Fifty Dollars) is reasonable; and

**WHEREAS**, the Highway Superintendents unanimously recommend to their respective Town Boards that the four Towns enter into an agreement outlining terms for the purchase, use, storage and maintenance of the used Sweeper; and

**WHEREAS**, the representatives of the four Town Boards and their respective Highway Superintendents, and attorneys have agreed to terms for the purchase, use, storage and maintenance of the used Sweeper; and

**WHEREAS**, under the provisions of Article 5-G of the General Municipal Law the terms of this inter-municipal agreement are practical because the respective Towns have limited need for a Sweeper, and therefore the agreed upon terms will benefit the taxpayers of the respective Towns by joint ownership of the Sweeper and sharing of costs to purchase, use, store and maintain the sweeper;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor and Highway Superintendent to enter into said Inter-municipal Agreement with the Towns of Hurley, Woodstock and Ulster.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

## APPOINTMENT OF MUNICIPAL CODE OFFICER

**WHEREAS**, pursuant to Town Law §20 & §138 and pursuant to §'s 116\_63, 116\_64 and 77\_11 of the Code of the Town of Shandaken, Municipal Code Officer in the Town is responsible for the enforcement of Zoning, Flood Plain Administration, Building Ordinances and rules and regulations; therefore be it

**RESOLVED**, that **CLARK KIMBLE** be appointed as Municipal Code Officer to be paid \$15 per hour, 25-30 hr. per week not to exceed an annual salary of \$ 19,485.00 and mileage while on Town Business.

### AND MOVES ITS ADOPTION

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 57-15**

**OFFERED BY BERNSTEIN**

### APPOINT AMBULANCE PERSONNEL

**WHEREAS**, under § 20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED**, that the Town accept the resignation of Alicia Schnack and that the following  
be appointed to the Shandaken Town Ambulance as EMT's

**Ken Booth & Cassandra Schmidt to be paid \$70.62 per 12 hour shift, and \$31.77 per trip.**

### AND MOVE ITS ADOPTION

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>



BOARD MEMBER MALLOY	<u>  X  </u>	<u>          </u>
BOARD MEMBER STORMS	ABSENT	<u>          </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>          </u>

**RESOLUTION # 58-15**

**OFFERED BY: MALLOY**

**AUTHORIZING SUPERVISOR TO ENTER AGREEMENT FOR KEY BANK ONLINE SERVICES**

**WHEREAS**, the Town of Shandaken has multiple accounts with Key Bank of New York; and

**WHEREAS**, the Town has been informed of fees that will be assessed against the Town for paper monthly reporting on said accounts; and

**WHEREAS**, the Town wishes to avoid those fees without interruption to our banking services; and

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to enter into agreement with Key Bank Online (KBO) Services to avoid such fees and continue banking services with Key Bank of New York.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>          </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>          </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>          </u>
BOARD MEMBER STORMS	ABSENT	<u>          </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>          </u>

March 2015

**RESOLUTION # 59-15**

**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	\$ 27,530.73
Highway	48,628.52
Phoenicia Water	9,274.24
Pine Hill Water	656.20
Phoenicia Lights	1,152.52
Chichester Lights	154.58
Pine Hill Lights	638.38
	-----
	<b>\$ 88,035.17</b>

**AND MOVES ITS ADOPTION**

**Seconded by: HIGLEY**

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 #60-15**

**OFFERED BY MALLOY**

**ADVERTISING FOR GRAVEL CRUSHING**

**WHEREAS**, THE Town of Shandaken Highway Department is seeking bids for crushing of item 4 at the Town owned gravel bank, specifications are available at the Highway Superintendant's Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-5031

**THEREFORE BE IT RESOLVED**, that bids 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 6, 2015, to be opened at the regular Town Board meeting scheduled for 7 pm that evening.

**AND MOVES ITS ADOPTION**

**Seconded by: BERNSTEIN**

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>

**RESOLUTION #61-2015****OFFERED BY STANLEY****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 2015 as Parkinson's Awareness Month in the Town of Shandaken**

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<u>  X  </u>	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

April 2015

**RESOLUTION #62-15****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	\$ 56,276.69
Highway	44,067.62
Phoenicia Water	9,193.32
Pine Hill Water	445.84
Phoenicia Lights	1,008.23
Chichester Lights	142.37
Pine Hill Lights	576.42
	-----
	<b>\$111,710.49</b>

AND MOVES ITS ADOPTION

**Seconded by: MALLOY**

ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 63 - 15**

**OFFERED BY: MALLOY**

**ADVERTISING FOR BIDS FOR REPLACEMENT AMBULANCE**

**WHEREAS**, the Town of Shandaken owns and operates an ALS Ambulance Service for the convenience and safety of its residents and visitors; and

**WHEREAS**, the Town has been informed of several deficiencies with its oldest fleet vehicle a 2006 Ford E-350 Type III Ambulance; and

**WHEREAS**, the Town recognizes the necessity of this vehicle for the continued uninterrupted use of the Town of Shandaken Ambulance Service;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby advertise for bids for a replacement ambulance vehicle; and

**BE IT FURTHER RESOLVED** acceptable bids shall be placed according to Ambulance Bid Specification documents that can be provided to prospective bidders upon request from either the Town Clerk or Ambulance Chief Richard Muellerleile. Each bid must be placed in a sealed envelope and clearly marked in large block letters "AMBULANCE BID" and submitted to the Town Clerk's Office (PO Box 67, 7209 Rte 28, Shandaken, NY 12480) no later than 3 pm on Monday, May 4, 2015 with bids to be opened at the regularly scheduled Town Board meeting that same evening at 7pm. The Town of Shandaken reserves the right to reject any and all bids.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 #64-15**

**OFFERED BY STANLEY**

**RESOLUTION APPROVING GRAVEL CRUSHING BID**

**WHEREAS**, the Town of Shandaken Highway Department advertised for bids for crushing of item 4 at the Town owned gravel bank following the Town Board meeting on March 2, 2015; and

**WHEREAS**, bids 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 Monday, April 6<sup>th</sup>, 2015 with bids to be opened at the Town Board meeting on the same date at 7pm;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approve the bid from

**CLARK COMPANIES, PO BOX 427 DELHI, NY 13753** for the bid amount of \$**3.60** **per ton**

and will furnish a closed circuit plant, fuel and manpower to run the plant and loader.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>

SUPERVISOR STANLEY

  X  

          

**RESOLUTION #65-15**

**OFFERED BY HIGLEY**

**RESOLUTION SUPPORTING 3rd ANNUAL  
WOMEN'S WOODSTOCK CYCLING GRAND PRIX**

**WHEREAS**, the Town of Shandaken has been approached concerning a new inaugural event for the Catskills, AND

**WHEREAS**, the new event is a bicycle race to be held on May 2nd , and

**WHEREAS**, said race will consist of a course originating from Woodstock, NY, through and along Rte. 212 and Wittenburg Rd., in Mt. Tremper, NY, along Rt. 28 to Bridge Street and Main Street in Phoenicia, to Plank Road and concluding in to Woodstock.

**WHEREAS**, the Town of Shandaken fully supports recreational tourism ventures throughout the Town and the region as beneficial economic activities,

**THEREFORE BE IT RESOLVED**, that the Town Board of Shandaken supports this event known as the "Women's Woodstock Cycling Grand Prix," and extends any courtesy as may be necessary to provide for the health, safety and welfare of the participants, visitors and residents alike

**AND MOVES ITS ADOPTION**

**Seconded by: STORMS**

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>          </u>
BOARD MEMBER HIGLEY	<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 # 66-15**

**OFFERED BY STORMS**

**RESOLUTION SUPPORTING MOBILE SPAY & NEUTER SERVICE**

**WHEREAS**, The Town of Shandaken feels that stray dogs and feral cats pose a health & safety threat to our citizens, and we would like to offer low cost solutions to our citizens to spay & neuter their pets. and

WHEREAS, Dr. Bridget Bloom, a licensed veterinarian in the State of New York, can provide low cost spay & neuter services from a mobile unit ,

THEREFORE, Be It Resolved that the Town of Shandaken Town Board supports the mobile spay & neuter service known as UPSTATE SPAY & NEUTER SERVICES, and will allow said mobile unit to be parked in the Town Hall parking lot on Saturdays when the services are being offered.

**AND MOVES ITS ADOPTION**

**Seconded by: STANLEY**

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 67-15**

**OFFERED BY BERNSTEIN**

**Special Meeting Dates for Phoenicia Water District Repairs**

WHEREAS, Problems with Phoenicia Water District has made it a priority to initiate Emergency Repairs and to seek Grants, Bids for repairs, etc. and

WHERAS, The procedures for Grants, Bidding, and Repairs is a timely endeavor, and we need to expedite the process

Be It Resolved, that the Town of Shandaken Town Board set the following dates & times, if needed, for the month of April 2015, pertaining to Phoenicia Water District Repairs.

APRIL 16<sup>TH</sup> 1PM THURS.

APRIL 21<sup>ST</sup> 1PM TUES.

APRIL 23<sup>RD</sup> 1PM THURS.

APRIL 28<sup>TH</sup> 1PM THURS.

APRIL 30<sup>TH</sup> 1PM THURS.

**AND MOVES ITS ADOPTION**

**Seconded by:**

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 68 - 15**

**OFFERED BY: STANLEY**

**AUTHORIZING SUPERVISOR TO APPLY FOR EMERGENCY GRANT  
FOR BRIDGE STREET WATER MAIN REPLACEMENT**

**WHEREAS**, the Town of Shandaken owns and operates a municipal water system located in the Hamlet of Phoenicia (Phoenicia Water District); and

**WHEREAS**, the Phoenicia Water District has endured a catastrophic failure of an 8" water main crossing the Bridge Street Bridge in Phoenicia due to extreme cold temperatures; and

**WHEREAS**, the Town recognizes the importance of re-establishing this main to maintain a sound delivery system for potable water to its residents;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to apply for an Emergency Community Water Assistance Grant (ECWAG) provided through the United States Department of Agriculture (USDA); and

**BE IT FURTHER RESOLVED** that USDA - ECWAG monies be applied for costs and fees associated with Engineering services, permitting processes and approvals, legal assistance, materials and labor for re-establishment of the Bridge Street water main.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>



**APPROVING TASK ORDER FROM TOWN ENGINEER FOR  
SERVICES ASSOCIATED WITH BRIDGE STREET WATER MAIN REPLACEMENT**

**WHEREAS**, the Town of Shandaken owns and operates a municipal water system located in the Hamlet of Phoenicia (Phoenicia Water District); and

**WHEREAS**, the Phoenicia Water District has endured a catastrophic failure of an 8" water main crossing the Bridge Street Bridge in Phoenicia due to extreme cold temperatures; and

**WHEREAS**, the Town recognizes the importance of re-establishing this main to maintain a sound delivery system for potable water to its residents and will be applying for an emergency grant to help offset costs of work necessary to re-establish said water main;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby approve the task order provided by the Town's Engineering firm of Milone and MacBroom, Inc. (MMI) for costs associated with all tasks outlined in the Task Order attached to this resolution for a sum not to exceed \$23,400 unless requested in writing by MMI and approved by the Town Board of Shandaken

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**May 2015**

**RESOLUTION #70-15**

**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>\$ 54,263.26</b>
<b>Highway</b>	<b>35,088.63</b>
<b>Phoenicia Water</b>	<b>14,318.44</b>
<b>Pine Hill Water</b>	<b>2,715.59</b>
<b>Phoenicia Lights</b>	<b>974.47</b>
<b>Chichester Lights</b>	<b>139.50</b>
<b>Pine Hill Lights</b>	<b>568.27</b>
	<b>-----</b>
	<b>\$108,068.16</b>

**AND MOVES ITS ADOPTION**  
Seconded by: MALLOY

ROLL CALL  
AYES                NAYS

BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 71 - 15**

**OFFERED BY: MALLOY**

**STANDARDIZING HEALTH CARE CONTRIBUTIONS BY EMPLOYEES**

**WHEREAS**, the Town of Shandaken has in the past allowed different and varying levels of contribution for healthcare coverage offered to full-time employees and elected officials in the Town, based on substantial differences in contractual language in multiple agreements and contracts for different departments throughout the Town; and

**WHEREAS**, the Town in an effort to standardize municipal costs of contributions across all departments for said healthcare wishes to establish a standard contribution rate; and

**WHEREAS**, the Town does not wish to penalize long-term employees that currently use and contribute to their healthcare plans; and

**WHEREAS**, the Town also recognizes that standardization of the employee contribution rate would help the Town in future and ongoing budgetary estimates, would help to simplify calculating those costs for prospective and new employees and normalizes rates between all employees of all departments from 2012-13 to today and forward;

**NOW, THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board, through passage of this resolution, hereby notifies that any employee who currently has or was eligible for healthcare prior to January 1, 2012, continue under their current rates and contributions, but that any eligible employee hired after January 1, 2012 or current employees who have not previously opted for Town healthcare coverage prior to January 1, 2012 and any elected official whose term starts on or after January 1, 2012, shall be responsible for 25% of the

cost of their selected healthcare coverage plan if they choose to use the coverage offered by the Town.

