



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, February 5, 2018

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
 - a. Wayfinding Sign Project – *Peter Manning, Planner*
7. Committee Reports:
 - a. Ambulance
 - b. Building/Zoning
 - c. Police
 - d. Phoenicia Water
 - e. Pine Hill Water
 - f. Museum
 - g. Recreation
8. Public Comments on Resolutions
9. Motions:
10. Resolutions:
 49. Pay All Bills
 50. SAFARI – Accept Allaben – Shandaken Final LFA Report
 51. SAFARI – Accept Properties for NYCFFBO
 - a. SBL # 25.15-1-46, 25.15-1-47 & 25.15-1-51 (Current Owner – T. & L. Byron); SBL # 25.15-1-49 (Current Owner – S. & A. Lefferts); SBL # 25.15-1-50 (Current Owner – K. Stellar); SBL # 25.15-1-52 (Current Owner – L. & T. DeMicoli) {Rte. 212, Mt. Tremper}
 - b. Transfer to Town
 52. SAFARI – Accept Property for NYCFFBO
 - a. SBL # - 5.18-1-56 (Current Owner – Moose Properties, LLC.)
 - b. Transfer to NYC DEP
 53. Town Board – Hire Project Manager and Administrator
 - a. Scenic Byway Smart Growth Grant
 - b. Peter Manning – Project Manager
 - c. Catskill Center for C & D - Administrator
 54. Town Board – Adopt Ulster County All-Hazard Mitigation Plan
 55. Police – Authorize Renewal of Ulster County URGENT Contract
 56. Town Board – Hire B. Twerdak @ \$11.50 per hour
 - a. PT Supervisor Confidential Secretary
 - b. Phoenicia Water District Clerk
 - c. Pine Hill Water District Billing Clerk
 57. Ambulance – Hire PT Drivers and EMT
 - a. Drivers @ \$10.40/hr: Julian Farges, Robert Lovaglio-Emry
 - b. EMT-B @ \$11.40/hr: Ethan Green
 58. Planning –Appoint Alternate UC Planning Rep – Vivian Welton
 59. Town Board – Set Public Hearing
 - a. Consolidation of Pine Hill & Highmount Fire Protection Districts
 - b. Tuesday, February 20, 2018 @ 6:30pm
 60. Town Board – Liquor License Notice Waiver
 - a. Shandaken Inn Properties, LLC
11. Open Public Comment
12. Meeting Adjournment - *IN MEMORY OF:*

<i>Robert Grennie</i>	<i>Harold Hofmeister</i>	<i>Robert Jacobsen</i>	<i>Richard Kachadoorian</i>
<i>Jake Rosa</i>	<i>Franklyn Stone</i>	<i>Raymond Whitaker</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	\$ 288,856.07
Highway	36,946.91
Phoenicia Water	55,696.82
Pine Hill Water	833.58
Phoenicia Lights	1,142.53
Chichester Lights	161.79
Pine Hill Lights	647.85

	\$ 384,285.55

AND MOVE 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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

ACCEPTING FINAL LOCAL FLOOD ANALYSIS REPORT

FOR HAMLETS OF ALLABEN AND SHANDAKEN

WHEREAS, the Shandaken in 2017 had enlisted the services of the Town Engineering Firm, Milone and MacBroom, Inc. (MMI) to conduct a Local Flood Analysis (LFA) Report for the Hamlets of Allaben and Shandaken to investigate multiple options for flood reduction and resiliency projects within each of those Hamlets in order to qualify those Hamlets for funding through certain programs for flood mitigation and resiliency; and

WHEREAS, following Town Board and community meetings where the public was invited to provide input and questions as to options they would like to see investigated; and

WHEREAS, in December of 2017 MMI made a presentation of their final findings at a public meeting with the Town Board including feasibility of the options investigated and the most economically viable options using a Benefit-Cost Analysis (BCA); and

WHEREAS, the Shandaken Town Board members and the Shandaken Area Flood Assessment Remediation Initiative (SAFARI) had until January 15, 2018 to submit comments for inclusion in the Final LFA Report; and

WHEREAS, no further comments were submitted; and

WHEREAS, the Town Board also recognizes that any such projects to be implemented shall be embarked upon with the support of the public within that community and the Town Board will maintain a "willing property owner" position concerning any project effecting a specific property (i.e., no eminent domain proceedings, no takings); and

WHEREAS, the Shandaken Town Board also recognizes the need to implement flood resiliency and mitigation projects in order to maintain tax-base, the economy and, most importantly, the well-being of its residents and businesses;

THEREFORE, BE IT RESOLVED that the Town of Shandaken Town Board hereby accepts the Final **LFA** Report prepared by **MMI**, including all amendments as prescribed by Town Board members and the **SAFARI** group and that the Town Board embark on finding funding for any such feasible projects and report back to the public on any progress toward any goals as prescribed in said **LFA**.

