



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, March 6, 2017 – 7pm

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of previous T/B Meeting minutes
5. Supervisor's Financial Report
6. Communications
7. Committee Reports:
 - a. Ambulance
 - b. Police
 - c. Phoenicia Water
 - d. Pine Hill Water
 - e. Museum
 - f. Recreation
8. Public Comments on Resolutions
9. Motions:
10. Resolutions:
 62. Pay All Bills
 63. SAFARI- Award Firm to Conduct Feasibility Study
 - a. Relocation of 38 Main Street Buildings – CWC \$15,000 grant
 64. SAFARI – Award Consultant for CRS Application
 - a. Community Rating System – AWSMP \$15,000 grant
 65. Police – Promote P/T Officer to F/T
 - a. Officer Sean Ryan @ \$24.67 per hour
 66. Highway – Renew Shared Service Agreement with Towns
 67. Town Board – Support Smart Growth Grant Application
 - a. Catskill Mountain & Mountain Cloves Scenic Byway App.
 - b. Town Sponsors Grant for Joint Marketing Plan
 68. Town Board – Authorize Contract w/ CWC Property Purchase
 - a. \$114,000 Buyout for Possible Town Hall Location
 69. Town Board – Approve Bi-Annual Court Audit
 70. Highway – Award Gravel Crushing Bid
 71. Sign Property Consent Order
 72. Highway – Water Districts Accept Secretary Resignation
– Adv. For position
11. Open Public Comment
12. Meeting Adjournment - *IN MEMORY OF:*

<i>Marjorie "Midge" Gossoo</i>	<i>Margaret "Marge" Lloyd</i>	<i>Lewis Peck</i>
<i>Margaret Rider</i>		<i>Muriel Rope</i>

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	\$ 32,838.44
Highway	115,810.98
Phoenicia Water	1,245.10
Pine Hill Water	50,000.00 M&T Loan Payment
Phoenicia Lights	1,125.20
Chichester Lights	157.34
Pine Hill Lights	635.05

	\$ 201,810.11

AND MOVES ITS ADOPTION

Seconded by: MALLOY

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

RESOLUTION # 63 - 17

OFFERED BY MALLOY

RESOLUTION TO HIRE FIRM FOR FEASIBILITY STUDY FOR PHOENICIA LFA PROJECT

WHEREAS, the Town of Shandaken Town Board has completed a Local Flood Analysis (LFA) in the Hamlet of Phoenicia in 2016; and

WHEREAS, the LFA identifies several projects including the possible relocation of certain structures within the Hamlet including a property located at 38 Main St., Phoenicia; and

WHEREAS, the Town applied for and received a \$15,000 grant through the CWC to conduct a feasibility study for said relocation with the property owners approval; and

WHEREAS, the Town, under Resolution 55-17 of the Town Board advertised for bids through a Request for Proposals and convened an evaluation committee to score the proposals received; and

THEREFORE BE IT RESOLVED the Town of Shandaken Town Board, following the recommendation of the evaluation committee, hereby awards this project to **Milone & MacBroom, Inc.** with offices located in **231 Main St., New Paltz, NY.**

AND MOVES ITS ADOPTION

Seconded by: DISCLAFANI

ROLL CALL

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

RESOLUTION TO HIRE CRS CONSULTANT

WHEREAS, the Town of Shandaken Town Board and the Shandaken Area Flood Assessment and Remdiation Initiative (SAFARI) members have been diligently working toward efforts to help identify and reduce flood threats throughout the Town; and

WHEREAS, the Town of Shandaken Flood Mitigation Plan identifies activities to help the Town achieve the goal of reduction of threats from flooding as well as helping to reduce the costs of Flood Insurance Rates for the benefit of all Town Property owners; and

WHEREAS, the Flood Mitigation Plan includes Initiative 18 which stresses “Participation in the Community Ratings System (CRS) to further manage flood risk and reduce flood insurance premiums for NFIP policyholders”; and

WHEREAS, the Town has received a \$15,000 grant from the Ashokan Watershed Stream Management Program (AWSMP) to hire a consultant to assist the Town in registering in CRS; and

WHEREAS, the Town, under Resolution 56-17 of the Town Board advertised for bids through a Request for Proposals and convened an evaluation committee to score the proposals received; and

THEREFORE BE IT RESOLVED the Town of Shandaken Town Board, following the recommendation of the evaluation committee, hereby awards this project to MILONE & MACBROOM with offices located at 231 Main Street, Suite 102 New Paltz, NY 12561 .

