

<u>Town of Shandaken Town Board</u> Regular Monthly Meeting Agenda Monday February 5, 2024 – 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. Building/Zoning
 - c. Police
 - d. Phoenicia Water
 - e. Pine Hill Water
 - f. Museum
 - g. Parks & Recreation
 - h. Housing Smart
 - i. Conservation Advisory Council
 - j. Comprehensive Plan
- 8. Public Comments on Resolutions
- 9. Motions:
- 10. Resolutions:
 - 44. Pay All Bills
 - 45. Ulster Co. Planning Bd. Member
 - 46. Pine Hill Water –Post Notice of Public Hearing
 - 47. 30 Day Liquor Waiver Bettina Café/Market. Phoenicia
 - 48. Amend STR Law Post Notice of Public Hearing
 - 49. Building Dept. Hire P/T Deputy Bldg. Inspector
 - 50. Ulster Co. Pine Hill Fire Dept. Mutual Aid Agreement
 - 51. NYS Retirement Time Accruals
- **11. Open Public Comment**

Meeting Adjournment -IN MEMORY OF

Rev. Ralph Darmstadt, Richard Martinez, Shirley Smith, Dorothy Mackey, Lisa Klutsch

MOTIONS

Town of Shandaken Town Board calls for a Special Meeting to review Pine Hill Main Street TA selection of architects. & to discuss amendments to Shandaken Short Term Rental Law. Monday February 12, 2024 @ 6pm. 7209 State Rt. 28. Vanblarcum/Disclafani

At 8:20 on a Drake/Vanblarcum motion the Town Board went into an Executive session about Ambulance payroll. At 8:55, the Town Board closed the executive session & re-convened the regular meeting. On a Disclafani/Drake motion, the Regular meeting adjourned at 9:05.

Comments

Mark Loete – Question on training of Planning/Zoning Boards Rob Stanley – Question on Resolution 51 – Time Accruals Kerry Henderson – Home Sharing Group. STR: Lower Cap on Absent Owners, etc. Jan Jaffee – PH2 Meeting 2/27 at 5pm. Pho. United Methodist Church. All welcome Pot Luck



SUPERVISOR'S NOTES - FEBRUARY 2024

Happy February!

Two events last month might bring us a little extra funding, both from NY State Smart Grant.

The first, with great help from Babs Mansfield and Robert Drake, to rebuild and improve Glenbrook Park pavilion.

The second, to hire a planning consulting firm, Pattern for Progress, who, with our help, submitted the grant application.

These were both available for up to \$125,000.00 each and we should hear by April whether we are successful. And while waiting, we are still working on these issues.

Tonight, we will tighten some of our STR code. We are waiting on legal opinion on a moratorium to pause taking any new licenses. This will require a new law, while temporary, will still require a public hearing

Our next regular meeting is March 4 Peter DiSclafani

Supervisor Report January 2024 Revenues

		_	
Police Fees		\$	60.00
Dog Licenses		\$	27.00
Planning		\$	1,325.00
Ambulance Fees			\$19,679.29
ORDA		\$	3,000.00
Zoning		\$	500.00
Building Fees		\$	4,345.00
SBA		\$	1,591.90
Time Warner - Franchise Fee		\$	17,155.24
Highway Revenue		\$	1,190,287.50
MAHV		\$	1,400.00
Reimb. Admin CE		\$	7,227.40
Vital Statistics		\$	61.50
Reimb. Health Care		\$	195.10
Reimb AWSMP		\$	11,988.87
Justice Fees		\$	4,695.00
2024 Tax Warrant		\$	500,000.00
2023 Pine Hill-Unpaid Water Rents		\$	14,374.96
2024 Pine Hill Water-Tax Warrant		\$	57,551.00
2023 Phoenica-Unpaid Water Rents		\$	14,648.25
2024 Phoenicia Water-Tax Warrant		\$	82,423.00
2024 Tax Warrant-Fire Districts		\$	507,021.00
Sale of Vehicles		\$	5,969.70
Tibet House - Lieu Of Taxes		\$	500.00
STR Receivables			\$25,258.53
	Totals	\$	2,471,285.24

