

**Town of Shandaken
County of Ulster
State of New York**

**The Town of Shandaken Town Board conducted a Regular Monthly Meeting on Monday
October 1, 2018 7pm Preceded by a Public Hearing on Franchise Agreement with MTC,
and Public Forum on Peck Hollow Bridge Replacement. Shandaken Town Hall. 7209 Rt.
28 Shandaken, NY**

**Call to Order
Pledge of Allegiance
Roll Call**

Members Present
Robert Stanley – Supervisor
Gael Alba - Board Member
Peter DiSclafani – Board Member
Kevin VanBlarcum – Board Member
Faye Storms – Board Member

Recording Secretary **Joyce Grant - Town Clerk**

**On a Stanley/Storms motion the Town Board unanimously approved the minutes of the
previous meeting as submitted by the Town Clerk.**



**Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, October 1, 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**
- 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:**
 - 117. Pay All Bills**
 - 118. Town Board – Authorize Franchise Agreement w/ MTC Cable**
 - a. Broadband/Cable Service – Highmount-Shandaken
 - 119. Town Board – Adopt 2019 Tentative Budget as 2019 Preliminary Budget**
 - 120. Assessor – Authorize Settlement Agreement w/ Kaatskill Dev. Holdings LLC**
 - a. Legal Assessment Challenge Settlement
 - 121. Highway – Purchase used 1995 Elgin Sweeper from Town of Olive**
 - a. Not to exceed \$15,000
 - 122. Town Board – Set Public Hearing & Special Meeting**
 - a. Local Law #3 - Amend Local Law #1 of 2018 – Cold War Veteran Exemption
 - b. Adopt Local Law # 4 of 2018 – Authorizing Exceeding NYS Tax Cap

c. TBD

123. Town Board – Set Public Hearing for 2018 Budget

a. Wednesday, November 7, 2018 @ 6:30 pm

124. Town Board – Approve Public Assembly Permit

a. Phoenicia Turkey Trot

b. Saturday, November 24, 2018

125. Town Board – Set Halloween Curfew

11. Open Public Comment

12. Meeting Adjournment - IN MEMORY OF:

Lawrence "Larry" Joyce Raymond McCoy Henry J. "Joe" Strauss

Raymond Conklin Nicholas Shoumatoff Christine Nielsen

Public Hearing for Franchise Agreement with Margaretville Telephone Company

The Town of Shandaken Town Board would like to hold a **Public Hearing** to hear all those for or against the Town entering into a Franchise Agreement with Margaretville Telephone Company to be held on **Monday, October 1, 2018 at 6:30 pm** prior to its Regular Monthly meeting at **Shandaken Town Hall, 7209 NYS Rte. 28, Shandaken, NY 12480.**

Public Forum on Peck Hollow Bridge Replacement

The Town of Shandaken will be holding a **Public Forum on Monday October 1st at 6:45 pm**, as required by NYS Department of Transportation; to discuss the replacement of the Peck Hollow Bridge on Peck Hollow Rd. located in Shandaken, NY. PIN # 8761.61. All those interested are invited to come. Town Hall 7209 Rt. 28, Shandaken NY 12480. More Info - Shandaken Highway Dept. 845-688-5031. Any comments may be emailed to MHunt@cmellp.com by October 5, 2018. By order of the Shandaken Town Board



Peck Hollow Road over Peck Hollow Stream Bridge Replacement Project Newsletter

Oct. 2018

Project Schedule

- ◆ **November 2018**
Design Approval
- ◆ **January 2018**
Complete Detailed
Project Design
- ◆ **February 2019**
Contract Letting
- ◆ **May 2019**
Begin Construction
- ◆ **September 2019**
Complete
Construction

Contact Information

**Town of Shandaken
Highway Department**
Eric Hofmeister
Highway Superintendent
7209 Route 28
Shandaken, NY 12480
Phone: (518) 688-5031
Fax: (518) 688-2041
Email:
shandakenhwy@gmail.com

**Creighton Manning
Engineering**
Matt Hunt, PE
Project Manager
2 Winners Circle
Albany, NY 12205
Phone: (518) 689-1894
Fax: (518) 446-0397
Email:
mhunt@cmellp.com

Purpose:

The purpose of this newsletter is to keep the public aware of this upcoming project in the area and provide an opportunity for public comment.