AND MOVES ITS ADOPTION

Seconded by: ALBA

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

TOWN POLICE DEPARTMENT

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

WHEREAS, there is a Town Police Department; and

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

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

NAME	COMPENSATION
SEAN RYAN	\$24.67 per hour

And that said police officer shall have all powers conferred upon police officers by the general laws of the State of New York including but not limited to and such powers, not inconsistent with law, as are hereinafter set forth; and that said police officers shall have all powers designated in § 2.20 of the Criminal Procedure Law of the State of New York and shall have the following special duties:

1. To enforce all local laws, ordinances and regulations of the Town of Shandaken.
2. To enforce the Vehicle and Traffic Law of the State of New York to the extent that police officers may be so permitted by the general laws of the State of New York.
3. To enforce such Penal Statutes as police officers are permitted to enforce pursuant to the general laws of the State of New York, and in furtherance of said special duties police officers are hereby authorized the use, of a Town Vehicle to be known as a police officer's vehicle which may be equipped with emergency lights in accordance with applicable sections of the Vehicle and Traffic Law, and may use the State and County radio to the extent permitted by the general laws of the State of New York, and may carry fire arms while on duty in compliance with the general laws of the State of New York pertaining to Police Officers generally.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

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

RESOLUTION TO RENEW SHARED SERVICES

WHEREAS, in the past the Town of Shandaken has had Shared Service Agreements with other municipalities who possess similar Shared Service Agreements authorizing the borrowing or lending of materials and supplies, and that exchanging, leasing, renting and maintenance of equipment (including the operators thereof) for the purpose of aiding the Highway Superintendent in the performance of his/her duties; and

WHEREAS, these agreements are renewable every five years.

THEREFORE BE IT RESOLVED the Town of Shandaken Town Board hereby authorizes the Supervisor to sign such agreement and file it with the surrounding Towns and Villages.

AND MOVES ITS ADOPTION

Seconded by: STORMS

ROLL CALL

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

RESOLUTION # 67 - 17

OFFERED BY DISCLAFANI

RESOLUTION TO AUTHORIZE JOINT SCENIC BYWAY SMART GROWTH GRANT APPLICATION

WHEREAS, the Town of Shandaken is part of the Catskill Mountains Scenic Byway (CMSB); and

WHEREAS, The CMSB members had several meetings with members of the Mountain Cloves Scenic Byway (MCSB) located in the neighboring Town of Hunter located in Greene County; and

WHEREAS, both the CMSB and MCSB are on common ground in using their status as Scenic Byways to draw more visitors to our region as a whole; and

WHEREAS, the NYS DEC has recently announced a round of Smart Growth Grant Funding available to entities in our region; and

WHEREAS, both the CMSB and MCSB are interested in pursuing a joint application of funds for the maximum amount of \$75,000 in order to create promotional materials and help with other endeavors unique for each Byway while illustrating further collaboration throughout our region;

THEREFORE BE IT RESOLVED the Town of Shandaken Town Board hereby authorizes the Supervisor to file an application to the Smart Growth Program on behalf of both the Catskill Mountain and Mountain Cloves Scenic Byways in order to benefit each of these assets in our region.

AND MOVES ITS ADOPTION

Seconded by: ALBA

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

AUTHORIZE CONTRACT FOR CWC FUNDING

FOR PURCHASE OF PARCEL TO BE USED FOR RELOCATION OF TOWN BUILDINGS

WHEREAS, the Town of Shandaken purchased a parcel of land along Route 28 in Phoenicia (SBL # 25.1-1-2.100) with monies provided by the New York City Department of Environmental Protection (NYC – DEP) under the New Infrastructure Program; and

WHEREAS, at the close of that agreement the Town was responsible to pay restitution to NYC – DEP for the parcel purchased, either through sale or outright purchase by the Town; and

WHEREAS, the Town of Shandaken has made several attempts to sell said parcel with no offers being made over the last several years; and