**BE IT FURTHER RESOLVED** that said rates shall not be retroactive and that these contribution rates shall be made effective as of June 1, 2015 and continuing forward.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS

BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
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BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
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SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>
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**RESOLUTION # 72-15**

**OFFERED BY: STANLEY**

#### **APPOINTMENT OF MUNICIPAL CODE OFFICER**

**WHEREAS**, pursuant to Town Law §20 & §138 and pursuant to §'s 116\_63, 116\_64 and 77\_11 of the Code of the Town of Shandaken, Municipal Code Officer in the Town is responsible for the enforcement of Zoning, Flood Plain Administration, Building Ordinances and rules and regulations;

**THEREFORE BE IT RESOLVED**, that **WARREN TUTT** be appointed as as Municipal Code Officer to be paid \$15 per hour, 25-30 hr. per week not to exceed an annual salary of \$ 19,485.00 and mileage while on Town Business.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS

BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
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BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
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SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>
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**RESOLUTION # 73 - 15**

**OFFERED BY: HIGLEY**

**A RESOLUTION ADOPTING THE FOLLOWING PROCEDURES AND POLICIES FOR THE TOWN OF SHANDAKEN FOR THE PROCUREMENT OF GOODS AND SERVICES NECESSARY FOR THE IMPLEMENTATION OF**

**PROJECTS FUNDED BY THE GOVERNOR'S OFFICE OF STORM  
RECOVERY OF THE NEW YORK STATE HOUSING TRUST FUND  
CORPORATION**

**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**, pursuant to the CDBG-DR Grant Program and Federal Register Notice (79 Fed. Reg. 62,183), entitled *Third 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 third allocation of CDBG-DR funds from HUD in the amount of \$605,922,000 (of which \$185,000,000 has been allocated towards the proposals developed through the Rebuild by Design competition); and

**WHEREAS**, the Town of Shandaken has entered into a subrecipient agreement with the Governor's Office of Storm Recovery of the New York State Housing Trust Fund Corporation.

**NOW, THEREFORE BE IT RESOLVED** by the Town of Shandaken Town Board, on behalf of the Town of Shandaken that the Town of Shandaken shall follow these policies and procedures in the procurement of goods and services necessary for the implementation of projects funded by the Governor's Office of Storm Recovery of the New York State Housing Trust Fund Corporation:

***PROCUREMENT PROCEDURES***

The Town of Shandaken will comply with the procurement standards required under 24 CFR 85.36 for all procurement activities utilizing CDBG-DR funds granted by the Governor's Office of Storm Recovery of the New York State Housing Trust Fund Corporation.

***AVOIDING PROCUREMENT OF UNNECESSARY OR DUPLICATIVE ITEMS OR SERVICES***

The director or supervisor of each department or agency of the Town of Shandaken responsible for procurement of services, supplies, equipment, or construction obtained with Federal, State or Local funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined

appropriate by the director or supervisor, an analysis should be made of lease versus purchase alternatives and any other analysis to determine the most economical approach.

**PROCUREMENT AND CONTRACT PROTEST PROCEDURES**

Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Statement. Any protest against solicitations must be received before the due date for receipt of bids or proposals, and any protest against the award of a contract must be received within ten calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to Purchasing Agent or Town of Shandaken Town Clerk. The Purchasing Agent or Town of Shandaken Town Clerk may, at his/her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

ROLL CALL  
AYES                NAYS

BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 74 - 15**

**OFFERED BY: STORMS**

**A RESOLUTION TO ADOPT A CITIZEN PARTICIPATION PLAN AS  
REQUIRED UNDER THE NEW YORK STATE COMMUNITY  
DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR)  
PROGRAM.**

**WHEREAS**, the Town of Shandaken is a subrecipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Housing Trust Fund Corporation, Governor's Office of Storm Recovery (GOSR) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and,

**WHEREAS**, participation in the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program requires the adoption and implementation of a Citizen Participation Plan to comply with Section 508 of the Housing and Community Development Act of 1974, as amended; and,

**WHEREAS**, the purpose of this plan is to provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used.

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Shandaken Town Board that the attached New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Citizen Participation Plan be hereby officially adopted for implementation in the Town of Shandaken's New York State CDBG-DR Program.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL  
AYES                NAYS

BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 75 - 15**

**OFFERED BY: MALLOY**

**RESOLUTION APPOINTING PINE HILL 2020 VISIONING  
COMMITTEE**

**WHEREAS**, the Town of Shandaken wishes to establish a committee to address current and future needs within the Hamlet of Pine Hill; and,

**WHEREAS**, the Town Board of Shandaken recognizes the importance of public participation in these discussions and the vision of the current residents, business owners and homeowners as to what they envision for the future of the Hamlet; and

**WHEREAS**, *Peg Ellsworth*, Executive Director from *M-ARK Project* located in Margaretville, NY, has offered to provide guidance and direction for funding for any identified projects to assist in the revitalization of the Hamlet of Pine Hill,

**THEREFORE, BE IT RESOLVED** the Town of Shandaken Town Board formally recognizes the following as members of the Pine Hill 2020 Visioning Committee: *Michael & Amelia Hegeman, Valerie & Robert Konefal, Richard Stokes, Steve Witte, Jan Jaffe, Michael Boyer, Tony Jannetti, Florence Hamling, Rusty Mae Moore, Neil Jocelyn, Molly Slater, Carol Chanler, Adam Turba and Jim Nevin.*

**BE IT FURTHER RESOLVED** that *Eric Hofmeister, Kathy Jordan, Martie Gales and Faye Storms* be present at committee meetings to address questions or information needed from their respective departments within the Town.

**AND MOVES ITS ADOPTION**

**Seconded by: STANLEY**

ROLL CALL  
AYES                NAYS

BOARD MEMBER BERNSTEIN	<u>      </u>	<u>  X  </u>
BOARD MEMBER HIGLEY	<u>      </u>	<u>  X  </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 #76-15**

**OFFERED BY: BERNSTEIN**

## **RESOLUTION ACCEPTING AMBULANCE VEHICLE BID**

**WHEREAS**, the Town of Shandaken Ambulance Department advertised for bids for a replacement Ambulance Vehicle following the Town Board meeting on March 2, 2015; and

**WHEREAS**, bids 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 Monday, May 4<sup>th</sup>, 2015 with bids to be opened at the Town Board meeting on the same date at 7pm;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board accept the bid from

**North Eastern Rescue Vehicle Inc. Syracuse, NY.**

**AND MOVES ITS ADOPTION**

**Seconded by: STANLEY**

	ROLL CALL	
	AYES	NAYS

BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
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BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
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SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>
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**RESOLUTION # 77-15**

**OFFERED BY STANLEY**

### **Special Meeting Dates for Phoenicia Water District Repairs**

**WHEREAS**, Problems with Phoenicia Water District has made it a priority to initiate Emergency Repairs and to seek Grants, Bids for repairs, etc. and

**WHEREAS**, The procedures for Grants, Bidding, and Repairs is a timely endeavor, and we need to expedite the process

Be It Resolved, that the Town of Shandaken Town Board set the following dates & times, if needed, for the month of May 2015, pertaining to Phoenicia Water District Repairs.

**Wed. May 13, 2015 - 1PM**

**Tues. May 19, 2015 – 1 PM**

**Thurs. May 21, 2015 – 1PM**

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

	ROLL CALL	
	AYES	NAYS

BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
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BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
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BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
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SUPERVISOR STANLEY

  X  

          

**RESOLUTION #78-15**

**OFFERED BY: HIGLEY**

**AMBULANCE TECHNICIANS**

**WHEREAS**, under §20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED** that the following personnel be appointed to the Shandaken Town Ambulance at rates not to exceed the following for the Fiscal Year 2015:

**Part Time EMT's:** \$70.68 per 12 hour shift, & \$31.77 per trip – **Vincent Pease.**

**AND MOVES ITS ADOPTION**

**Seconded by: STANLEY**

ROLL CALL  
AYES                NAYS

BOARD MEMBER BERNSTEIN

  X  

          

BOARD MEMBER HIGLEY

  X  

          

BOARD MEMBER MALLOY

  X  

          

BOARD MEMBER STORMS

  X  

          

SUPERVISOR STANLEY

  X  

          

**RESOLUTION #79-15**

**OFFERED BY STORMS**

**RESOLUTION APPROVING PUBLIC ASSEMBLY PERMIT  
FOR THE PHOENICIA INTERNATIONAL FESTIVAL OF THE VOICE**

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 International Festival of the Voice for their event to be held in Phoenicia, NY on July 29 – August 2, 2015

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

ROLL CALL  
AYES                NAYS

BOARD MEMBER BERNSTEIN   X



BOARD MEMBER HIGLEY	<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>

June 2015

**RESOLUTION #80-15**

**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>\$ 21,170.69</b>
<b>Highway</b>	<b>24,414.23</b>
<b>Phoenicia Water</b>	<b>7,402.88</b>
<b>Pine Hill Water</b>	<b>921.39</b>
<b>Phoenicia Lights</b>	<b>819.41</b>
<b>Chichester Lights</b>	<b>127.40</b>
<b>Pine Hill Lights</b>	<b>493.34</b>
	<b>-----</b>
	<b>\$ 55,349.34</b>

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<b>ABSENT</b>	<u>      </u>

**RESOLUTION # 81 - 15**

**OFFERED BY: MALLOY**

**RESOLUTION AUTHORIZING SUPERVISOR TO SIGN TAX LITIGATION  
AVOIDANCE PROGRAM PARTICIPATING COMMUNITY AGREEMENT**

**WHEREAS**, an agreement has been made by and between the Catskill Watershed Corporation (CWC), a not for profit corporation organized under the laws of the State of New York, and the Town of Shandaken (Town or Assessing Authority), Ulster County, New York, a political subdivision of the State of New York, acting by and through its Supervisor, having its principal offices at 7209 NYS Rte 28, Shandaken, New York; and,

**WHEREAS**, the Tax Litigation Avoidance Program (TLAP) is a requirement of the December 2010 Water Supply Permit issued by the New York State Department of Environmental Conservation; and

**WHEREAS**, the 2010 Water Supply Permit is a continuation of the 1997 Water Supply Permit and enforceable by all signatories to the 1997 New York City Watershed Memorandum of Agreement; and

**WHEREAS**, CWC and New York City Department of Environmental Protection (NYCDEP or the City) entered into the TLAP Contract dated January 25, 2012 (TLAP Program Contract); and

**WHEREAS**, the Assessing Authority is named party in proceeding filed by the City of New York under Article 7 of the Real Property Tax Law contesting the assessments of certain City-owned real property within the boundaries of the Assessing Authority ; and

**WHEREAS**, after receipt and review of the TLAP Program Contract and a generic template relevant to the assessment of certain City-owned real property within the Assessing Authority, the Assessing Authority passes a resolution to participate in the TLAP and execute the TLAP Program Participating Community Agreement (the Agreement); and

**WHEREAS**, CWC developed Program Standards for the management and administration of the TLAP and disbursement of Program Funds in order to pursue all Program Work described in the TLAP Program Contract; and

**THEREFORE, BE IT RESOLVED** in consideration of the promises and respective representations contained in the Agreement, the Town Board of Shandaken hereby authorizes the Town Supervisor to execute said Agreement

#### **AND MOVES ITS ADOPTION**

Seconded by HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	ABSENT	<u>      </u>

**RESOLUTION TO APPROVE AMBULANCE VEHICLE BID**

**WHEREAS**, the Town Board advertised to receive bids for an replacement ambulance vehicle, to be opened at the May meeting.