Project History:

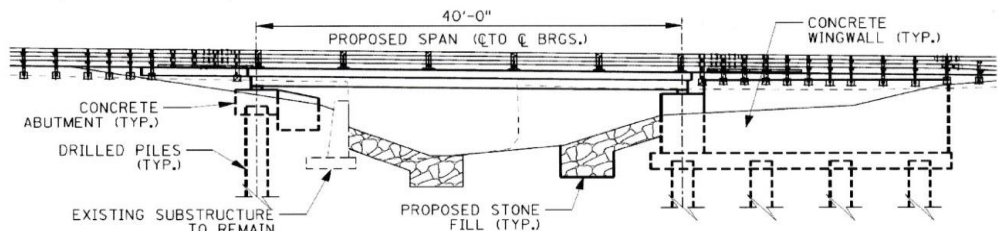
The Town of Shandaken initiated this bridge replacement project because of the bridge's deteriorated condition and the existing inadequate hydraulic opening. This stream crossing is necessary to maintain vehicular access to the NYDEC owned Shandaken Wild Forest and the residences north of the Peck Hollow Stream crossing along the dead end Peck Hollow Road.



The bridge is in poor condition. The steel girders are in poor condition with minor corrosion and section loss. The timber deck is in fair condition, however the asphalt surface is in poor condition with heavy spalling and leakage. The concrete abutments are also in poor condition, exhibiting cracking and scour along the interface with the stream bottom.

Proposed Structure:

The project will replace the existing 27 ft. single span steel multi girder bridge with a new 40 ft. single span structure on the same roadway alignment. The new structure will consist of two 9 ft wide travel lanes with no shoulders, which will match the width of the existing bridge. The roadway elevation will be raised to increase the hydraulic opening, which will also improve the geometry of the roadway.



Detour & Construction Schedule:

Traffic will be maintained on-site for the duration of construction via a single 10 ft wide detour lane located at the southern side of the existing roadway. Alternating one-way traffic will be controlled by advanced warning signs located on each side of the bridge. Construction is anticipated to begin in May 2018 and be completed by September 2018.

Project Cost & Funding

The available total construction funding for this project including the bridge construction and construction inspection is \$716,000. Funding for the project will be as follows; 95% - Federal Highway Administration (FHWA), and 5% - locally funded. The 5% Town of Shandaken share will be funded through the Shandaken Highway Department general fund and will not result in a tax increase for residents.

Questions/Comments

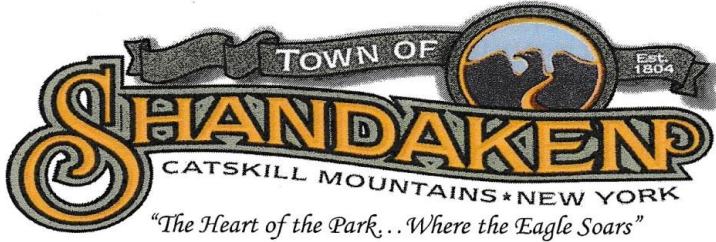
If you have any questions, concerns or suggestions regarding this project please contact Creighton Manning Engineering or the Town of Shandaken Highway Department by **October 5, 2018**. Note the contact information on the left margin of this newsletter.



NEW YORK STATE DEPARTMENT OF TRANSPORTATION
Andrew M. Cuomo, Governor Paul A. Karas, Acting Commissioner



U.S. Department of Transportation
Federal Highway Administration



www.shandaken.us

P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

Supervisor: (845) 688-7165
Police: (845) 688-9902
Town Clerk: (845) 688-5004
Justice Court: (845) 688-5005
Assessor: (845) 688-5003
ZBA/ZEO/Planning: (845) 688-5008
Highway: (845) 688-9901
Fax: (845) 688-2041

Upcoming Town Board Topics & Activity MONTH OF OCTOBER 2018

2019 TENTATIVE BUDGET: I have released the Tentative Budget which we will vote on

tonight to accept as the Preliminary Budget for 2019. Sadly, we will again have to exceed the State imposed Tax Cap mostly due to increases in employees' salaries and Healthcare and Retirement projections.

In regards to the **General Budget** as I have said, most of the increases come from increases in salaries reflecting the increases in the minimum wage (which as of January 1 goes up another 70 cents per hour to \$11.10). The minimum wage is due to increase at this increment each year until 2022 or when the entire state meets the \$15 minimum wage.

In consideration of this and out of respect for those who have put in the time and worked up to their current rates, I'm raising all employees who are under \$15 per hour the full 70 cents while other employees raise approximately 40-50 cents per hour.