SHANDAKEN POLICE DEPARTMENT

Post Office Box 134 Shandaken, New York 12480 845-688-9902 . 845-688-9748(b) . 845-688-5332(f) CHIEF OF POLICE CHAD STOREY chief@shandakenpolice.org



January 2024 Monthly Report

UMBER	INCIDENT TYPE	NUMBER
16	Harassment	
20	Local Law	1
1	Lock Out	9
6	Lost/Missing Person	
1	Noise	
10	Property Retrieval/Lost/Found	1
	Public Service	1
	Open Door	
1995 (1997) (1997)	Property Check	441
2	Road Hazard	3
2	School Check	26
	Shots Fired	
2	Suspicious Activity	8
18	Traffic Stop	47
	Trespass	
2	Vehicle and Traffic Complaint	2
3	Welfare Check	3
	Field Interview	1
2	Warrant	
2	Total	

INCIDENT TYPE	NUMBER
911 Misdial/No Voice/Abandoned	16
Accident PIAA/PDAA	20
Abandoned Vehicle	1
Alarm Burglary/Panic/Robbery	6
Animal Complaint/Investigation	1
Assist EMS/Fire	10
Criminal Mischief	
Disorderly Conduct	
Encon Violation	
Larceny	2
Community Oriented Policing Project	2
Custody Dispute	
Civil	2
Disabled Vehicle	18
Dispute	
Domestic Dispute	2
Erratic Vehicle	3
Foot Patrol	
Fraud/Larceny	2
Mental Health Law	2

Property Checks	441
rioponty oncono	

Total w/property checks 630

SUMMONS ISSUED	20
ARRESTS	5

Building Department Permits

December 2023

Building Permits 13

Certificate of Occupancy 4

Certificate of Compliance 13

Stop Work 0

Flood Plain Permits 3 and one denied

January 2024

Certificate of Compliance 12

Certificate of Occupancy 5

Building Permits 6

Stop Work Orders 2

Flood Plain Permits- 2 pending but not issued.



January 2024 Report

TOTAL CALLS RECEIVED- 46

MUTUAL AID GIVEN- 1- Olive First Aid Unit

MUTUAL AID RECEIVED- 1- Olive First Aid Unit

TOTAL JANUARY REPORTS- 48 Reports

TOTAL TRANSPORTS-36

TOTAL NO TRANSPORT/ STANDBY/ RELOCATIONS - 12

The bitter cold months of winter are upon us and despite the somewhat mild respite from the norm that we have had for the past few days- it seems everyone is trying to warm up no matter where you go. With this we habitually see a surge in the number of carbon monoxide alarm calls, chimney fires, and structure fire calls-particularly in the months of January and February.

At the sake of sounding like a broken record <u>PLEASE</u> do the following to safeguard yourself and your families during the peak heating season as these are just a few of the issues we encounter the most;

- Ensure that you have multiple WORKING smoke and carbon monoxide detectors, and test them regularly.
- Have heating appliances and chimneys properly serviced and cleaned at prescribed intervals.
- When disposing of woodburning stove debris PLEASE dispose of it away from the house/ combustibles.
- Give space heaters SPACE. Do not utilize space heaters near combustibles.
- Keep children and pets away from heating appliances. Quoth our great friends up at Peekamoose-"Flaming logs are not suitable babysitters".

As household fires, carbon monoxide poisioning, and burns are rare events, they pose a huge risk this time of year and have longlasting effects on everyone involved. Please be safe and enjoy the rest of the few cold months remaining!

Stay Safe Out There,

Richard Muellerleile. EM7-P Chief of Department. Town of Shandaken Ambulance Service

Monthly Report of the Shandaken Historical Museum

February 2024

The museum is open three days a week: Friday, Saturday, and Sunday.