**WHEREAS**, one bid was received AND accepted from NORTHEAST RESCUE VEHICLE, SYRACUSE NY.

**WHEREAS**, the Ambulance chief and Town Board has reviewed the specifications required for the vehicle and have determined that the specifications and price meet their approval.

**THEREFORE, BE IT RESOLVED** the Town Board hereby approves the bid from NORTHEAST RESCUE VEHICLE  
**AND MOVES ITS ADOPTION**

Seconded by MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	ABSENT	<u>      </u>

**RESOLUTION APPOINTING SUMMER RECREATION DIRECTOR AND ASSISTANT**

**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 the Town Board of the Town of Shandaken appoints the following personnel:

Rayla-Suzan Hart – Recreational Director (\$600 weekly)

Manuela Jean-Pierre – Assistant Recreation Specialist (\$400 weekly)

For the purpose of coordinating and managing the Town of Shandaken Summer Recreation Program to run from Tuesday, July 07, 2015 through and including Thursday, August 13, 2015.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>

BOARD MEMBER STORMS        X              

SUPERVISOR STANLEY      ABSENT            

**RESOLUTION # 84-15**

**OFFERED BY BERNSTEIN**

**RESOLUTION AUTHORIZING CONTRACT FOR USE OF  
BELLEAYRE BEACH FOR SHANDAKEN SUMMER RECREATION DAY CAMP**

**WHEREAS**, the Town of Shandaken operates a Summer Recreation Day Camp (CAMP)  
for the  
benefit of its residents, and

**WHEREAS**, the CAMP will operate daily from 9am until 4pm on Tuesdays through  
Thursdays from  
July 07, 2015 through August 13, 2015, and

**WHEREAS**, the Belleayre Day Use Area (BEACH) is a local attraction that annually  
hosts our CAMP; And

**WHEREAS**, The Olympic Regional Development Authority (ORDA) currently operates  
the BEACH,

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board authorize  
the Town Supervisor to enter into agreement with the ORDA to operate the CAMP at the  
BEACH for the 2015 summer season.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

ROLL CALL  
AYES      NAYS

BOARD MEMBER BERNSTEIN        X              

BOARD MEMBER HIGLEY        X              

BOARD MEMBER MALLOY        X              

BOARD MEMBER STORMS        X              

SUPERVISOR STANLEY      ABSENT            

**RESOLUTION #85-15**

**OFFERED BY: MALLOY**

**RESOLUTION AUTHORIZING CONTRACT WITH UCAT**

**WHEREAS**, the Town of Shandaken Summer Recreation Program runs from Tuesday,  
July 07, 2015 through and including Thursday, August 13, 2015, and

**WHEREAS**, the Ulster County Area Transit (UCAT) system has provided us with the  
required daily transportation for the camp participants and counselors excluding field trip dates  
of Wednesdays, July 29 and August 12, 2015.

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board authorize  
the Town Supervisor to enter into agreement with UCAT in order to provide said transportation  
for those dates for program participants and employees

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	ABSENT	<u>      </u>

**RESOLUTION# 86-15**

**OFFERED BY: HIGLEY**

**RESOLUTION ADVERTISING FOR TRANSPORTATION BIDS  
FOR SUMMER RECREATION PROGRAM FIELD TRIPS**

**WHEREAS**, the Town of Shandaken Summer Recreation Program will be taking two field trips during the coming season

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board advertise transportation bids for the following field trips field trips:

- 2 School busses for round-trip to and from **HOWE’S CAVERNS** on **Wed. July 29, 2015**
- 2 School busses for round-trip to and from the **ZOOM FLUME** on **Wed. Aug. 12, 2015**

All bids must be received by July 6th, 2015 at 3pm at the Town Clerks Office, Shandaken Town Hall, 7209 Rt. 28 Shandaken NY 12480, to be awarded at town board meeting that night at 7pm.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	ABSENT	<u>      </u>

**RESOLUTION #87-15**

**OFFERED BY STORMS**

**MARRIAGE OFFICER – CHRISTOPHER TRENT**

**WHEREAS**, Pursuant to New York State Domestic Relations Law, the Governing Body of a municipality has the right to appoint Marriage Officer who shall have the authority to solemnize a marriage within the territorial jurisdiction of such municipality, and which marriage shall be valid if performed in accordance with other provisions of law, and

**WHEREAS**, According to said Law, the Marriage Officer appointment is valid for a

period of four (4) years, and Officer shall receive no salary or wage, and is authorized to accept and keep up to seventy-five (\$75.00) dollars for each marriage that he officiates, to be paid by or on behalf of the persons married.

**WHEREAS, Christopher Trent**, a resident of the Town of Shandaken, has requested the Town Board to appoint him to the position of Marriage Officer for the period of four (4) years or until such time as his appointment is withdrawn pursuant to Domestic Relations Law 11-c, whichever comes first.

**NOW, THEREFORE BE IT RESOLVED**, that **Christopher Trent** be appointed Town of Shandaken Marriage Officer – This resolution shall take effect immediately.

Appointment Expires June 1<sup>st</sup>, 2019.

**AND MOVES ITS ADOPTION**

Seconded by MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	ABSENT	<u>      </u>

**RESOLUTION #88-15**

**OFFERED BY: BERNSTEIN**

**WHEREAS**, The Town of Shandaken has recently had the Operation & Control of Shandaken Rural Cemetery conveyed to them.

**WHEREAS**, New York State Law section 290 requires the Town Supervisor and Town Clerk to file with the County Clerk a list of available burial lots and to offer said lots to the public.

**THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Shandaken designate the Supervisor & Town Clerk to notify the County Clerk of burial lots available and to sell said lots at the Shandaken Rural Cemetery, on a first come – first serve basis.

**BE IT FURTHER RESOLVED**, that the Town of Shandaken will continue to observe the Laws, Rules and Regulations as stated in section 1507 of the NYS Cemetery Board.

**AND MOVES ITS ADOPTION**

Seconded by HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>

BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	ABSENT	<u>      </u>

**RESOLUTION #89-15**

**OFFERED BY: MALLOY**

**Approve MARK Project Application to NYS Homes & Community– NY Main St. Program**

**WHEREAS**, the MARK Project desires to apply for up to \$500,000. in financial assistance through the 2015 Consolidated Funding Application (CFA) under the NY Main Street Program;

**WHEREAS**, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on Main Streets in the town of Andes, Middletown, Roxbury, Shandaken and the Villages of Margaretville and Fleischmanns.

**WHEREAS**, the proposed funding will contribute to ongoing community revitalization efforts; and

**WHEREAS**, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Shandaken approves and endorses the 2015 NY Main Street application for assistance prepared and to be submitted by the MARK Project, Inc.

**AND MOVES ITS ADOPTION**

Seconded by STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	ABSENT	<u>      </u>

July 2015

**RESOLUTION #90-15**

**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	\$ 30,235.45
Highway	29,340.97
Phoenicia Water	1,887.14
Pine Hill Water	602.23
Phoenicia Lights	907.14
Chichester Lights	133.86
Pine Hill Lights	529.56

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\$ 63,636.35

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 91-15**

**OFFERED BY MALLOY**

**A RESOLUTION TO PURCHASE REPLACEMENT POLICE VEHICLE**

**WHEREAS**, the Town of Shandaken, under contract with the Town of Shandaken Police Department, is required to replace Police Vehicles on a regular interval based on mileage; and

**WHEREAS**, the Town of Shandaken Police Department has extended beyond their contracted mileage to continue using the vehicle; and

**WHEREAS**, the Town is in need of replacing said vehicle;

**NOW THEREFORE BE IT RESOLVED** the Town Board of the Town of Shandaken approves the purchase of a new Police Vehicle to replace the existing high-mileage vehicle through use of funds from the Capital Reserve Account, dedicated for such purchases, and that vehicle cost will not exceed \$36,000 with all necessary appurtenances.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 92-15**

**OFFERED BY STANLEY**



## **A RESOLUTION FOR SILVER HOLLOW SLOPE STABILIZATION**

WHEREAS. THE Town of Shandaken Highway Department is seeking bids for SILVER HOLLOW SLOPE STABILIZATION PROJECT, as a result of Hurricane Irene damage. There will be a MANDATORY Bid Meeting on Thursday July 16th 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

THEREFORE BE IT RESOLVED, that bids – clearly marked on envelope SILVER HOLLOW STABILIZATION PROJECT - 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, August 3, 2015, 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: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 93-15**

**OFFERED BY HIGLEY**

## **A RESOLUTION FOR HERDMAN BRIDGE REPAIR PROJECT**

WHEREAS, The Town of Shandaken Highway Department is seeking bids for HERDMAN BRIDGE REPAIR PROJECT. Specifically, a bid for Four (4) Pre-stressed Concrete Deck Units.

Specifications are available at the Highway Superintendant's Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-5031

THEREFORE BE IT RESOLVED, that bids – Clearly marked on envelope HERDMAN BRIDGE REPAIR PROJECT - 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, August 3, 2015, 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: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>  X  </u>	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>

BOARD MEMBER STORMS              X                      
SUPERVISOR STANLEY             X                    

**RESOLUTION #94-15**

**OFFERED BY STORMS**

**RESOLUTION AWARDING TRANSPORTATION BID  
FOR SUMMER RECREATION PROGRAM FIELD TRIPS**

**WHEREAS**, the Town of Shandaken Summer Recreation Program will be taking two field trips during the coming season, and

**WHEREAS**, The Town advertised to receive bids for the following field trips:

- 2 School busses for round-trip to and from Howe's Caverns on Wednesday, July 29, 2015.
- 2 School busses for round-trip to and from Zoom Flume Water Park on Wednesday, August 12, 2015.

