



**Town of Shandaken Town Board**  
**Regular Monthly Meeting Agenda**  
**Monday, October 3, 2016**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of previous T/B Meeting minutes**
- 5. Supervisor's Financial Report**
- 6. Communications**
- 7. Committee Reports:**
  - a. *Ambulance*
  - b. *Police*
  - c. *Phoenicia Water*
  - d. *Pine Hill Water*
  - e. *Museum*
  - f. *Recreation*
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions:**
  - 139. Pay All Bills**
  - 140. Town Board – SEQR – Approve Logging Permit**
    - a. Balsam Gleann, LLC c/o Robert F. Cruickshank
  - 141. Town Board – Accept Tentative Budget as Preliminary Budget**
  - 142. Town Board – Set Public Hearing/Special Meeting**
    - a. Public Hearing @ 6:30pm - Approval to Exceed NYS Tax Cap
    - b. Public Hearing @ 6:45pm- Update Pine Hill Water Rates
    - c. Special Meeting - Thursday, October 13, 2016 @ 7 pm
  - 143. Town Board – Set Public Hearing on Preliminary Budget**
    - a. Wednesday, November 9, 2016 @ 6:30pm
  - 144. Town Board – SEQR – Local Law #1 of 2016**
    - a. Flood Maps & Flood Damage Prevention Ordinance
  - 145. Town Board – Adopt Local Law #1 of 2016**
    - a. Flood Maps & Flood Damage Prevention Ordinance
  - 146. Town Board – Authorize Application for \$130,000 in Grants**
    - a. \$115,000 - AWSMP-SMIP Grant for Shandaken/Allaben LFA
    - b. \$15,000 – AWSMP-SMIP Grant for CRS Consultant
  - 147. Town Board – Authorize NYS-DOT TAP Program Application**
    - a. \$700,000 Application for Pine Hill Infrastructure (Sidewalks)
  - 148. Town Board – Declaring Town a Climate Smart Community**
  - 149. Town Board – Re-appoint E. Greisser to Assess. Review Board**
  - 150. Town Board – Support Annual Phoenicia Turkey Trot**
- 11. Open Public Comment**
- 12. Meeting Adjournment - *IN MEMORY OF: Alan D'Addezio, Sgt. Kerry Winters, Dorothy Blish***

**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>\$ 23,584.47</b>
<b>Highway</b>	<b>119,254/73</b>
<b>Phoenicia Water</b>	<b>3,054.38</b>
<b>Pine Hill Water</b>	<b>780.10</b>
<b>Phoenicia Lights</b>	<b>910.10</b>
<b>Chichester Lights</b>	<b>139.10</b>
<b>Pine Hill Lights</b>	<b>537.89</b>
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	<b>\$ 148,260.77</b>

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

**ROLL CALL**

	<b>AYES</b>	<b>NAYS</b>
Board Member Alba	ABSENT	_____
Board Member DiSclafani	__X__	_____
Board Member Malloy	__X__	_____
Board Member Storms	__X__	_____
Supervisor Stanley	__X__	_____

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

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

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

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

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

**And Move Its Adoption  
Seconded by: STORMS**

**ROLL CALL**

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

**RESOLUTION ADOPTING TENTATIVE BUDGET AS PRELIMINARY BUDGET**

**WHEREAS**, the Town of Shandaken has prepared a 2017 Tentative Budget for review;

**THEREFORE, BE IT RESOLVED** the Town Board of the Town of Shandaken hereby adopts the 2017 Tentative Budget as the 2017 Preliminary Budget for the Town of Shandaken

**AND MOVES ITS ADOPTION**

**Seconded by: DISCLAFANI**

**ROLL CALL**

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

**RESOLUTION SETTING PUBLIC HEARINGS AND SPECIAL MEETING**

**WHEREAS**, the Town of Shandaken, has business to attend to in a timely manner regarding certain activities relating to the Town Budget and the Pine Hill Water District; and

**WHEREAS**, the Town foresees the possible need of exceeding the NYS Tax Cap within its 2017 Budget; and

**WHEREAS**, the Town of Shandaken, as the owner/operator of the Pine Hill Water District, has been requested by the Superintendent to review and amend the chargeable rates of the Pine Hill Water District;

**THEREFORE BE IT RESOLVED**, that the Town of Shandaken Town Board does hereby call for a Public Hearing on the Tax Cap Issue to be held at **6:30 pm**, followed by a Public Hearing on the Pine Hill Water Rates at **6:45 pm** followed by a Special Town Board meeting to address these issues at **7 pm** on **Thursday, October 13, 2016** at the Shandaken Town Hall, 7209 Route 28, Shandaken, NY to hear all those in favor and against such actions.