On January 9th, the museum board held a volunteer day where members came in on a weekday to work on completing exhibit projects. Later in the month, new board member Andrea Singer led a staff discussion on museum priorities where the museum staff discussed and decided on specific action items and goals to improve the museum and promote its image and presence in the community. Among the objectives discussed, these areas of action were agreed to:

Museum Marketing - improve presence on social media (Facebook, Instagram,

YouTube), the web and in print (brochures, flyers, etc.) to promote events and image recognition.

Web site functionality improvements and increased content availability

Fundraising/grant writing

Reorganization of the office

Documentation of the Museum Inventory

Holding more Museum Events

Coordination with other Shandaken events

A new brochure

Recruiting volunteers

Rethinking/Upgrading/Improving entire display area

Creating a job description for the Director and clarifying role and responsibilities

of both the Director and the Board

Implementing improvements of the museum building

On January 12th the Museum hosted a drum circle event lead by noted author Evan Pritchard along with and a group of members of the Big Indian Native American Cultural Center who joined in the festive drumming and singing. It was attended by over twenty visitors.

On March 23rd, the museum will continue its lecture series with a presentation by Glenn Kreisberg - an author, outdoor guide, and radio engineer, who researches archeoastronomy and landscape archaeology in the Hudson Valley and Catskill Mountains of New York.

The media center continues to provide a rich experience for visitors. We are also starting to transfer old films donated by local families to digital movies that can be presented on the media center.

There have been a number of improvements to the Museum including a new security system, a new dehumidifier and an updated computer.

There were 41 visitors to the Museum in January from as far away as the west coast and Canada.

Respectfully submitted, Joseph Prieboy – Museum Director

Parks & Recreation Committee Overview February 2024 - Town Board Meeting Report Samantha Awand Gortel

The P&R Committee met on Friday January 26th @ 6:30pm at Town Hall. **Skate Park Project:** Kerry and Edrick met with Mario Madera at Greater Goods in Fleischmanns. Mario has a lot of connections in the skateboard industry that can help with this project. We still need a location. Fundraiser event coming soon. If you would like to be involved, contact Kerry and/or Edrick Henderson- like their pages on Facebook and Instagram Shandaken Skate Park.

Grants: We have submitted two grant applications in the last month. DEC Smart Growth Grant with a request of \$125k and a T-Mobile matching grant of \$50k. Thank you Babs, Kevin, and Robert for helping get the applications completed and submitted. We are also still hoping that some of the ARPA funds will be allocated to our park's projects. There is also a Lowes grant that we need to be nominated for to apply. Information on how to nominate will be sent out via social media. **Trex Bench Plastic Collection:** We have received the bench and are going to install in the dog park at Glenbrook Park this spring. We would like to dedicate this bench to the late Kathleen Myers.

Parks Land Use Agreements: Big Indian- DOT and Parish Field- Archdiocese of NY. Babs was finally able to make a good connection with Courtney McMahon, at the Archdioceses, and expressed the urgency of putting together a short-term lease agreement for use of Parish Field for now, with the understanding that we would like to team up with NY/NJ Trail Conference if a subdivision and sale of that property happens. Courtney understood our request and will be helping us get a conversation going on this lease agreement. We are not currently able to permit any use in this park. This is concerning giving the extensive use of the park. Phoenicia Farmers Market, Easter Egg Hunt, 4th of July Post Parade, Turkey Trot etc. Kevin has been corresponding with the DOT for Big Indian, but likely no issues with obtaining an existing agreement or creating a new one if needed, to continue

using Big Indian Park.

Parks Volunteer Projects: We will be reviewing and updating the current projects list so that we can put together volunteer days this spring. We will focus and the two town owned properties, Glenbrook and Smith Parks.

Rock Cut Park: Next committee meeting TBD. Anything we add to this park would need to be located closer to Route 28 and/or the wooded areas of this property. The open land closest to the Esopus was completely flooded in December.... This should only be used as a picnic area. Next committee meeting TBD.