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board award the Transportation **Contract to** - TONCHE TRANSIT – PO Box 298 Mt. Tremper NY  
**Total Price – \$2,380.00**

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<u>      </u>	Recuse (related)
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	<u>  X  </u>	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 95-14**

**OFFERED BY: BERNSTEIN**

**RESOLUTION APPOINTING SUMMER RECREATION COUNSELORS**

**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 upon the recommendation of the Director and Assistant Director of the Town of Shandaken Summer Recreation Program that the following individuals be hired as follows:

**Senior Counselors** @ \$225. Weekly – Gabrielle Harp & Daniel Rice

**Returning Counselors** @ \$200 weekly: Nicholas Grant, Joe Relyea, Jr., Meghan Heidenberg

**First Year Counselors** @ \$175 weekly: -Kara Herdman, Sydney Heidenberg, Patrick Pfieffer, Amanda Moore, Christian Blydenburgh, Makaila Morton, Julia Fatum

**Please be advised that: All paid counselors shall receive 4 hours compensatory pay for mandatory orientation as required under state law**

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**July 22<sup>nd</sup> 2015 Special Meeting**

**RESOLUTION # 96-15**

**OFFERED BY STANLEY**

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF A \$100,000 STATUTORY  
INSTALLMENT BOND OF THE TOWN OF SHANDAKEN, COUNTY OF ULSTER,  
PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE ACQUISITION OF  
AN AMBULANCE**

**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 ONE HUNDRED THOUSAND AND 00/100 (\$100,000.00) 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 acquisition of an ambulance.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town board is ONE HUNDRED THOUSAND AND 00/100 (\$100,000.00) DOLLARS, and (b) no money has heretofore been authorized to be applied to the payment of the costs of said purpose, and (c) the Town board plans to finance the Town’s 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 five (5) years.

Section 5. It is hereby determined that the purposed maturity of the obligations authorized by this resolution will be five (5) 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: 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 # 97 - 15**

**OFFERED BY: STANLEY**

#### **AUTHORIZING TOWN SUPERVISOR TO EXECUTE DOCUMENTS FOR CONSOLIDATED FUNDING APPLICATION FUNDING FOR PLANNING GRANT FOR PHOENICIA WATER DISTRICT**

**WHEREAS**, the Town of Shandaken owns and operates a municipal water system located in the Hamlet of Phoenicia (Phoenicia Water District); and

**WHEREAS**, the Phoenicia Water District is in need of several improvements; and

**WHEREAS**, two of the identified projects for further development are studies to help select the most cost-effective measures to address the relocation of the High Street Wells and address turbidity reduction throughout the system including exploration of expansion of storage

capabilities; and

**WHEREAS**, Community Development Block Grants (CDBG) funds are available for such planning activities through the New York State Consolidated Funding Application (CFA) process;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to apply for \$46,502 for a CDBG – Planning Grant through the CFA process; and

**BE IT FURTHER RESOLVED** the Town Board recognizes, if awarded, the Phoenicia Water District will be responsible for a required 5% match of \$2,448.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

ROLL CALL 4 AYES, 1 ABSENT (BERNSTEIN)

**July 30, 2015**

**RESOLUTION # 98 - 15**

**OFFERED BY: STANLEY**

**AUTHORIZING TOWN SUPERVISOR TO EXECUTE DOCUMENTS FOR  
CONSOLIDATED FUNDING APPLICATION FUNDING FOR INFRASTRUCTURE  
IMPROVEMENTS FOR PHOENICIA WATER DISTRICT**

**WHEREAS**, the Town of Shandaken owns and operates a municipal water system located in the Hamlet of Phoenicia (Phoenicia Water District); and

**WHEREAS**, the Phoenicia Water District is in need of several improvements; and

**WHEREAS**, several projects have been identified for further development including; completion of the High Street Loop; Installation of the third Finished Water Pump at the Filtration Plant; Improvements for Chemical Storage and Ventilation; Cleaning and Disinfection of the existing Infiltration Gallery; and TV Inspection of the Water Storage Tank and spring water resources; and

**WHEREAS**, Community Development Block Grants (CDBG) funds are available for such Infrastructure improvement activities through the New York State Consolidated Funding Application (CFA) process;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to apply for \$372,500 from CDBG through the CFA process for said improvements; and

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

ROLL CALL 4 AYES, 1 ABSENT (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	\$ 36,085.72
Highway	44,720.68
Phoenicia Water	3,599.41
Pine Hill Water	271.41
Phoenicia Lights	923.56
Chichester Lights	135.07
Pine Hill Lights	534.07
	-----
	\$ 86,269.92

**AND MOVES ITS ADOPTION**  
Seconded by: HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 100 - 15**

**OFFERED BY: MALLOY**

**AUTHORIZING RECEIPT, USE AND DISBURSEMENT OF GRANT FUNDS AND  
AUTHORIZING SUPERVISOR TO EXECUTE RURAL DEVELOPMENT  
DOCUMENTS FOR EMERGENCY GRANT  
FOR BRIDGE STREET WATER MAIN REPLACEMENT**

**WHEREAS**, the Town of Shandaken owns and operates a municipal water system located in the Hamlet of Phoenicia (Phoenicia Water District); and

**WHEREAS**, the Phoenicia Water District has endured a catastrophic failure of an 8" water main crossing the Bridge Street Bridge in Phoenicia due to extreme cold temperatures; and

**WHEREAS**, the Town recognizes the importance of re-establishing this main to maintain a sound delivery system for potable water to its residents; and

**WHEREAS**, under Town of Shandaken Resolution #68-15 of 2015 authorizing the Town Supervisor to apply for a United States Department of Agriculture Emergency Community Water Assistance Grant (USDA-ECWAG); and

**WHEREAS**, the Town has received a letter from USDA – ECWAG that the Town has preliminarily been awarded said grant for the \$150,000 maximum;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorizes the receipt, use and disbursement of the USDA ECWAG monies; and

**BE IT FURTHER RESOLVED** the Town Board does hereby authorize the Town Supervisor to execute any documents necessary for use, receipt and disbursement of USDA-ECWAG monies.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 101 - 15**

**OFFERED BY: STANLEY**

**RESOLUTION TO ADOPT AN AFFIRMATIVE ACTION PLAN AS REQUIRED  
UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK  
GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM**

**WHEREAS**, the Town of Shandaken is a sub-recipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Governor’s Office of Storm Recovery (GOSR) of the New York State Housing Trust Fund Corporation (HTFC) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and,

**WHEREAS**, participation in the New York State CDBG-DR Program requires the adoption and implementation of an Affirmative Action Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and other program policies; and,

**WHEREAS**, the purpose of this plan is to prohibit workplace employment

discrimination on the basis of age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

**NOW, THEREFORE, BE IT RESOLVED** by the Shandaken Town Board that the Affirmative Action Plan be hereby officially adopted for implementation in the New York State CDBG-DR Program.

**AND MOVES ITS ADOPTION**

Seconded by:

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 # 102 - 15**

**OFFERED BY: HIGLEY**

**A RESOLUTION ADOPTING THE FOLLOWING SECTION 504  
POLICIES AND GRIEVANCE PROCEDURES FOR THE TOWN OF  
SHANDAKEN**

**SECTION 504 RESOLUTION/TOWN OF SHANDAKEN**

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

**WHEREAS**, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

**WHEREAS**, it is the policy of the Town of Shandaken not to discriminate against any individual, person, or group on the basis of disability and the intent of the Town of Shandaken to address any complaints that may arise pursuant to Section 504,



NOW, THEREFORE, BE IT RESOLVED that the Town of Shandaken does hereby adopt by resolution internal grievance procedures (the "Procedure"), affixed to this resolution, providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

**BE IT FURTHER RESOLVED**, that the Town of Shandaken does hereby designate the Town Supervisor as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that the Town of Shandaken will place its employees, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the Town of Shandaken's official newspaper, posting of notices in the Town of Shandaken's offices and facilities, placing notices in Town of Shandaken's publications, and/or distribution of memoranda or other written communications subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the Shandaken Town Hall for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the Town's adopted grievance procedures.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

**BACKGROUND:** Section 504 of the Rehabilitation Act of 1973 (the “Act”) as amended prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funded by HUD, administered by the Governor’s Office of Storm Recovery (GOSR), and under which the Town of Shandaken has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) established provisions for assuring equality of opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

**SECTION 504 POLICY/COMPLIANCE:** Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of the Town of Shandaken not to discriminate on the basis of disability. Towards that end, the Town of Shandaken has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined at Shandaken’s Town Hall. The Town Supervisor for the Town of Shandaken has been designated to coordinate the efforts of the Town with respect to Section 504 compliance. This information can also be accessed on the Internet at the following address: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/disabilities/sect504](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504). The Shandaken Town Hall is located at 7209 NY Route 28, Shandaken, New York. The Section 504 Coordinator can be reached at (845) 688-7165.

**GRIEVANCE PROCEDURE:** Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the Town of Shandaken outlined below.

- Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the Town of Shandaken relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later

than 30 days after its filing.

- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Town Board of Shandaken within 15 days of receiving the Section 504 Coordinator's decision. The Board of Supervisors shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

The Town of Shandaken will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for the Town of Shandaken to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

#### **RESOLUTION # 103-15**

**OFFERED BY: STORMS**

#### **BUILDING DEPARTMENT SECRETARY**

**WHEREAS**, under §20 of the Town Law it is the duty of the Town Board to appoint all employees of the Town;

**THEREFORE BE IT RESOLVED**, that **Anne Ricciardella**, be appointed as Building Department Secretary at 35 hr. per week, with an hourly rate of \$10.30, not to exceed \$19,129 for the Fiscal Year 2015 and serve at the pleasure of the Planning Board, Zoning Board of Appeals, Municipal Code Officer and be accountable to the Town Board while dispensing duties of said office,

#### **AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
	ABSTAIN	
BOARD MEMBER BERNSTEIN		_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

#### **Resolution 104-15**

**Offered By: BERNSTEIN**

**Accept Bids – Silver Hollow Slope Stabilization Projects**

**WHEREAS**, Pursuant to Resolution 93-15, the Town of Shandaken Town Board Advertised for bids for firms to assist in a Slope Stabilization Project for Silver Hollow.

**WHEREAS**, bids were received at the Town Clerk's Office, Shandaken Town Hall, 7209 Rt. 28 PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, August 3<sup>rd</sup>, 2015 with bids to be opened at the Town Board Meeting on the same date at 7pm.

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

Kingston Equipment Baker Bros. – 78 Stone Rd. West Hurley NY 12480 - \$224,900.  
Hubbell Bros. PO Box 664 Margaretville, NY 12455 - \$389,000.  
Evergreen Mtn. Contracting, West Kill, NY 12492 - \$325,000.

**AND MOVE ITS ADOPTION**

Seconded by STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 105-15**

**\*On a Stanley/Malloy motion, the Town Board unanimously voted to “scratch” this resolution, as there were no bids received.**

**Accept Bids – Herdman Bridge Repair Project**

**WHEREAS**, Pursuant to Resolution 93-15, the Town of Shandaken Town Board Advertised for bids for firms to assist in Herdman Bridge Repair Project.

**WHEREAS**, bids were received at the Town Clerk's Office, Shandaken Town Hall, 7209 Rt. 28 PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, August 3<sup>rd</sup>, 2015 with bids to be opened at the Town Board Meeting on the same date at 7pm.

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

**AND MOVE ITS ADOPTION**

Seconded by

**Set Special Meeting Date to Award Highway Bid  
Slope Stabilization**

**WHEREAS** bids were received for the Slope Stabilization Project for Silver Hollow, on August 3, 2015 at the monthly Town Board Meeting.

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board set the following date to award bid for Slope Stabilization Project.

**Monday August 17<sup>th</sup> at 1pm**

**AND MOVE ITS ADOPTION**

Seconded by STANLEY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	__X__	_____
BOARD MEMBER HIGLEY	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**Resolution to Amend Local law Chapter 69.8 & 69.9  
Dog License Fees & Impound Fees.**

**Whereas**, Local Law Chapter 69-8, Section 2 states: "Such fees shall be reviewed by the Town Board from time to time and may be changed by a resolution of the Town Board"

**Therefore be it resolved**, that the fees for licensing of dogs and impoundment fees be amended as follows:

**69.8 Licensing of Dogs**

**C. Fees for licensing of dogs**

**1. Fees**

a. The fee for a spayed or neutered dog shall be \$8.00 plus a surcharge of \$1. for the purpose of carrying out animal population control.

b. The fee for unspayed or unneutered shall be \$14.00 plus a surcharge of \$3. for the purpose of carrying out animal population control

c. A replacement tag fee of \$3.00 shall be charged to offset the costs associated with the provision and replacement of identification tags.

d. Owners who are 65 of age and older, shall be charged \$1.50 plus \$1. Surcharge for dog license, for spayed/neutered or unspayed/unneutered dogs.

e. Dogs who have been microchipped with active account, the fee for spayed/neutered shall \$6.00 plus \$1. Surcharge. The fee for unspayed/unneutered shall be \$12

plus surcharge of \$3.