AND MOVES ITS ADOPTION

Seconded By Stanley

ROLL CALL

	AYES	NAYS
BOARD MEMBER ALBA	__X__	_____
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER STORMS	__X__	_____
BOARD MEMBER VAN BLARCUM	__X__	_____
SUPERVISOR STANLEY	__X__	_____

RESOLUTION # 51-18

OFFERED BY STANLEY

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR
PROPERTIES ALONG NYS ROUTE 212 IN MT. TREMPER, 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 following properties:

Parcel #	Address	Owner(s)
25.15-1-46	5478 Rte 212, Mt. Tremper	Theodore & Lynn Byron
25.15-1-47	5474 Rte 212, Mt. Tremper	Theodore & Lynn Byron
25.15-1-49	5468 Rte 212, Mt. Tremper	Ann & Scott Lefferts
25.15-1-50	5464 Rte 212, Mt. Tremper	Kyle Steller
25.15-1-51	5462 Rte 212, Mt. Tremper	Theodore & Lynn Byron
25.15-1-52	5446-5458 Rte 212, Mt. Tremper	Leticia & Charles DeMicoli

have been recommended for consideration for buyout in the LFA and the Town has been in contact with the owners 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 property choosing instead that the City of New York own the property but has the desire to own this property for future flood mitigation activities, and

WHEREAS, The Town of Shandaken understands that this Town-owned property will be managed by the

Town in conjunction with a Re-Use Plan prepared by the Town that identifies the community’s long term plan for the management, use, and development of this parcel. All activities are to be subject to and consistent with the restrictions in Flood-Prone Areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program, Page 5 (1) a., i., ii., iii., iv., and v.

NOW, THEREFORE BE IT RESOLVED, The Town of Shandaken Town Board approves **the above listed homeowners of these properties along Route 212 in Mt. Tremper, NY 12464** to apply for the NYCFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process.

BE IT FURTHER RESOLVED, The Town of Shandaken Town Board opts for the Town to retain ownership of the parcels for future flood mitigation activities.

AND MOVE ITS ADOPTION

Seconded By: VANBLARCUM

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	__X__	_____
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER STORMS	__X__	_____
BOARD MEMBER VAN BLARCUM	__X__	_____
SUPERVISOR STANLEY	__X__	_____

RESOLUTION # 52-18

OFFERED BY STORMS

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR
4-15 WARFIELD 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 **4-15 Warfield Rd., Shandaken, NY 12480 (Section Block Lot 5.18 -1-56)** has been recommended for consideration for buyout in the LFA and the Town has been approached by **Moose Properties, LLC.**, the owner of the property, is 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 property 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 property 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 **Moose Properties, LLC**, homeowner of **4-15 Warfield 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 property as Open Space with the above acknowledged management conditions.

AND MOVE ITS ADOPTION

Seconded By: STANLEY

ROLL CALL

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

RESOLUTION # 53 - 18

OFFERED BY ALBA

RESOLUTION TO HIRE SCENIC BYWAY SMART GROWTH GRANT

ADMINISTRATOR AND PROJECT MANAGER

WHEREAS, under Town of Shandaken Town Board Resolution #67-17 from March of 2017 the Town of Shandaken applied for and was awarded a Smart Growth Grant through the New York State DEC on behalf of the Catskill Mountains Scenic Byway (CMSB) and the Mountain Cloves Scenic Byway (MCSB); and

WHEREAS, The CMSB and MCSB members have made a recommendation to the Town for the hiring of a Grant Administrator and Project Manager in order to assist in processing the identified projects and appropriate documentation; and

THEREFORE BE IT RESOLVED the Town of Shandaken Town Board hereby approves the appointment of the **Catskill Center for Conservation & Development as Grant Administrator** and **Peter Manning as the Project Manager** for said Smart Growth Grant to be compensated as prescribed through the available grant funds.

AND MOVE ITS ADOPTION

Seconded By: STORMS

ROLL CALL

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

Adopt Ulster County All-Hazard Mitigation Plan

WHEREAS, the Town of Shandaken, with the assistance from URS Corporation, AE COM, has gathered information and prepared the Ulster County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, the Ulster County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Shandaken is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Shandaken has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

THEREFORE, BE IT RESOLVED by the Town Board of the Town of Shandaken hereby adopts the Ulster County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

AND MOVE 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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

**RESOLUTION TO RENEW AGREEMENT WITH
ULSTER REGIONAL GANG ENFORCEMENT NARCOTICS TEAM
(U.R.G.E.N.T.)**

WHEREAS, various town and village police departments in the County of Ulster together with the Ulster County Sheriff’s Office, as Member Agencies, seek to operate and act collectively as a task force team pursuant to Federal policies and guidelines, such task force known as the Ulster Regional Gang Enforcement Narcotics Team (URGENT); and

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

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

WHEREAS, the Town Board has reviewed the inter-municipal Cooperative Agreement (Ulster Regional Gang Enforcement Narcotics Team) proposed by the Ulster County District Attorney and Ulster County Sheriff, a copy of which is annexed hereto and made part of this resolution; and

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

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

BE IT FURTHER RESOLVED the Town Supervisor of the Town of Shandaken is authorized to execute the annexed agreement on behalf of the Town.

