

November 8, 2017

***On a Stanley - Malloy motion, the Town unanimously voted to accept the resignation of Carol Herdman and hire Lynne Stewart as Full Time Confidential Secretary @ \$11.75. Effective immediately.**

RESOLUTION #122-17

OFFERED BY: Disclafani

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	\$ 58,409.28
Highway	182,320.23
Phoenicia Water	9,885.15
Pine Hill Water	698.58
Phoenicia Lights	1,030.19
Chichester Lights	152.31
Pine Hill Lights	596.98

	\$ 253,092.72

AND MOVES ITS ADOPTION

Seconded by: Alba

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 #123-17

OFFERED BY MALLOY

RESOLUTION ADOPTING 2018 PRELIMINARY BUDGET AS 2018 TOWN BUDGET

WHEREAS, the Town of Shandaken has prepared a 2018 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 8, 2017, hereby adopts the 2018 Preliminary Budget as amended as the 2018 Town Budget for the Town of Shandaken

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 # 124-17

OFFERED BY STANLEY

AWARD CONTRACT FOR REPAIRS TO TOWN OWNED BUILDING

WHEREAS, the Town of Shandaken owns a parcel of land with two structures located on it at 9 Mt. Ava Maria Drive, Phoenicia, NY 12464 (SBL# 14.13-1-24) and

WHEREAS, the Town Board, under Resolutions 119-16 and 128-16 of 2016, had advertised for bidders to address repair and replacement of the basement entrance of the primary structure but was never completed; and

WHEREAS, said repair is still necessary and the Town now has additional need to repair the Handicap ramp attached to the same building; and

WHEREAS, the Town, following due diligence and procurement policy, has found a contractor willing to perform the work in a timely manner.

BE IT FURTHER RESOLVED that the Town Board authorize the Town Supervisor to contact DEP officials to retain permission for the use of the Town of Shandaken’s Good Neighbor Fund for such purpose, and

BE IT YET FURTHER RESOLVED that the Town of Shandaken Town Board awards said Basement Entrance and Handicap Ramp Repair Project to **Spearance Enterprises** located at **679 West Saugerties Rd., Saugerties, NY 12477** for the price of **\$7,580.00** and incidental costs, as may arise.

AND MOVES ITS ADOPTION

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 # 125-17

OFFERED BY STORMS

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR
18 FOX HOLLOW RD., SHANDAKEN, NY**

WHEREAS, the Town of Shandaken is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Shandaken has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for flood buyout, and

WHEREAS, the properties at **18 Fox Hollow Rd., Shandaken, NY 12480 (Section Block Lot 5.18-1-6)** has been recommended for consideration for buyout in the LFA and the Town has been approached by **Eric Hansen (Estate of)**, the owner of the properties, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

WHEREAS, the Town of Shandaken has the option to decline ownership of the properties choosing instead that the City of New York own the property and the Town understands that this City-owned property will be managed by the City as open space. Minimal management of the property will be performed, such as maintaining boundary lines, posting signs, and annually inspecting the property, and

WHEREAS, at some point in the future, should the Town of Shandaken want the properties actively managed, i.e., mowing, snow plowing, constructing and maintaining permissible recreational facilities, the City will consider issuing the Town a revocable land use permit to address these activities or any other maintenance requested by the Town; however, the DEP in its discretion has the right to approve or reject any such request.

NOW, THEREFORE BE IT RESOLVED, The Town of Shandaken Town Board approves **Eric Hansen (Estate of)**, homeowner of **18 Fox Hollow Rd., Shandaken, NY 12480** to apply for the NYCFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting in the real estate process.

BE IT FURTHER RESOLVED, The Town of Shandaken Town Board opts to allow the City of New York owning the properties as Open Space with the above acknowledged management conditions.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

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 #126-17

OFFERED BY ALBA

RESOLUTION SETTING PUBLIC HEARING FOR LOGGING PERMIT

WHEREAS, the Town of Shandaken requires that any logging permit in excess of 100,000 Board Feet be approved through motion of the Town Board of Shandaken and

WHEREAS, Greene Lumber Co. LLP – Walter Crump III Property SBL#4-1-9 & 1.4-1-1 , is requesting such a permit for removal of lumber on their property

THEREFORE BE IT RESOLVED that the Town Board of Shandaken will hold a Public Hearing on said Logging Permit prior to its regularly scheduled meeting on **December 4, 2017 at 6:30 pm (preceding the regular Town Board meeting)** @ Town Hall – 7209 Rt. 28 Shandaken to hear all comments for or against.

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>	_____

WHEREAS, the parties agree that a new cooperative agreement to be established hereby is in the best interests of the citizens of the respective municipalities; and

WHEREAS, said new proposed cooperative agreement for the term of January 1, 2018 through April 30, 2020 would concern shared services of the TOWN to maintain roads of the COUNTY within its territorial jurisdiction as specifically authorized by Section 135-A of the New York State Highway Law; and

WHEREAS, New York State Municipal Law, Article 5G authorizes the TOWN to engage in said cooperative agreements with municipalities such as the COUNTY; and

WHEREAS, the Town Board agrees that it is in the best interest of the TOWN to review and engage in such a cooperative Agreement;

NOW, THEREFORE, BE IT RESOLVED by a majority of the Town Board that:

1. The TOWN Supervisor, Robert A. Stanley, is authorized to engage in negotiations and discussions with the COUNTY to review and execute, if necessary, said Shared Service Cooperative Agreement for the period of January 1, 2018 through April 30, 2020.

AND MOVES ITS ADOPTION

Seconded by: DISCLAFANI

ROLL CALL

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

RESOLUTION # 129 - 17

OFFERED BY STANLEY

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, an Officer have been recommended by the Police Commissioners to be hired Part-Time;

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 individuals as Part –Time Police Officers to receive

compensation as indicated (for officers completing training/academy (*T*), individual remains responsible for associated costs of said training and education):

NAME	COMPENSATION
Daniel Odendahl	\$9.70 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: 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>	_____