---

**Be It Further Resolved.** 69.9 Seizure & Impoundment

B. The owner may redeem the dog by producing a license for such dog and by paying a redemption fee to the Town Clerk of \$20 retrieval fee plus subsequent daily impounding fees as follows: \$10 each day for the first 5 days, and \$20 per day for the next 4 days. (or 6<sup>th</sup> through 10<sup>th</sup> day)..

**AND MOVE ITS ADOPTION**

Seconded by HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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>

August 17, 2015

**Resolution 108-15**

**Offered By: STANLEY**

**Award Bid – Silver Hollow Slope Stabilization Projects**

**WHEREAS**, Pursuant to Resolution 93-15, the Town of Shandaken Town Board Advertised for & Received bids for firms to assist in a Slope Stabilization Project for Silver Hollow.

**WHEREAS**, On August 3, 2015 the following bids were received and accepted as qualified bidders-

Kingston Equipment Baker Bros. – 78 Stone Rd. West Hurley NY 12480 - \$224,900.

Hubbell Bros. PO Box 664 Margaretville, NY 12455 - \$389,000.

Evergreen Mtn. Contracting, West Kill, NY 12492 - \$325,000.

**THEREFORE, BE IT RESOLVED**, That after a review with the Town's Engineering Services, the Town of Shandaken Town Board award the Slope Stabilization project to

**Kingston Equipment Baker Bros. – 78 Stone Rd. West Hurley NY 12480 - \$224,900.**

**AND MOVE ITS ADOPTION**

Seconded by STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>

BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**RESOLUTION # 109**

**OFFERED BY STANLEY**

**AUTHORIZING CONTRACT EXTENSION WITH  
ULSTER COUNTY RESOURCE RECOVERY AGENCY (UCRRA)**

**WHEREAS**, the Town of Shandaken has an existing 20 year contract between the Town and the Ulster County Resource Recovery Agency for recycling services available for all Town residents, and

**WHEREAS**, the Town of Shandaken has an extended this contract on two occasions (2013 & 2014), and

**WHEREAS**, said contract expires in December 2015, and

**WHEREAS**, the UCRRA has requested a commitment from the town to sign a new contract which would expire on December 31, 2020

**THEREFORE BE IT RESOLVED** that the Town Board of Shandaken authorize the Town Supervisor to enter into this 4 year contract as written without revision or amendment.

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**Sept. 14, 2015**

**RESOLUTION #110-15**

**OFFERED BY MALLOY**

**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	\$ 61,892.09
Highway	28,353.74
Phoenicia Water	4,980.71
Pine Hill Water	----
Phoenicia Lights	864.20
Chichester Lights	130.05
Pine Hill Lights	510.10
	-----
	\$ 96,730.89

**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 # 111 - 15**

**OFFERED BY: STANLEY**

**AUTHORIZING SUPERVISOR TO ENTER AGREEMENT WITH NEW YORK CITY  
DEPARTMENT OF ENVIRNMENTAL 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 parcels forward through the **FEMA** Buyout Program:

<b>Parcel # 8595</b>	<b>SBL# 25.15-1-48</b>	<b>Owner: T. Byron</b>
<b>Parcel # 8601</b>	<b>SBL# 12.18-2-7</b>	<b>Owner: J. Blydenburgh</b>
<b>Parcel # 8603</b>	<b>SBL# 25.1-2-20</b>	<b>Owner: J. Barden</b>

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 # 112 -15**

**OFFERED BY: STORMS**

**ADVERTISING FOR BIDS FOR INSTALLATION OF THREE TOWN INFORMATION KIOSKS FUNDED BY SMART GROWTH GRANT**

**WHEREAS**, the Town of Shandaken has been awarded a Smart Growth Grant from NYS DEC which included the installation of four (4) town oriented information kiosks; and

**WHEREAS**, the Town has been successful in the installation of one kiosk using volunteers at the Big Indian Park; an

**WHEREAS**, the Town on several occasions has made its best effort in its request for volunteers for the installation of the final three kiosks (Main Street, Phoenicia; Ash Road and Route 42, Shandaken; Main Street, Pine Hill) with minimal response from the public; an

**WHEREAS**, the Town has enough remaining funds in the Smart Growth Grant available for the necessary materials and labor to install these kiosks including the installation of bluestone

bases and solar lighting fixtures for all four kiosks; and

**WHEREAS**, the Town has contacted DEC and received approval for this activity

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board hereby advertise for bids to install the three kiosks and install bluestone bases and solar lighting fixtures on all four kiosks and that any interested individuals or corporations who wish to bid on this project must attend a mandatory site visit at Big Indian Park to inspect the constructed kiosk on **Thursday, September 24, 2015 at 11am;**

**BE IT FURTHER RESOLVED** that any bid be submitted along with any other requirements as prescribed in the attached Request For Proposal (RFP) to the Town of Shandaken Town Clerk's Office located at 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, October 5, 2015 and must be in a sealed envelope clearly marked on the exterior of the envelope in large block letters "KIOSK BID" with said bids to be opened and read aloud at the regularly scheduled Town Board meeting that evening at 7 pm

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

1

Town of Shandaken Information Kiosk Construction and Installation – RFP

## **Town of Shandaken Request for Proposals**

### **Project Description and Preliminary Scope of Work**

The Town of Shandaken is soliciting proposals from qualified contractors for work to be completed on Town Information Kiosks:

#### **Project Description**

The Town is requesting labor to install three ten foot by ten foot (10'X 10') information kiosks to be located at locations previously designated throughout the Town and install bluestone base floors and solar lighting fixtures to these three kiosks as well as one previously constructed in Big Indian Park, State Route 28, Big Indian, NY. All construction materials needed will be provided by the Town through the Smart Growth Grant, excepting tools needed for construction.

#### **Requirement**

The Town requires a mandatory site visit to the existing kiosk located at Big Indian Park, NYS Route 28, Big Indian, NY 12410 scheduled for Thursday, September 24, 2015 at 11AM. Specifications and any relevant material will be available at that site visit for any interested parties.

#### **Completion Date**

The required completion date would be November 30, 2015.

#### **Scope of Work**

Professional services required shall include:

##### **1. Construct and install three (3) information kiosks including but not limited to:**

a. Site preparation

- b. Support post installation
- c. Plywood panel installation
- d. Roof truss, sheathing, drip edge and shingle installation

**2. Install bluestone floor base in all four information kiosks:**

- a. Ground preparation including base material and tamping
- b. Placement and securing of for four (4) slabs of 1½” to 2” thick blue stone in

triangular cut for each kiosk

**3. Install Solar lighting fixtures in all four kiosks:**

- a. Provide three written estimates for adequate Solar lighting fixtures
- b. Install and secure solar lights and accessories

**Payment Schedule**

Payments shall be made in one lump sum payment upon the satisfactory completion of all work. Payment shall be based strictly on the contract price as approved by the Town Board of Shandaken.

**Other:** The successful firm must comply with all applicable funder requirements.

**Submittal Content**

The proposal must be organized in sections containing the following information:

- ☐ **Description of Firm.** Describe your firm, areas of expertise, length of time in business, number of employees, and other information that would help to characterize the firm. Provide the address of the main office (for legal purposes) and the address of the office that will manage the project.
- ☐ **Experience.** Briefly describe other projects executed by your firm that demonstrate relevant experience; however, extensive descriptions of vaguely related projects are discouraged.
- ☐ **Insurance.** The Town will require proof of contractor’s insurance and workman’s compensation, as needed and if

selected, the contractor must provide proof that the Town of Shandaken has been added as an additional insured.

☐ **Personnel.** Submittals must identify a proposed project manager, who would be responsible for the day-to-day management of project tasks and would be the primary point of contact with your firm. An organization chart of the project team may be appropriate.

☐ **Project Schedule.** Provide a schedule of general project activities indicating the duration of each activity and the total project, including a schedule of Personnel to be assigned to project. The schedule should reflect realistic activity durations.

☐ **Project Cost.** The applicant shall state the full cost of undertaking the proposed services. In addition, the applicant shall state the hourly rates of various staff members in the event that additional services are requested by the Town.

Brochures or other material that may be helpful in evaluating your firm may be included in an appendix of the proposal.

#### **Additional Information**

Questions regarding the project may be directed to:

Robert A. Stanley  
Town Supervisor  
PO Box 134  
Shandaken, NY 12480  
(845) 688-7169  
shandakensupervisor@yahoo.com

#### **Submittal Deadline**

Proposals should be sent in a sealed envelope clearly labeled on the outside of the envelope in large block letter **"KIOSK BID."** Proposals must be received no later than 3 p.m. on Monday, October 5, 2015 at Town Clerk's Office, Town of Shandaken, P.O. Box 67, Shandaken, NY 12480. Bids will be opened and read aloud at the Regular Monthly Meeting of the Shandaken Town Board to be held at 7pm on the evening of Monday, October 5, 2015 at the Shandaken Town Hall, 7209 NYS Route 28, Shandaken, NY 12480. Proposals received after the deadline will not be considered.

#### **Selection Process**

Proposals will be ranked based on qualifications and the TOWN may choose to interview several of the top ranked firms. However, at its discretion, the TOWN may dispense with interviews and select a firm to perform the work. Firms will be evaluated on the basis of the following factors:

- ☐ Firm History and Capability to Perform Project
- ☐ Relevant Project Experience
- ☐ Qualifications
- ☐ Familiarity with Area and Project
- ☐ Project Approach and Schedule
- ☐ References

The TOWN Board may award the bid on the evening of October 5, 2015 at its regularly scheduled monthly meeting, but retains the right to award at a later date no later than October 19, 2015.

The TOWN will provide all necessary permits and approvals, as necessary, for the specific project completion.

The TOWN reserves the right to reject any and all of the proposals submitted in response to this RFP.

#### **Equal Opportunity/ Affirmative Action Employer**

All qualified consultants will receive consideration without regard to race, color, religion, creed, sex, age, or national origin.

**RESOLUTION # 113 - 15**

**OFFERED BY: MALLOY**

### **ADVERTISING FOR BIDS FOR REPAIR OF MORTON LIBRARY PORTICO**

**WHEREAS**, the Morton Memorial Library building (Morton Library) located on Elm Street in Pine Hill is owned by the Town of Shandaken; and

**WHEREAS**, the Morton Library is an Historic structure listed on both the State and National Registry; and

**WHEREAS**, the building serves a substantial portion of the community and provides open access to literary materials, provides educational opportunities, social gathering and computer access to a significant portion of the public including residents and visitors; and

**WHEREAS**, the portico at the entrance of the Morton Library is in need of necessary repair in order to continue operating and to provide these assets to the community at large; and

**WHEREAS**, the Town has Good Neighbor funds available to assist in this repair;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board hereby advertise for bids to repair the portico of the Morton Library and that any interested individuals or corporations who wish to bid on this repair may schedule an appointment to inspect the portico or may inspect on their own and that any bid for the repair be submitted along with a minimum of three references to the Town of Shandaken Town Clerk's Office located at 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday, October 5, 2015 and must be in sealed envelope clearly marked on the exterior of the envelope in large block letters "LIBRARY BID" with said bids to be opened and read aloud at the regularly scheduled Town Board meeting that evening at 7 pm.