AND MOVE ITS ADOPTION

Seconded By: STORMS

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

RESOLUTION # 56-18

OFFERED BY: STANLEY

SECRETARY/BOOKKEEPER TO THE SUPERVISOR

PHOENICIA WATER DISTRICT CLERK

PINE HILL WATER DISTRICT BILLING CLERK

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; and

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 the Town Board approve the appointment of **Barbara Twerdak** to serve at the pleasure of the Supervisor, and receive \$11.50 per hour when discharging the duties of said office, not to exceed \$17,500.00, for the Fiscal Year 2018.

BE IT FURTHER RESOLVED that **Barbara Twerdak** be and hereby is appointed Clerk for the Phoenicia Water District, and be paid \$11.50 hourly, not to exceed \$5,000.00 for the Fiscal Year 2018, while discharging said duties, and that she serve at the pleasure of the Town Board, Phoenicia Water Commissioner and the Tax Collector.

BE IT YET FURTHER RESOLVED that **Barbara Twedak** be and hereby is appointed Billing Clerk for the Pine Hill Water District, and be paid at a rate of \$11.50 per hour, not to exceed \$1,300.00 for the Fiscal Year 2018, while discharging said duties; and that she serve at the pleasure of the Town Board, Pine Hill Water Commissioner and the Tax Collector and that all appointments shall be retroactive to January 22, 2018.

AND MOVE ITS ADOPTION

Seconded By: ALBAN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u> X </u>	_____
BOARD MEMBER DISCLAFANI	<u> X </u>	_____
BOARD MEMBER STORMS	<u> X </u>	_____
BOARD MEMBER VAN BLARCUM	<u> X </u>	_____
SUPERVISOR STANLEY	<u> X </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 the following rates:

Drivers @ \$10.40/hr: Julian Farges, Robert Lovaglio-Emry

EMT-B @ \$11.40/hr: Ethan Green

AND MOVE 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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION APPOINTING ULSTER COUNTY PLANNING BOARD ALTERNATE REPRESENTATIVE

WHEREAS, Ulster County Planning Department has requested the Town of Shandaken recommend an individual as an alternate for appointment to the Ulster County Planning Board;

THEREFORE BE IT RESOLVED that the Town Board hereby recommends **Vivian Welton** be appointed as the alternate representative for the Town of Shandaken on the Ulster County Planning Board.

AND MOVE 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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

**RESOLUTION TO SET PUBLIC HEARING ON
CONSOLIDATION OF HIGHMOUNT AND PINE HILL FIRE PROTECTION DISTRICTS**

WHEREAS, the Town of Shandaken Town Board is responsible for the Fire Protection Districts of Highmount and Pine Hill; and

WHEREAS, the Town is considering consolidation of these two special tax districts into one Fire Protection District.

THEREFORE BE IT RESOLVED that the Town of Shandaken Town Board will conduct a Public Hearing at 6:30 pm on Tuesday, February 20, 2018, to gather information and hear all comments regarding the proposed consolidation of said Fire Protection Districts,

AND MOVE ITS ADOPTION

Seconded By:

ROLL CALL

	AYES	NAYS
BOARD MEMBER ALBA	_____	_____
BOARD MEMBER DISCLAFANI	_____	_____
BOARD MEMBER STORMS	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR STANLEY	_____	_____

**RESOLUTION AUTHORIZING WAIVER OF 30 DAY NOTIFICATION REQUIRED
BY THE NEW YORK STATE LIQUOR AUTHORITY**

WHEREAS, SHANDAKEN INN PROPERTIES LLC, has applied for a liquor license, and

WHEREAS, SHANDAKEN INN PROPERTIES LLC has requested that the Town waive the 30 day notification required by the New York State Liquor Authority in an effort to expedite the granting of their liquor license, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Shandaken does hereby grant the request of the SHANDAKEN INN PROPERTIES LLC, and does hereby waive the thirty (30) day Liquor License notice requirement to SHANDAKEN INN PROPERTIES LLC , located at 18 Lower Golf Course Road, Shandaken NY 12480.

AND MOVE ITS ADOPTION

Seconded By: VANBLARCUM

ROLL CALL

	AYES	NAYS
BOARD MEMBER ALBA	<u> X </u>	_____
BOARD MEMBER DISCLAFANI	<u> X </u>	_____

BOARD MEMBER STORMS X _____

BOARD MEMBER VAN BLARCUM X _____

SUPERVISOR STANLEY X _____

Signed this 6th day of February, 2018

Joyce Grant – Town Clerk.