I have increased a few elected officials roughly 2% (Supervisor, Town Clerk and Assessor Chair) but minimally (\$750-\$1,000).

By far the largest increase in salaries is in the Ambulance Department. This is our largest group of employees and we have had difficulty in attracting more professionals to help us due the relatively lower rate of pay they would receive versus other local departments. We have also had some turnover in the loss of two of our Full-time employees this year. This leads us to pay more Overtime to continuing Full-Time Employees as we have a limited number of Part-Timers. In conversations with the Chief and Deputy Chief we do see a need to hire at least one more Full-Time Medic which could help alleviate much of the OT in that field, but would still need to find more PT employees to fill in for times of Vacation, Sick and Personal days. Our drivers would only receive the new minimum wage of \$11.10/hr with EMT-B's starting at \$12.10/hr and EMT-P's starting at \$17.80/hr. Additionally, the Ambulance is in need of new heart monitor equipment that comes with a cost of near \$60,000. The Chief and Deputy Chief will procure this over a lease agreement to amortize this cost over the next 5 years to help reduce the burden.

The Morton Library has requested a roughly \$20,000 increase for next year which is subject to a public referendum. In anticipation of its passing, I am adding that to the budget now.

The Town Museum has on several occasions this year made a request to increase their funding and add another day for the Director. The budget reflects that increase of \$6,000.

Other increases come from Retirement and Healthcare as they are projected to rise a near 10% increase in Retirement, a \$15,000 increase and near 5% in Healthcare which amounts to a \$10,000 increase. The General Tax increase for 2018 is projected at 6.48%.

On the **Highway Budget** again we await FEMA monies for repairs that have already taken place. We have received quite a bit of the funds, but FEMA was again slow in processing pay requests due to other disasters. These are a larger bills to be reimbursed and as a precautionary move we are reducing use of the fund balance by \$25,000. Which then falls directly to the taxes. Additionally, our aging fleet of vehicles needs to be replaced over time. Eric and I agreed on moving some funds to increase the Installment Debt and

Supervisor Report September 2018 Revenues

Zoning Fees	\$75.00
Medical Insurance Reimbursment	\$150.66
Police Fees	\$45.00
Ambulance Fees	\$8,221.25
Town Clerk Fees/EZ Pass/Conservation	\$459.86
Cell Tower	\$973.64
Justice Fees	\$15,208.00
Building Permit Fees	\$3,172.00
Dog Licenses	\$49.50
Central Mail Contractual	\$66.70
Planning Fees	\$200.00
Phoe. Water Misc. Revenue	\$3,332.54
UC Sales Tax	\$36,869.58
Gas/Diesel/Fuel Oil Revenue	\$2,081.47
Registra fees	\$230.00
Highway Revenue	\$11,254.88
Totals	<u>\$82,390.08</u>

Interest in anticipation of purchasing at least one new truck next year. Retirement and Healthcare are similarly increasing adding roughly \$25,000. The Highway has plenty of money to run through the year and plenty in At this time the Highway Budget is showing a tax increase of 3.45%.

Phoenicia Water District where bills have been relatively flat since last year we are not increasing the rate on usage but the Tax levy will increase due to personnel related costs with an increase of \$2,100 or 3.82%.

Pine Hill Water District will remain the same at this time, while Don Clark continues to review his budget needs.

The **Fire Districts** are each requesting an increase: 2.27% for Phoenicia; 2.63% for Big Indian-Oliveria; and 2% for Pine Hill Highmount. **Lighting Districts** will remain unchanged.

All said and done spending is going up 3.5% with a combined overall tax increase of 4.73%. We will hold a Special meeting on Monday, October 15th @ 1pm to adopt the law allowing us to exceed the Tax Cap. We will also be holding our annual Budget Public Hearing just prior to our next Board meeting scheduled for 6:30pm on Wednesday, November 8, 2017, the evening after Election Day.

BROADBAND: We held a Public Hearing earlier and barring any unaddressed items have a resolution to authorize a Franchise Agreement with MTC Cable to provide this broadband and cable service for areas in western Shandaken. They currently have availability to provide this service to areas in Upper and Lower Birch Creek, Pine Hill, Rose Mountain Rd and around to Route 42 near the Town Cell Tower site. At this time they cannot expand beyond that area. They hope that in future they may be able to explore going further east, but not currently.