**BE IT FURTHER RESOLVED** that the Town's Good Neighbor Funds be used to pay for the repair based on the bids received that evening.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____

**RESOLUTION # 114-15**

**OFFERED BY STANLEY**

**ACCEPT P/T POLICE RESIGNATION**

**WHEREAS**, JOHN VANDENDOOREN, has submitted a resignation letter to the Town of Shandaken for his position with Town of Shandaken Police Department; and

**THEREFORE BE IT RESOLVED**, that the Town Board of Shandaken hereby accepts JOHN VANDENDOOREN resignation from the Town of Shandaken Police Department.

**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 # 115-15**

**OFFERED BY: STORMS**

## **RESOLUTION HIRING -TOWN POLICE - PART-TIME OFFICER**

**WHEREAS**, pursuant to §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town,

**THEREFORE BE IT RESOLVED** that **Ryan V. Benincasa** be, and hereby is appointed Part-Time Police Officer for the Town of Shandaken Police Department, , Starting September 14, 2015, and receive a Part-Time rate of \$19.17 per hour, while discharging the duties of said office.

### **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 # 116-15**

**OFFERED BY: MALLOY**

## **RESOLUTION HIRING –AMBULANCE P/T TECHNICIAN**

**WHEREAS**, pursuant to §20 of the Town Law, the Town Board should designate all appointed officers and employees of the Town,

**THEREFORE BE IT RESOLVED** that **JAMES CODDINGTON** be, and hereby is appointed Part-Time AMBULANCE TECHNICIAN, for the Town of Shandaken AMBULANCE Department, to be paid \$197.68 per 12 hr. shift including trips.

**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 # 117-15**

**OFFERED BY STANLEY**

**RESOLUTION REQUESTING NO CAMPAIGN SIGNAGE  
UNTIL AFTER COLUMBUS DAY (October 12, 2015)**

**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 12, 2015.

**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__	_____

October 2, 2015

RESOLUTION # 118 - 15

OFFERED BY: STANLEY

**ADVERTISING BIDS FOR BRIDGE STREET WATER MAIN REPLACEMENT**

**WHEREAS**, the Town of Shandaken owns and operates a municipal water system located in the Hamlet of Phoenicia (Phoenicia Water District); and

**WHEREAS**, the Phoenicia Water District has endured a catastrophic failure of an 8" water main crossing the Bridge Street Bridge in Phoenicia due to extreme cold temperatures; and

**WHEREAS**, the Town recognizes the importance of re-establishing this main to maintain a sound delivery system for potable water to its residents; and

**WHEREAS**, under Town of Shandaken Resolution #68-15 of 2015 authorizing the Town Supervisor to apply for a United States Department of Agriculture Emergency Community Water Assistance Grant (USDA-ECWAG); and

**WHEREAS**, the Town has received a letter from USDA – ECWAG that the Town has been awarded said grant for the \$150,000 maximum;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby advertises for bids for repairs to the Bridge Street water main ; and

**BE IT FURTHER RESOLVED** that any interested individuals or corporations who wish to bid on this project must attend a mandatory meeting at the M.F. Whitney Firehouse located at 58 NYS Route 214 (intersection with Tremper Ave.), Phoenicia, NY 12464 to receive all relevant bidding documents and to perform a site visit on Wednesday, October 7, 2015 at 10 AM; and

**BE IT YET FURTHER RESOLVED** that any bid be submitted along with any other requirements as prescribed to the Town of Shandaken Town Clerk's Office located at 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 10 AM on Monday, October 19, 2015 and must be in a sealed envelope clearly marked on the exterior of the envelope in large block letters "WATER MAIN BID" with said bids to be opened and read aloud at a Special Town Board meeting that afternoon at 1 PM with said bid to be awarded at a Special Town Board meeting on Friday, October 23, 2015 at 10 AM.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	_____	__X__
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	__X__	_____



BOARD MEMBER STORMS                      \_\_X\_\_                      \_\_\_\_\_

SUPERVISOR STANLEY                      \_\_X\_\_                      \_\_\_\_\_

\*On Resolution 118, Bernstein felt the disclaimer “Town of Shandaken reserves the right to reject any or all bids”. Supr. Stanley stated the attorneys did the resolution and that was the way it will be presented.

**RESOLUTION # 119-15**

**OFFERED BY STANLEY**

**RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING**

WHEREAS, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning a Repair of Phoenicia Water Main.

WHEREAS, The Town of Shandaken will be advertising for bids for this repair.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board will conduct a Special Meetings to receive and award bids.

**Monday, October 19, 2015 at 1pm to Open Bids &  
Friday, October 23, 2015 at 10am to award bid.**

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

ROLL CALL

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

October 5, 2015

**RESOLUTION #120-15**

**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>\$ 48,560.82</b>
<b>Highway</b>	<b>24,570.10</b>
<b>Phoenicia Water</b>	<b>2,106.90</b>
<b>Pine Hill Water</b>	<b>1,694.41</b>
<b>Phoenicia Lights</b>	<b>896.56</b>
<b>Chichester Lights</b>	<b>132.86</b>
<b>Pine Hill Lights</b>	<b>524.33</b>
	<b>-----</b>
	<b>\$ 78,485.98</b>

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<b>__X__</b>	<b>_____</b>
BOARD MEMBER HIGLEY	<b>ABSENT</b>	<b>_____</b>
BOARD MEMBER MALLOY	<b>__X__</b>	<b>_____</b>
BOARD MEMBER STORMS	<b>ABSENT</b>	<b>_____</b>
SUPERVISOR STANLEY	<b>__X__</b>	<b>_____</b>

**RESOLUTION # 121-15**

**OFFERED BY MALLOY**

**RESOLUTION ADOPTING TENTATIVE BUDGET AS PRELIMINARY  
BUDGET**

**WHEREAS**, the Town of Shandaken has prepared a 2016 Tentative Budget for review;

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of

Shandaken hereby adopts the 2016 Tentative Budget as the 2016 Preliminary Budget for the Town of Shandaken

**AND MOVES ITS ADOPTION**

Seconded by: BERNSTEIN

ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 122-15**

**OFFERED BY STANLEY**

**RESOLUTION FOR PUBLIC HEARING ON 2016 TOWN BUDGET**

**WHEREAS**, a Public Hearing is held every year for the purpose of hearing all those in favor or against the adoption of the Preliminary Budget for the Town of Shandaken as the Annual Budget

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken will meet and review the 2016 Preliminary Budget and hold a Public Hearing thereon, at the Shandaken Town Hall on **November 4, 2015 -at 6:30 pm**, and at such hearing any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any items or items therein contained.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**Resolution 123-15**

**OFFERED BY BERNSTEIN**

**AWARD KIOSK BID**

**WHEREAS**, The Town Board of the Town of Shandaken advertised for bids FOR INSTALLATION OF FOUR TOWN INFORMATION KIOSKS FUNDED BY SMART GROWTH GRANT.

**THEREFORE BE IT RESOLVED**, The Town of Shandaken Town Board award the bid to:

**\*RESOLUTION TABLED October 19<sup>th</sup> Meeting – CLARIFICATION NEEDED From BIDDER\***

**AND MOVES ITS ADOPTION**

Seconded by:

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	_____	_____
BOARD MEMBER HIGLEY	_____	_____
BOARD MEMBER MALLOY	_____	_____
BOARD MEMBER STORMS	_____	_____
SUPERVISOR STANLEY	_____	_____

**Resolution 124-15**

**OFFERED BY MALLOY**

**AWARD MORTON LIBRARY PORTICO REPAIR**

**WHEREAS** , The Town Board of the Town of Shandaken advertised for bids to repair the portico of the Morton Library.

**THEREFORE BE IT RESOLVED**, The Town of Shandaken Town Board award the bid to:

**Walkill Build & Design, 145 Lippincott Rd. Wallkill, NY 12589 \$8,250.**

**AND MOVES ITS ADOPTION**

Seconded by:

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	_____
BOARD MEMBER HIGLEY	<b>ABSENT</b>	_____

BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**RESOLUTION # 125 - 15**

**OFFERED BY: STANLEY**

**AGREEMENT WITH NYS DOT CONCERNING PURCHASE OF  
LAND AND EASEMENT NEAR NYS RTE 42 BRIDGE BY  
GLENBROOK PARK**

**WHEREAS**, the Town of Shandaken owns real property along NYS Route 42 in the vicinity of Glenbrook Park and the Police and Ambulance Garage (SBL# 5.13-2-25.100); and

**WHEREAS**, the NYS Department of Transportation (DOT) is in charge of maintenance and repairs to NYS Rte 42 and a bridge adjacent to the Town owned property; and

**WHEREAS**, the DOT has identified insufficiencies with this bridge in order to convey 100 year flood elevations; and

**WHEREAS**, DOT requires a certain portion of the Town-owned lands in order to replace this bridge with a higher structure to help mitigate future 100-year flood events; and

**WHEREAS**, the DOT has offered a value of \$9,025 for outright purchase of a portion of said parcel and \$500.00 for an additional easement on same; and

**WHEREAS**, the Town feels this is a fair and just price for the land and the purpose for this purchase and easement;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to execute and sign any agreements necessary to complete this action for the benefit and protection of its residents and visitors alike.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>

SUPERVISOR STANLEY                        X                                  

**RESOLUTION # 126 - 15**

**OFFERED BY: BERNSTEIN**

**AGREEMENT WITH LANDOWNERS FOR PLACEMENT OF TOWN  
INFORMATION KIOSKS**

**WHEREAS**, the Town of Shandaken received a Smart Growth Grant from the NYS DEC to pay for the erection of four town informational kiosks located throughout the Town; and

**WHEREAS**, two locations identified for the placement of these kiosks are owned privately (*292 Main St., Pine Hill owned by R. Konefal and 84 Main St., Phoenicia owned by R. Kirk*); and

**WHEREAS**, the landowners and the Town desire to have an agreement in place regarding the security and welfare of the structures and to provide protections for these landowners; and

**WHEREAS**, there will be NO cost incurred by the Town or landowner and the Town's Attorney has reviewed the agreement which is amenable to all;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to execute said Agreement on behalf of the Town and that said Agreements shall remain in place for a period not to exceed December 31, 2025 unless further amendments or extensions go with said Agreement.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>          </u>
BOARD MEMBER HIGLEY	ABSENT	<u>          </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>          </u>
BOARD MEMBER STORMS	ABSENT	<u>          </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>          </u>

**RESOLUTION #127-15**

**OFFERED BY MALLOY**

**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 28, 2015** 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

	AYES	ROLL CALL NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<u>      </u>
BOARD MEMBER MALLOY	<u>  X  </u>	<u>      </u>
BOARD MEMBER STORMS	ABSENT	<u>      </u>
SUPERVISOR STANLEY	<u>  X  </u>	<u>      </u>

**October 19, 2015 – Special Meeting**

**Resolution 123-15**

**OFFERED BY Stanley**

### **AWARD KIOSK BID**

**WHEREAS**, The Town Board of the Town of Shandaken advertised for bids FOR INSTALLATION OF FOUR TOWN INFORMATION KIOSKS FUNDED BY SMART GROWTH GRANT.

**THEREFORE BE IT RESOLVED**, The Town of Shandaken Town Board award the bid to:

**Wallkill Build and Design Inc. 145 Lippincott Rd. Wallkill NY 12589 \$3,250 construct & install  
& \$2,400 for lighting**

**Total \$5,650.**

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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 128-15**

**OFFERED BY: STANLEY**

**Accept Bids – Phoenicia Bridge St. Water Main Repair**

**WHEREAS**, Pursuant to Resolution 118-15, the Town of Shandaken Town Board Advertised for bids for repairs to the Bridge Street Water Main, Phoenicia.