WHEREAS, NYC – DEP is requesting immediate and final closeout of this agreement; and

WHEREAS, the Town of Shandaken accepted a Local Flood Analysis (LFA) for the Hamlets of Phoenicia and Mt. Tremper; and

WHEREAS, the LFA highlighted certain activities to mitigate flooding and improve resiliency and response to future flood events; and

WHEREAS, one of those projects is retention of a Town-owned parcel along Route 28 in Phoenicia for future use as a site for Critical Community Facilities; and

WHEREAS, the Town of Shandaken Town Hall, Highway Garage and Ambulance Department are all located within the Floodway of the Esopus Creek; and

WHEREAS, the Town, through the NY Rising Program, is initiating a feasibility study and design for a new Town Complex (Town Hall, Highway Garage and Ambulance Department) to meet the goals outlined in the LFA; and

WHEREAS, The Town, through Resolution 134-16, authorized the application to the Catskill Watershed Corporation (CWC) for funding and was approved by CWC Resolution 2987;

THEREFORE, BE IT RESOLVED that the Town of Shandaken Town Board hereby authorizes the Town Supervisor to execute the contract from the CWC for said above purpose for the sum of \$114,000.00.

AND MOVE ITS ADOPTION

Seconded by: STORMS

ROLL CALL

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

RESOLUTION TO ACCEPT AUDIT OF TOWN COURT

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town and village auditing boards, and that such records then be examined or audited and that fact be entered into the minutes of the board’s proceedings, and

WHEREAS, the NYS Office of Court Administration has requested that the Town of Shandaken provide a copy of our most recent audit or examination of our local court’s records and a copy of the board resolution acknowledging that the required examination or audit was conducted, and

WHEREAS, such examination or audit was conducted on January 10, 2017, by Town Board Member Faye Storms,

THEREFORE BE IT RESOLVED that the Town Board acknowledge that the examination or audit was conducted.

AND MOVES ITS ADOPTIONS

Seconded by: MALLOY

ROLL CALL

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

RESOLUTION 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 February 6, 2017; 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, March 6th, 2017 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 **NORTHERN CRUSHING** --for the bid amount of \$ 3.45 **per ton**

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

AND MOVES ITS ADOPTION

Seconded by: Disclafani

ROLL CALL

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

Bids Received:

Constantine Construction - \$5.25 Per Ton
564 Albany Shaker Rd
Loudonville, NY 12211

Clark \$3.85 Per Ton
PO Box 427
Delhi, NY 13753

RMS Gravel \$4.75 Per Ton
PO Box 455
Dryden, NY 13053

Northern Crushing \$ 3.45 Per Ton
167 Totem Lodge Rd
Averell Park, NY 12018

RESOLUTION FOR CONSENT ORDER

ELANA T. LEVENSON AND WILLIAM J. LEVENSON

WHEREAS, following court proceedings between two neighbors concerning a change in their adjoining lot line whereby the Town will only need to make the adjustment on the maps and assessment roll accordingly;

THEREFORE BE IT RESOLVED that the Town Board hereby authorizes Kyle W. Barnett, Esq. of counsel from Van DeWater & Van DeWater, LLP, to enter into a Stipulation and Order and sign a Stipulation of Discontinuance in the forms provided the Town, settling the action seeking to quiet title to a 2.0 ± acre parcel of real property (1.3-1-39.100) and to declare certain easement rights claimed by the plaintiff over defendants, Rudolph’s property.

AND MOVES ITS ADOPTIONS

Seconded by: MALLOY

ROLL CALL

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

RESOLUTION # 72-17

OFFERED BY DISCLAFANI

**ACCEPT RESIGNATION & Advertise for Highway Secretary & Water Districts Clerk
Bookkeeper**

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 Sue Christiana – Confidential Highway Secretary & Water Bookkeeper & Billing Clerk (Effective 3/30/17), and that the town advertise for

Highway Secretary – Not to exceed \$24,115 per year

Phoenicia Water Bookkeeper Not to exceed \$2,742 per year, Billing Clerk Not to exceed \$1,436. Per year

Pine Hill Water Billing Clerk – Not to exceed \$1,300 per year

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL

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

Signed this 7th day of March, 2017