CAC – Conservation Advisory Council – Beth Waterman

- Bruce Barry gave Town Board the results of is investigations into installing municipal ev chargers in Phoenicia and Pine Hill. Now it's up to the Town Board.
- Food Waste Collection/compost program is active. We have had two pick ups since it began and the volume has doubled. Last pick up was 40 gall0ns.
- Earth Day Celebration April 21 at Farmers Market in AM and films at Phoenicia Playhouse in the PM. Other organizations (Museum, Parks & Re) are urged to plan events for that weekend and we will coordinate publicity.
- NYSERDA Clean Energy Community program. We have completed 4 high impact actions and will be rewarded with \$10k.
- Three NYSERDA community campaigns to encourage adoption of new technologies. The Campaigns focus on clean energy and cooling, electric vehicles and solar power. Each campaign comes with substantial financial rewards if we meet the minimum level and more at each higher level.. Community Solar is ready to go live on the town web site. It's an opportunity for residents to purchase solar power from solar farms. They assure a 5-10% savings on energy cost. No cost to sign up. Billing from NYSEG remains the same. WE need residents to tell us if they sign up and there is a form on the web site to report. More info to come.

RESOLUTION #44-24

OFFERED BY: VANBLARCUM

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	\$ 561,129.93
Highway	337,664.71
Phoenicia Water	15,790.52
Pine Hill Water	3,345.91
Phoenicia Lights	XXX
Chichester Lights	XXX
Pine Hill Lights	XXX
Shandaken Septic	2,877.50

\$ 920,808.57

AND MOVES ITS ADOPTION

Seconded by: KNEISSL

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	X	
BOARD MEMBER KNEISSL	X	

BOARD MEMBER STEEN	X	
BOARD MEMBER VAN BLARCUM	X	
SUPERVISOR DISCLAFANI	X	
RESOLUTION # 45-24		OFFERED BY: KNEISSL

RECOMMENDED MEMBER TO ULSTER COUNTY PLANNING BOARD

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

WHEREAS, ULSTER COUNTY CHARTER SECTION C-49(A) AND SECTION A7-5(A) of the Administrative Code define the process appointing regular and alternate members to the Ulster County Planning Board.

THEREFORE, BE IT RESOLVED that Chandra Valianti is appointed Member of the Ulster County Planning Board, and

BE IT FURTHER RESOLVED that Vivian Welton is appointed Alternate Member of the Ulster County Planning Board,

AND MOVE ITS ADOPTION

Seconded by: DISCLAFANI

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	X	
BOARD MEMBER KNEISSL	X	
BOARD MEMBER STEEN	X	
BOARD MEMBER VAN BLARCUM	X	
SUPERVISOR DISCLAFANI	X	

RESOLUTION # 46-24

OFFERED BY DISCLAFANI

Resolution to Post Notice of Public Hearing Amendments to the Pine Hill Water District Regulations

WHEREAS, THE SHANDAKEN TOWN BOARD PROPOSED AMENDMENT TO PINE HILL WATER DISTRICT (PHWD) REGULATIONS, AND

8. BILLING AND PAYMENT

8.1 Owners Responsible.

All charges assessed by the PHWD on account of the Water System will be billed to the owners of the properties within the PHWD. Owners are personally liable for these charges as a contractual debt.

8.2 Water Charges to be Established Annually.

Water charges will be established annually by the Town Board. Nothing herein precludes a special assessment should the Town Board find such assessment is necessary.

8.3 Usage Based Fee.

To the extent that water fees are usage based, the quantity of use recorded by the meter will be conclusive except when the meter has been found to be registering inaccurately or has ceased to register. In such cases, the quantity of water will be charged at the average daily consumption for the last four quarters of services or such other a representative method as determined by the Water Board.