**WHEREAS**, bids were received at the Town Clerk's Office, Shandaken Town Hall, 7209 Rt. 28 PO Box 67, Shandaken, NY 12480 no later than 10am on Monday, October 19th, 2015 with bids to be opened at the Town Board Meeting on the same date at 1pm.

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

**Evergreen Mtn. Contracting – 25 Evergreen Mtn. Rd. West Kill, NY 12492**  
**\$265,000.**

**Merritt Construction Inc. – 6 Staghorn Dr. Saugerties, NY 12477**  
**\$175,500**

**AND MOVE ITS ADOPTION**

Seconded by MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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>

**October 23, 2015 SM**

**Resolution 129-15**

**OFFERED BY: Stanley**

**AMEND BUDGET FOR USDA GRANT – BRIDGE ST. REPAIR**

**Whereas**, the Town of Shandaken has embarked on seeking a ECWAG Grant from USDA to repair a Water Main on Bridge St., Phoenicia; and bids have been received and an amended budget must be sent to USDA.



**Therefore, Be It Resolved, That the Town Board of the Town of Shandaken  
approves the amended budgt on form E (attached) at an amt. of \$218,450.00  
AND MOVE ITS ADOPTION**

Seconded by Storms

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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>

## FORM E

## RURAL DEVELOPMENT (RD) PROJECT BUDGET/COST CERTIFICATION

Project Name: Emergency Water Line Replacement

Date: 10/21/15

Report No.:

Actual:

Estimate:

Funding Source(s)	Amount
RD Loan	
RD Loan	
RD Grant	\$150,000.00
RD Grant	
<b>SUB TOTAL:</b>	<b>\$150,000.00</b>

Other Funding Source(s)	Amount
Other Source: Town	\$68,450.00
Other Source:	
Other Source:	
<b>SUBTOTAL:</b>	<b>\$68,450.00</b>
<b>TOTAL:</b>	<b>\$218,450.00</b>

ITEM	APPROVED BUDGET	MODIFIED BUDGET	PREVIOUS EXPENDITURES	EXPENDITURES THIS PERIOD	EXPENDITURES TO DATE	BALANCE REMAINING
<b>A. ADMINISTRATIVE</b>						
1. Legal		\$1,000.00			\$0.00	\$1,000.00
2. Bonding					\$0.00	\$0.00
3. Net Interest					\$0.00	\$0.00
4. Fiscal Coordination					\$0.00	\$0.00
5. Bookkeeping & Reporting					\$0.00	\$0.00
6. Lands & Rights of Way					\$0.00	\$0.00
7. Single Audits					\$0.00	\$0.00
8. Miscellaneous					\$0.00	\$0.00
<b>Total A. Administrative</b>	<b>\$0.00</b>	<b>\$1,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,000.00</b>
<b>B. TECHNICAL SVCS.</b>						
1. Engineering						
a. Preliminary Engineering Services	\$4,400.00	\$4,400.00			\$0.00	\$4,400.00
b. Design Phase	\$12,000.00	\$12,000.00			\$0.00	\$12,000.00
c. Contract Administration	\$3,500.00	\$3,500.00			\$0.00	\$3,500.00
d. Resident Inspection	\$3,000.00	\$3,000.00			\$0.00	\$3,000.00
e. Additional Engineering Services	\$500.00	\$500.00			\$0.00	\$500.00
Direct Expenses	\$1,000.00	\$1,000.00			\$0.00	\$1,000.00
					\$0.00	\$0.00
<b>Total B. Technical Svcs.</b>	<b>\$24,400.00</b>	<b>\$24,400.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$24,400.00</b>
<b>C. CONSTRUCTION</b>						
1. Construction Contracts						
a. Contract 1	\$167,000.00	\$175,500.00			\$0.00	\$175,500.00
b. Contract 2					\$0.00	\$0.00
c. Contract 3					\$0.00	\$0.00
d. Contract 4					\$0.00	\$0.00
e. Contract 5					\$0.00	\$0.00
2. Direct Expenditures					\$0.00	\$0.00
a.					\$0.00	\$0.00
b.					\$0.00	\$0.00
c.					\$0.00	\$0.00
<b>Total C. Construction</b>	<b>\$167,000.00</b>	<b>\$175,500.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$175,500.00</b>
<b>D. CONTINGENCY</b>						
1. Contingency		\$17,550.00				
<b>Total D. Contingency</b>	<b>\$0.00</b>	<b>\$17,550.00</b>				<b>\$17,550.00</b>
<b>TOTAL PROJECT COST</b>	<b>\$191,400.00</b>	<b>\$218,450.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$218,450.00</b>

I certify to the best of my knowledge and belief that the billed costs or disbursements are in accordance with the terms of the project and that the reimbursement represents the Federal share due, which has not been previously requested and that an inspection has been performed and all work is in accordance with the terms of the award.

Applicant \_\_\_\_\_ Title \_\_\_\_\_

Engineer/Architect

Reviewed By \_\_\_\_\_

Date Reviewed \_\_\_\_\_

(revised 11/2008)

**Award Bid – Phoenicia Bridge St. Water Main Repair**

**WHEREAS**, Pursuant to Resolution 118-15, the Town of Shandaken Town Board Advertised for & Received bids for firms to Repair Phoenicia Bridge St. Water Main.

**WHEREAS**, On October 19, 2015 the following bids were received and accepted as qualified bidders-

	Evergreen Mtn. Contracting – 25 Evergreen Mtn. Rd. West Kill, NY 12492
\$265,000.00	
	Merritt Construction Inc. – 6 Staghorn Dr. Saugerties, NY 12477
\$175,500.00	

**THEREFORE, BE IT RESOLVED**, That after a review with the Town's Engineering Services, the Town of Shandaken Town Board award the Phoenicia Bridge St. Water Main Repair to:

**MERRITT Construction, Inc. – Pending final approval from USDA.**

**AND MOVE ITS ADOPTION**

Seconded by Storms

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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 #131-15**

**OFFERED BY Stanley**

**HALLOWEEN CURFEW RESOLUTION**

**WHEREAS**, the Town of Shandaken Town Board in prior years adopted a resolution pertaining to a Halloween Curfew to alleviate the damage resulting from unsupervised Trick or Treating.

**THEREFORE BE IT RESOLVED**, that a curfew throughout the Town of Shandaken is declared for the evening of Saturday October 31st, 2015 commencing at 9:00 PM and continuing until daylight. Said curfew to bar all children under the age of 18 unless accompanied by a parent or guardian from being on the streets, bridges, roadways or properties other than their own and empowering the Police to enforce the same.

**AND MOVES ITS ADOPTION**

**Seconded by: Malloy**

ROLL CALL

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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 # 132-15**

**OFFERED BY: Stanley**

**Loan Good Neighbor Funds – Phoenicia Water Main Repair**

**WHEREAS**, The Town of Shandaken owns and operates the Phoenicia Water District and Phoenicia Water District is undergoing emergency repairs for Water Main on Bridge St.

**WHEREAS**, The Town recognizes a difference between the \$150,000. USDA grant awarded us and the \$218,450. Budget.

**THEREFORE BE IT RESOLVED**, The Shandaken Town Board authorize loan of Good Neighbor Funds to Phoenicia Water District in the amount of \$70,000.

**AND MOVES ITS ADOPTION**

**Seconded by: Malloy**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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>

**October 29, 2015 SM**

**RESOLUTION # 133-15**

**OFFERED BY: Stanley**

**Amendment to Resolution 129-15**

**AMEND BUDGET FOR USDA GRANT – BRIDGE ST. REPAIR**

**WHEREAS**, The Town of Shandaken has embarked on seeking a ECWAG Grant from USDA for repair to Water Main on Bridge St. Phoenicia; and bids have been received and an amended budget must be sent to USDA.

**THEREFORE**, Be It Resolved, that the Town Board of the Town of Shandaken approves the amended budget on Form E (attached), at an amount of \$208,900.00

**AND MOVE IT'S ADOPTION**

**Seconded By Malloy**

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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>



## FORM E

**RURAL DEVELOPMENT (RD) PROJECT BUDGET/COST CERTIFICATION**Project Name: Emergency Water Line ReplacementDate: 10/27/15

Report No.: \_\_\_\_\_

Actual: \_\_\_\_\_

Estimate: \_\_\_\_\_

Funding Source(s)Amount

RD Loan	
RD Loan	
RD Grant	\$150,000.00
RD Grant	
SUB TOTAL:	\$150,000.00

Other Funding Source(s)Amount

Other Source:	Town	\$58,900.00
Other Source:		
Other Source:		
SUBTOTAL:		\$58,900.00
TOTAL:		\$208,900.00

ITEM	APPROVED BUDGET	MODIFIED BUDGET	PREVIOUS EXPENDITURES	EXPENDITURES THIS PERIOD	EXPENDITURES TO DATE	BALANCE REMAINING
<b>A. ADMINISTRATIVE</b>						
1. Legal		\$1,000.00			\$0.00	\$1,000.00
2. Bonding					\$0.00	\$0.00
3. Net Interest					\$0.00	\$0.00
4. Fiscal Coordination					\$0.00	\$0.00
5. Bookkeeping & Reporting					\$0.00	\$0.00
6. Lands & Rights of Way					\$0.00	\$0.00
7. Single Audits					\$0.00	\$0.00
8. Miscellaneous					\$0.00	\$0.00
<b>Total A. Administrative</b>	\$0.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
<b>B. TECHNICAL SVCS.</b>						
1. Engineering						
a. Preliminary Engineering Services	\$4,400.00	\$4,400.00			\$0.00	\$4,400.00
b. Design Phase	\$12,000.00	\$12,000.00			\$0.00	\$12,000.00
c. Contract Administration	\$3,900.00	\$3,900.00			\$0.00	\$3,900.00
d. Resident Inspection	\$3,000.00	\$3,000.00			\$0.00	\$3,000.00
e. Additional Engineering Services	\$500.00	\$7,600.00			\$0.00	\$7,300.00
Direct Expenses	\$1,000.00	\$1,000.00			\$0.00	\$1,000.00
<b>Total B. Technical Svcs.</b>	\$24,400.00	\$31,400.00	\$0.00	\$0.00	\$0.00	\$31,400.00
<b>C. CONSTRUCTION</b>						
1. Construction Contracts						
a. Contract 1	\$167,000.00	\$175,500.00			\$0.00	\$175,500.00
b. Contract 2					\$0.00	\$0.00
c. Contract 3					\$0.00	\$0.00
d. Contract 4					\$0.00	\$0.00
e. Contract 5					\$0.00	\$0.00
2. Direct Expenditures					\$0.00	\$0.00
a.					\$0.00	\$0.00
b.					\$0.00	\$0.00
c.					\$0.00	\$0.00
<b>Total C. Construction</b>	\$167,000.00	\$175,500.00	\$0.00	\$0.00	\$0.00	\$175,500.00
<b>D. CONTINGENCY</b>						
1. Contingency		\$1,000.00				
<b>Total D. Contingency</b>	\$0.00	\$1,000.00				\$1,000.00
<b>TOTAL PROJECT COST</b>	<b>\$167,400.00</b>	<b>\$208,900.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$208,900.00</b>

I certify to the best of my knowledge and belief that the billed costs or disbursements are in accordance with the terms of the project and that the reimbursement represents the Federal share due, which has not been previously requested and that an inspection has been performed and all work is in accordance with the terms of the award.