**AND MOVE ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

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

**SET PUBLIC HEARING ON 2017 PRELIMINARY 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 2017 Preliminary Budget and hold a Public Hearing thereon, at the Shandaken Town Hall on **November 9, 2016 -at 6:30 pm**, Preceding our Regular Monthly meeting, 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: STANLEY**

**ROLL CALL**

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

**RESOLUTION #: 144-16**

**OFFERED BY: STANLEY**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF SHANDAKEN DETERMINING NO ADVERSE IMPACTS ON THE ENVIRONMENT FOR LOCAL LAW # 1 OF 2016**

**WHEREAS**, the Town Board is looking to adopt Town of Shandaken Local Law #1 of 2016 revising the Town’s Flood Protection Ordinance; and

**THEREFORE BE IT RESOLVED**, that the Town Board has determined that the approval of Town of Shandaken Local Law # 1 of 2016 will not have significant adverse impacts on the environment; and

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

**AND MOVE ITS ADOPTION**

Seconded by: STORMS

**ROLL CALL**

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

**RESOLUTION FOR ADOPTION OF FLOOD ORDINANCES, MAPS AND INSURANCE STUDY**

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

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

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

**WHEREAS**, the Town on Tuesday, September 27<sup>th</sup>, 2016 held a Public Hearing to receive comments on the *FIRMs & Accessory Items* in accordance with State Law; and

**WHEREAS**, the Town Board has reviewed the revised *FIRMs & Accessory Items* including *Local Law #1 of 2016* and has performed the necessary SEQR determining that that the adoption of said items is a Negative Declaration;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby formally adopt said *FIRMs & Accessory Items* including *Local Law #1 of 2016*.

**AND MOVE ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL**

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



**RESOLUTION AUTHORIZING TOWN SUPERVISOR TO APPLY FOR AND ENTER GRANT CONTRACTS**

**WHEREAS**, the Town of Shandaken has two upcoming projects totaling One Hundred Thirty Thousand Dollars (\$130,000.00) which are eligible for funding under the Stream Management Implementation Project (SMIP) grant monies from the Ashokan Watershed Stream Management Program (AWSMP), and

**WHEREAS**, if awarded these grant monies will be provided to the Town for the listed activities with no matching funds required from the Town, and

**WHEREAS**, the following projects are to be funded over the coming months:

<u>Project</u>	<u>Amount Applied for Awarded</u>
Consultant for Community Rating System Application	\$15,000.00
Local Flood & Feasibility Analysis (Shandaken/Allaben)	\$115,000.00

**THEREFORE BE IT RESOLVED** the Town Board of Shandaken hereby authorizes the Town Supervisor to apply for SMIP Grant Funding and, if fully awarded, allow him to enter into contract for these SMIP grants with AWSMP to implement these projects as soon as possible.

**AND MOVE ITS ADOPTION**

Seconded by: DISCLAFANI

**ROLL CALL**

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

**AUTHORIZING SUPERVISOR TO APPLY FOR NYS DOT TRANSPORTATION ALTERNATIVE PROGRAM FUNDS FOR INFRASTRUCTURE IN PINE HILL**

**WHEREAS**, the Town of Shandaken is a municipal corporation whose area includes the Hamlet of Pine Hill, NY; and

**WHEREAS**, the Hamlet of Pine Hill is currently undergoing a Storm-water Retrofit Program grant provided through CWC to improve Storm-water collection and conveyance including road reclamation and curbing; and

**WHEREAS**, the Storm-water Retrofit Program does not provide for sidewalks or trail networks; and

**WHEREAS**, the Town of Shandaken hopes to go to construction under the Storm-water Retrofit Program in 2017; and

**WHEREAS**, the NYS DOT currently has announced the Transportation Alternative Program (TAP) which provide funds for sidewalks and trail networks for pedestrians and bicyclists whereby the DOT provide 80% of the total costs associated with such project; and

**WHEREAS**, the Town of Shandaken Town Board recognizes the desire to complete both these projects in a coordinated and timely fashion.

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to apply for TAP funding provided through the New York State Department of Transportation (NYS -DOT); and

**BE IT FURTHER RESOLVED** that any monies awarded be applied for costs and fees associated with Engineering services, permitting processes and approvals, legal assistance, materials and labor for the re-establishment of sidewalks and trails throughout the Hamlet of Pine Hill.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

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

**RESOLUTION DECLARING THE TOWN OF SHANDAKEN AS A CLIMATE SMART COMMUNITY**

**WHEREAS**, the Town of Shandaken (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

**WHEREAS**, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

**WHEREAS**, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

**WHEREAS**, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

**WHEREAS**, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

**THEREFORE BE IT RESOLVED** that the Town of Shandaken, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

1. *Pledge to be a Climate Smart Community.*
2. *Set goals, inventory emissions, plan for climate action.*
3. *Decrease community energy use.*
4. *Increase community use of renewable energy.*
5. *Realize benefits of recycling and other climate-smart solid waste management practices.*
6. *Reduce greenhouse gas emissions through use of climate-smart land-use tools.*
7. *Enhance community resilience and prepare for the effects of climate change.*
8. *Support development of a green innovation economy.*
9. *Inform and inspire the public.*
10. *Commit to an evolving process of climate action.*

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL**

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

**ASSESSMENT BOARD OF REVIEW APPOINTMENT**

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

**THEREFORE BE IT RESOLVED**, that **Erich Griesser** be and hereby is reappointed to the Assessment Board of Review, and serve as such without compensation until the end of his term ending September 30, 2021.

**AND MOVES ITS ADOPTION**

**Seconded by: STANLEY**

**ROLL CALL**

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

**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 26, 2016** 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: MALLOY

ROLL CALL

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