8.4 Semi-annual Billing.

Water bills will be issued to Owners on a <u>semi-annual</u> basis. Bills are payable upon receipt but may be paid without penalty if payment is received by the PHWD within thirty days after the date of issuance as noted on the bill. If payment is not received within the thirty-day period, a late charge of ten percent will be assessed.

The district will include all charges for repairs and other services rendered pursuant to this rule as part of its billings. At its discretion, the PHWD may include such charges in the quarterly billings or may bill the charges separately at any time after the service is rendered.

Therefore, be it Resolved, the Town of Shandaken schedules a Public Hearing to amend the Pine Hill Water District Regulations, section 8.4 on: Monday March 4 at 6:00

AND MOVE ITS ADOPTION

Seconded by: DRAKE

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	X	
BOARD MEMBER KNEISSL	X	
BOARD MEMBER STEEN	X	
BOARD MEMBER VAN BLARCUM	X	
SUPERVISOR DISCLAFANI	Х	

RESOLUTION # 47-24

OFFERED BY: DRAKE

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

WHEREAS, CITY GIRL COUNTRY GIRL LLC, DBA BETTINA CAFÉ/MARKET 49 Main Street Phoenicia, NY 12464, has applied for a liquor license, and

WHEREAS, CITY GIRL COUNTRY GIRL 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 a liquor license to CITY GIRL COUNTRY GIRL LLC and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Shandaken does hereby grant the request of the, and does hereby waive the thirty (30) day Liquor License notice requirement to CITY GIRL COUNTRY GIRL LLC, DBA BETTINA CAFÉ/MARKET 49 Main Street Phoenicia, NY 12464

AND MOVE ITS ADOPTION

Seconded by: STEEN

5	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	X	
BOARD MEMBER KNEISSL	X	
BOARD MEMBER STEEN	X	
BOARD MEMBER VAN BLARCUM	X	
SUPERVISOR DISCLAFANI	X	

RESOLUTION # 48-24

OFFERED BY: STEEN

Resolution to Post Notice of Public Hearing AMENDMENT TO THE STR LAW

WHEREAS, THE SHANDAKEN TOWN BOARD PROPOSED AMENDMENT TO THE STR LAW

§ 4. License requirements.

D. A license:

current:

(3) Shall not be transferred or assigned by the Owner listed on the application form and shall not be conveyed with a sale or transfer of the property.

New

(3) May not be transferred or assigned by the Owner(s) listed on the application form and may not be transferred or assigned upon the lease, sale or conveyance of the real property except in the event that the individuals who secured the STR license, lease, sell or convey title to said real property to a Limited Liability Company, Corporation, Trust or a business entity which is wholly and exclusively owned by the individuals to whom the license was granted; Add

(4) Shall terminate notwithstanding there being no conveyance of title to the real property, when the STR license holder is a Limited Liability Company, Corporation, Trust or a business entity and it transfers, sells or assigns fifty percent or more interest in said Limited Liability Company, Corporation, Trust or a business entity to other persons, or to a Limited Liability Company, Corporation, Trust or a business entity.

Therefore, be it Resolved, the Town of Shandaken schedules a Public Hearing to amend the STR Law **§4-D 3**, on:Monday March 4 at 6:30

Seconded by: VANBLARCUM

AND MOVE ITS ADOPTION

	ROLL CALL		
	AYES	NAYS	
BOARD MEMBER DRAKE	X		
BOARD MEMBER KNEISSL	X		
BOARD MEMBER STEEN	X		
BOARD MEMBER VAN BLARCUM	X		
SUPERVISOR DISCLAFANI	X		

RESOLUTION # 49-24

OFFERED BY: VANBLARCUM

DEPUTY BUILDING INSPECTOR

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

WHEREAS, a vacancy developed in the Building Department

THEREFORE, BE IT RESOLVED that **Alan Harmon** is appointed Deputy Building Inspector/ Code Enforcement Officer and Fire Safety Officer, paid \$25.00 per hour, not to exceed \$32,000.00, and