*Robert A. Stanley*  
Applicant Title Supervisor

*M.E.*  
Engineer/Architect

Reviewed By \_\_\_\_\_

Date Reviewed \_\_\_\_\_

(revised 11/2008)

**RESOLUTION # 134-15****OFFERED BY: Stanley****Amendment to Resolution 132-15****Authorize Loan Good Neighbor Funds – Phoenicia Water Main Repair**

WHEREAS, The Town of Shandaken owns and operates the Phoenicia Water District and Phoenicia Water District is undergoing emergency repairs for Water Main on Bridge St.

WHEREAS, The Town recognizes a difference between the \$150,000. USDA grant awarded us and the \$208,900. Budget.

THEREFORE BE IT RESOLVED, The Shandaken Town Board authorize loan of Good Neighbor Funds to Phoenicia Water District in the amount of \$60,000.

AND MOVE IT'S ADOPTION

Seconded By Storms

**ROLL CALL**

	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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>

**November 4, 2015**

**RESOLUTION #135-15****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	\$ 36,774.93
Highway	330,228.16
Phoenicia Water	2,139.18
Pine Hill Water	
Phoenicia Lights	970.12
Chichester Lights	139.15
Pine Hill Lights	556.43
	-----
	\$ 370,807.97

AND MOVES ITS ADOPTION

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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 #136-15**

**OFFERED BY MALLOY**

**RESOLUTION ADOPTING 2016 PRELIMINARY BUDGET AS 2016 TOWN BUDGET**

**WHEREAS**, the Town of Shandaken has prepared a 2016 Preliminary Budget for review;

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken following a Public Hearing held at 6:30 pm on Wednesday, November 4, 2015, hereby adopts the 2016 Preliminary Budget as amended as the **2016 Town Budget** for the Town of Shandaken

**AND MOVES ITS ADOPTION**

**Seconded by: STORMS**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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 # 137-15**

**OFFERED BY STANLEY**

**A RESOLUTION FOR MUDDY BROOK SLOPE STABILIZATION**

**WHEREAS.** THE Town of Shandaken Highway Department is seeking bids for MUDDY BROOK SLOPE STABILIZATION PROJECT, as a result of Hurricane Irene damage. There will be a MANDATORY Site Visit and Pre-Bid Meeting on Tuesday November 23rd, at 1pm at the Shandaken Town Hall. Inclement weather date will be Tuesday November 24<sup>th</sup> at 1pm.

Specifications are available at the Highway Superintendant's Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-5031

**THEREFORE BE IT RESOLVED**, that bids – clearly marked on envelope MUDDY



BROOK STABILIZATION PROJECT - 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 February 1, 2016, to be awarded on March 7th, 2016. 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 BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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 # 138-15**

**OFFERED BY: STORMS**

**AMBULANCE DRIVER**

**WHEREAS**, under §20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED** that the following personnel be appointed to the Shandaken Town Ambulance as a Driver: MICHAEL RYAN at \$27.07 Per Trip and \$53.04 per 12 hour shift.

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	ABSENT	<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 #139-15**

**OFFERED BY BERNSTEIN**

**TOWN POLICE DEPARTMENT P/T OFFICER**

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

**WHEREAS**, there is a Town Police Department; therefore be it **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 Police Officers to receive compensation as indicated:

LILLIAN TUEY - \$19.17 per hour

And that said police officers 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 BERNSTEIN	___X___	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

**November 20, 2015 SM**

**RESOLUTION # 140-15**

**OFFERED BY: Stanley**

**AMBULANCE TECHNICIANS**

**WHEREAS**, under §20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town;

**THEREFORE BE IT RESOLVED** that the following personnel be appointed to the Shandaken Town Ambulance as Provisional employees at rates not to exceed the following for the remainder of Fiscal Year 2015:

**Paramedics:** at \$16.47 per hour, including trips

Mark Bedell  
James Coddington  
Duane Davis

Melvin Harrington  
Matthew Kay  
Richard Muellerliele

Brendan Whalen  
Mike Williams

**EMT's:** at \$9.75 per hour, including trips

Kenneth Booth

Todd Carr

Concha Cowan

Dennis Frano

Vincent Pease

Cassandra Schmidt

Jack Spinneweber

**Drivers and Certified First Responders:** at \$8.75 per hour, including trips

Joe Camperlino

Tom Cruet

Peter DiSclafani

Keith Johnson

Ernest Longhi, Jr.

Brian Perez

John Rossitz, Jr.

Michael Ryan

and that said employees shall serve at the discretion of the Ambulance Chief and Town Board.

### **AND MOVES ITS ADOPTION**

Seconded by: Bernstein

#### **ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	<u>  X  </u>	<u>      </u>
BOARD MEMBER HIGLEY	<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 #141-15**

**OFFERED BY MALLOY**

### **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>\$</b>	<b>33,519.80</b>
<b>Highway</b>		<b>14,303.22</b>
<b>Phoenicia Water</b>		<b>8,616.59</b>
<b>Pine Hill Water</b>		<b>362.36</b>
<b>Phoenicia Lights</b>		<b>929.99</b>
<b>Chichester Lights</b>		<b>135.66</b>
<b>Pine Hill Lights</b>		<b>539.88</b>
		<b>-----</b>
		<b>\$ 58,407.50</b>

**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**

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>
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**

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>
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**

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>
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 purposed 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**

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>

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 30<sup>th</sup>, 2015** for the purpose of conducting related business.

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>

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

**RESOLUTION #149-15**

**OFFERED BY STORMS**

**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**

	<b>ROLL CALL</b>	
	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

**December 21, 2015**

**RESOLUTION # 150-15**

**OFFERED BY STANLEY**

**Resolution to Amend Res. #147-15**

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF A \$70,000 STATUTORY  
INSTALLMENT BOND OF THE TOWN OF SHANDAKEN, PHOENICIA WATER  
DISTRICT, 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. Acting on behalf of the Phoenicia Water District, the Town of Shandaken, County of Ulster, shall issue 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 the maximum cost of said purpose as estimated by the Town board is TWO HUNDRED TWENTY SEVEN THOUSAND AND 00/100 (\$227,000.00) DOLLARS. It is also hereby stated that the plan for financing the total cost of said purpose is as follows: (a) 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; (b) the 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 (c) the balance of the cost of said purpose shall be appropriated from the general funds and operating budget of the Phoenicia Water District, and

Section 4. It is hereby determined that said purpose is an object or purpose described in Section 11.00(a)(1) of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) 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. The full faith and credit of said Town of Shandaken, Phoenicia Water District, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal and interest on such bonds becoming due and payable in such year. All the real property of said Town located in the Phoenicia Water District shall be, in the manner provided by law, assessed in an amount sufficient to pay the principal of and interest on such bonds as the same become due and payable

Section 7. 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 8. 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 (a) such obligations are authorized for an object or purpose for which said 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 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 (c) if said obligations are authorized in violation of the constitution of New York.

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

#### **AND MOVES ITS ADOPTION**

Seconded by: MALLOY

BOARD MEMBER BERNSTEIN

ROLL CALL	
AYES	NAYS
_____	__X__

BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

**December 30, 2015 EOY Meeting**

**RESOLUTION 151-15**

**OFFERED BY: STANLEY**

**RESOLUTION TRANSFERRING FUNDS FOR GENERAL FUND – END OF YEAR**

**WHEREAS** The Town Board, In accordance with section 112 of the Town Law, may increase existing appropriations,

**THEREFORE BE IT RESOLVED** that the Town Board is amending the 2015 Town Budget in order to transfer the amount(s) listed below From Available Funds Appropriations Account TO Appropriations Account for the lawful purpose of utilizing these funds to pay anticipated lawful claims.

BUDGET RESOLUTIONS FOR 2016

FROM:	\$\$\$AMT.	TO:	\$\$\$ AMT.
Supervisor Contractual	\$ 1,071.00	Supervisors Secretary	\$ 1,071.00
Supervisor Equipment	\$ 150.00	Asst. Secretary	\$ 150.00
Supt. Hwy Personal Svce.	\$ 70.00	Hwy. Secretary	\$ 70.00
Supervisor Contractual	\$ 1,382.00	Accounting	\$ 1,382.00
Assessor's Equipment	\$ 645.00	Assessor's Clerk	\$ 1,621.00
Assessor's Contractual	\$ 976.00		
Special Item - Contingency Acct.	\$ 12,330.00	Attorney	\$ 12,330.00
Gas/Diesel/Fuel Exchange	\$ 1,600.00	Buildings	\$ 1,600.00
Central DP Contr. Expense	\$ 817.00	Central Communications	\$ 817.00
F/T Police Officers	\$ 29,540.00	Police Buy Back	\$ 29,540.00
Police Contractual	\$ 3,561.10	P/T Police	\$ 21,510.18
Police Uniforms	\$ 5,055.80		
Vehicle Expense	\$ 1,578.28		
Schools/Ammunition	\$ 2,315.00		
F/T Police Officers	\$ 9,000.00		
Control of Dogs- Pers. Svce	\$ 373.00	Control of Dogs-Contr.	\$ 373.00
Ambulance Uniforms	\$ 1,825.00	Ambulance Contractual	\$ 1,825.00
Ambulance Uniforms	\$ 147.00	Ambulance Equipment	\$ 147.00
Ambulance Uniforms	\$ 1,428.51	P/T Ambulance	\$ 7,352.21
Ambulance Education	\$ 1,523.70		
Refuse & Garb.Contr. Expense	\$ 3,500.00		
GIS -Planning & Mgmnt Dev.	\$ 900.00		
Publicity Contract Expense	\$ 10.00	Senior Nutrition	\$ 10.00
Recreation Pers. Svces	\$ 280.00	Recreation Contractual	\$ 280.00
Museum Contractual	\$ 772.00	Historic Personal Svce	\$ 772.00
Special Item - Contingency Acct.	\$ 6,120.00	Retirement	\$ 6,120.00
	\$ 86,970.39		\$ 86,970.39

**From:** Town Board Contractual \$150.00 **To:** Central Mail \$150.00

**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 # 152-15**

**Offered by: STANLEY**

**RESOLUTION TRANSFERRING FUNDS FOR HIGHWAY DEPARTMENT END OF YEAR**

**WHEREAS**, the Town of Shandaken each year transfers funds in order to meet all bills and balance all budgeted lines,

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approves the following transfers in order to balance budgeted lines:

**Highway:**

**Coming from:**

Machinery & Equip.Repair	\$ 7,650.00
Machinery & Equipment	\$ 28,700.00
State Aid Disaster Monies	\$ 235,000.00
Contingency	\$ 14,760.00
Contingency	\$ 5,240.00
Attorney Contractual	\$ 3,510.00
	\$ 294,860.00

**Going to:**

Snow Plow Parts  
Machinery & Equipment Repair  
FEMA Flood 2011  
Research & Engineering Fees  
Employee Benefits/Hospital  
Employee Benefits/Hospital

**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 # 153-15****Offered by: STANLEY****RESOLUTION TRANSFERRING FUNDS FOR PHOENICIA WATER END OF YEAR**

**WHEREAS**, the Town of Shandaken each year transfers funds in order to meet all bills and balance all budgeted lines,

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board approves the following transfers in order to balance budgeted lines:

**Phoenicia Water:****Coming from:**

Unallocated Insurance Payment	\$	475.00
Equipment	\$	499.92
Fuel & Utility	\$	2,000.00
Unallocated Insurance Payment	\$	1,073.00
Unallocated Insurance Payment	\$	1,450.00
Contingency	\$	4,975.00
Transfer to Capital	\$	7,500.00
Equipment Outlay	\$	13,661.92
	\$	31,634.84

**Going to:**

Employee Benefits/Health
Water Administrator Laborer
Labor Personal Service
Labor Personal Service
Contractual Expense
Contractual Expense
Contractual Expense
Contractual Expense

**FROM: Emp. Benefits/Soc.Security \$98.21 To: Employee Health Ins.**

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	__X__	_____
SUPERVISOR STANLEY	__X__	_____