ASSESSOR: Tonight we have a resolution regarding a settlement of an assessment challenge. Kaatskill Development Holdings, LLC had filed against the Town regarding their latest assessment. We feel that the settlement being provided is a good compromise between the two parties. This settlement is a relatively small reduction in what was being sought while it saves the Town a sizeable bill to move forward to litigation it also provides the Town relief in that the claimant is not seeking any refund for the previous years challenged. I'd like to thank Mr. DiModica and Grace Grant in the Assessor's office for working with our attorneys to come to this agreement.

We also have to correct a law we adopted earlier this year regarding the Veteran's Exemption. The State requires that if you raise the minimum Basic Exemption then the Disabled Veteran Exemption limit must be exactly as they have on a chart. So we will need to raise that Exemption from \$45,000 to \$50,000. We will address that also at the October 15th Special meeting to correct this deficiency.

MISC.: The Highway Department is purchasing a sweeper, to replace the one damaged in the Shared Service Agreement. We also have our annual resolutions to approve the Public Assembly Permit for the Turkey Trot and setting the Halloween Curfew.

**Our next regular meeting is scheduled for
Wednesday, November 7, 2018 at 7:00 pm.**



September 2018 Report

TOTAL CALLS RECEIVED- 26

MUTUAL AID GIVEN- 3

MUTUAL AID RECEIVED-

Good evening Supervisor Stanley, members of the board, and town residents.

I would like to welcome everyone to the fall season in the mountains. I would like to remind everyone that with the changing of the colors on the trees and as those said colors start to fall to the ground, be careful in your travels due to increased traffic from those coming to take in the sights. Along with the chance of wet leaves that can make the roads slippery. For the those that are going to be taking their young ones or have kid going out for some trick or treating later in the month, be sure that you check their candy for anything that could cause injury and harm to the kids. The biggest things to check for is damaged wrappers or lack of a wrapper along with any sharp objects that can be put in the candy. Also, as you are walking the roads make sure that you carry a flashlight and have some type of reflective stripping or clothing to warn those driving down the road.

As always, I would like to end my report by saying have a safe and healthy month.

Vehicle	Ending	Beginning	Total
7850	105015	105015	450
7851	93379	92818	561
625	78638	78318	320
626	36888	36216	672

www.shandakenpolice.org
chief@shandakenpolice.org

SHANDAKEN INN Building Permit

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	\$ 87,413.05
Highway	48,534.49
Phoenicia Water	10,339.39
Pine Hill Water	488.38
Phoenicia Lights	1,000.94
Chichester Lights	152.73
Pine Hill Lights	566.88

	\$ 148,495.86

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM

	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 VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION TO AUTHORIZE ENTERING FRANCHISE AGREEMENT
WITH MARGARETVILLE TELEPHONE COMPANY

WHEREAS The Town of Shandaken (**TOWN**) with its principal offices located at 7209 NYS Route 28, Shandaken, NY 12480 wishes to enter into a Franchise Agreement with Heart of the Catskills Communications, Inc. dba MTC Cable, (**MTC**) a corporation organized and existing under the laws of the State of New York with its principal offices located at 50 Swart St., Margaretville, NY 12455; and

WHEREAS Pursuant to the Town Law the Board has the exclusive power on behalf of the TOWN to the grant franchises providing for or involving the use of the Streets and give the consent of the TOWN to any franchisee for or relating to the occupation or use of the Streets; and

WHEREAS Pursuant to the Communications Act of 1934, as amended, the Board has the authority to grant cable television franchises and renewals thereof on behalf of the TOWN; and

WHEREAS the TOWN has conducted negotiations with MTC and has conducted a Public Hearing held Monday, October 1, 2018 regarding MTC’s Franchise proposal affording all interested parties due process including notice and the opportunity to be heard; and

WHEREAS the Board has determined that MTC’s plans for constructing and operating a franchise are adequate, feasible and beneficial for the community-at-large; and

THEREFORE BE IT RESOLVED the Town Board of the Town of Shandaken does agree that the grant of the cable franchise to be an unlisted action and a negative declaration is hereby made determining that the proposed action will not have any significant effects on the environment; and

BE IT FURTHER RESOLVED the Town Board hereby authorizes the Town Supervisor to enter into aforementioned Franchise Agreement with MTC Cable and the Board in granting this Franchise, as embodied in the Agreement, has determined that the MTC Cable will fulfill the needs of the TOWN with respect to cable

television service and compliance with the standards and requirements of the New York State Public Service Commission.