MOVE ITS ADOPTION

Seconded by: KNEISSL

BOARD MEMBER DRAKE	X	
BOARD MEMBER KNEISSL	X	
BOARD MEMBER STEEN	X	
BOARD MEMBER VAN BLARCUM	X	
SUPERVISOR DISCLAFANI	X	

RESOLUTION #50-24

OFFERED BY KNEISSL

Ulster Co. - Pine Hill Fire Dept. – Mutual Aid Agreement

WHEREAS, Town of Shandaken approves participation by the PINE HILL FIRE DEPT. in the Ulster County Fire Mutual Aid Plan ("Plan"), as amended from time to time, and further certifies Ulster County, through its Deputy Director of Emergency Services/Fire Coordinator, that it shall comply with the provisions of the Plan; and be it further

RESOLVED, that there are no resolutions in effect that restrict outside service and training by the named Fire Agency; and be it further

RESOLVED, that there are currently no limitations, conditions or restrictions on the Fire Agency from providing prompt assistance, and the Deputy Director of Emergency Services/Fire Coordinator shall be notified in writing if any such limitations are imposed subsequent to the adoption of this resolution and be it further;

RESOLVED, that the named Fire Agency shall respond to all calls for assistance from another Fire Agency through the Ulster County Communications Center also known as UC911; and be it further

RESOLVED, That the TOWN OF SHANDAKEN hereby acknowledges and accepts it's financial responsibility pursuant to applicable law; and be it further

RESOLVED, that a copy of this resolution shall be filed with the Ulster County Dept. of Emergency Services

MOVE ITS ADOPTION

Seconded by: DISCLAFANI **RESOLUTION # 49-24**

OFFERED BY: VANBLARCUM

DEPUTY BUILDING INSPECTOR

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THEREFORE, BE IT RESOLVED that **Alan Harmon** is appointed Deputy Building Inspector/ Code Enforcement Officer and Fire Safety Officer, paid \$25.00 per hour, not to exceed \$32,000.00, and

MOVE ITS ADOPTION

Seconded by: KNEISSL

	ROLL CALL		
	AYES	NAYS	
BOARD MEMBER DRAKE	X		
BOARD MEMBER KNEISSL	X		

BOARD MEMBER STEEN	X	
BOARD MEMBER VAN BLARCUM	X	
SUPERVISOR DISCLAFANI	X	

RESOLUTION #51-24 TABLED

RESOLUTION OF TIME ACCRUALS FOR NEW YORK STATE RETIREMENT SYSTEM

WHEREAS, the New York State Retirement System requires a report be filed with their offices listing those employees and elected and appointed officials enrolled in the System

THEREFORE, BE IT RESOLVED, that the Town of Shandaken hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records.

Name	Elected/ Appointed Title	<u>Std. Work</u> <u>Day Hrs</u>	<u>Participates in</u> <u>Time Keeping</u> <u>(Y/N)</u>	<u>Days/Month</u> <u>Based on</u> <u>Record</u>
Peter DiSclafani	Supervisor	7	Ν	19.21
Joyce A. Grant	Town Clerk	7	Ν	20.00
Kevin VanBlarcum	Town Board	7	Ν	2.39
Kyle Steen	Town Board	7	Ν	5.13
Elizabeth Kneissl	Town Board	7	Ν	4.25
Eric Hofmeister	Highway Superintendent	8	Ν	20.00
Grace Grant	Assessor, Chair	7	Ν	21.98
Chad Storey	Police Chief	8	Ν	5.01
Richard Muellerleile	Ambulance Chief	8	Ν	10.85
Richard Ricciardella	Phoenicia Water Superintendant	7	Ν	20.09
Wendy Lockwood	Justice Clerk	7	Ν	10.00
Ernest Longhi	Ambulance Line Officer	8	Ν	1.47

On a Disclafani/Drake motion, the Regular meeting adjourned at 9:05.

Signed this 6th day of February, 2024

Joyce Grant Town Clerk