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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #119-18OFFERED BY STANLEY

RESOLUTION ADOPTING TENTATIVE BUDGET AS PRELIMINARY BUDGET

WHEREAS, the Town of Shandaken has prepared a 2019 Tentative Budget for review;

THEREFORE, BE IT RESOLVED the Town Board of the Town of Shandaken hereby adopts the 2019 Tentative Budget as the 2019 Preliminary Budget for the Town of Shandaken

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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #120-18OFFERED BY STORMS

RESOLUTION TO AUTHORIZE SETTLEMENT AGREEMENT WITH KAATSKILL DEV. HOLDINGS LLC

WHEREAS, tax certiorari proceedings have been filed against the Town of Shandaken by Kaatskill Development Holdings LLC and Fort Shandaken Associates LLC in regard to the assessments on upon property located in the Town of Shandaken and designated as Tax Grid Nos. 25.10-1-5, 25.10-2-16 and 25.1-1-17; and

WHEREAS it is desired to settle the 2017 and 2018 proceedings.

THEREFORE BE IT RESOLVED the Town Board of the Town of Shandaken does hereby authorize Kyle W. Barnett, Esq., of the law firm of Van DeWater & Van DeWater, LLP, 85 Civic Center Plaza, Poughkeepsie, New York 12601 to negotiate a settlement whereby the 2017 and 2018 assessments will be settled in accordance with the attached proposed consent judgment and summarized as follows:

Parcel 25.10-1-5

Roll Year	Equalized Value	Eq Rate	Assessed Value	Reduced AV	Reduction
2017	\$392,157	25.50%	\$100,000	\$88,284	\$11,717
2018	\$392,157	25.50%	\$100,000	\$88,284	\$11,717

Parcel 25.10-2-16

Roll Year	Equalized Value	Eq Rate	Assessed Value	Reduced AV	Reduction
2017	\$8,800,000	25.50%	\$2,244,000	\$1,981,082	\$262,918
2018	\$8,800,000	25.50%	\$2,244,000	\$1,981,082	\$262,918

Parcel 25.1-1-17

Roll Year	Equalized Value	Eq Rate	Assessed Value	Reduced AV	Reduction
2017	\$1,568,627	25.50%	\$400,000	\$353,134	\$46,866
2018	\$1,568,627	25.50%	\$400,000	\$353,134	\$46,866

And Kyle W. Barnett, Esq. is authorized to sign such documents as are necessary to effectuate the settlement. The Petitioner has agreed to waive all Town, Highway and Special District ad valorem refunds for both years under review.

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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #121-18 OFFERED BY ALBA

RESOLUTION To PURCHASE REPLACEMENT HIGHWAY EQUIPMENT

WHEREAS, the Town of Shandaken Highway Superintendent has identified a 1995 Elgin Crosswind Vacuum Sweeper they would like to purchase from Town of Olive Highway dept.;

THEREFORE BE IT RESOLVED the Town of Shandaken Town Board approves the purchase of the Elgin Crosswind Vacuum Sweeper Serial #G-3047-D, for \$15,000.00 (Fifteen Thousand Dollars).

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM

	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 VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #122-18 OFFERED BY DISCLAFANI

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 amending Local Law #1 of 2018.

WHEREAS, the Town foresees the possible need of exceeding the NYS Tax Cap within its 2018 Budget; and will need to amend Local Law #1 of 2018 – Cold War Veteran Exemption.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board does hereby call for a Public Hearing & Special Meeting on the Tax Cap Issue – Local Law #4 to Exceed the NYS Tax Cap, and Local Law #3-2018 (to amend Local Law #1-2018 – Cold War Veteran Exemption), to be held on Monday October 15, 2018 1pm at the Shandaken Town Hall, 7209 Route 28, Shandaken, NY to hear all those in favor and against such actions.

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 STORMS	<u> X </u>	<u> </u>
BOARD MEMBER VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #123-18

OFFERED BY VANBLARCUM

SET PUBLIC HEARING ON 2019 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 2019 Preliminary Budget and hold a Public Hearing thereon, at the Shandaken Town Hall on **Wednesday November 7, 2018 at 6:30PM preceding the 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: DISCLAFANI

	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 VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #124-18

OFFERED BY STANLEY

**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 24, 2018** 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: DISCLAFANI

	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 VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #125-18 **OFFERED BY STORMS**

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 Wednesday October 31st, 2018 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: VANBLARCUM

	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 VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>