



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday December 2, 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:**
 - 138. Pay All Bills**
 - 139. Meeting Videoconferencing**
 - 140. Approve Town Police Contract**
 - 141. PAYMENT IN LIEU OF PARKING FEE Structure**
 - 142. Assign NYSERDA Awards**
 - 143. Directing SAVE to act as the adoption agency for the Shandaken Dog Shelter**
- 11. Open Public Comment**

Meeting Adjournment -IN MEMORY OF - Stephanie Steidel

RESOLUTION #138-24

OFFERED BY:

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	\$
Highway	
Phoenicia Water	
Pine Hill Water	
Phoenicia Lights	
Chichester Lights	
Pine Hill Lights	

	\$

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
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BOARD MEMBER DRAKE	_____	_____
BOARD MEMBER KNEISSL	_____	_____
BOARD MEMBER STEEN	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR DISCLAFANI	_____	_____

RESOLUTION #139-24

OFFERED BY:

RESOLUTION ADOPTING VIDEOCONFERENCING POLICY

WHEREAS Open Meetings Law allows a town to adopt a videoconferencing policy to facilitate board / committee member participation under certain extraordinary circumstances.

THEREFORE, BE IT RESOLVED by the Town Board of the Town of Shandaken that the following Videoconferencing Policy is hereby adopted:

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

AYES **NAYS**

BOARD MEMBER DRAKE	_____	_____
BOARD MEMBER KNESSL	_____	_____
BOARD MEMBER STEEN	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR DISCLAFANI	_____	_____

Town of Shandaken

Public Meeting Videoconferencing Policy

The town of Shandaken hereby establishes this policy to allow for attendance by members of the board and members of the public via videoconference at any open meeting of the town board or any committee or subcommittee meeting and is established in accordance with Public Officers Law ("Open Meetings Law"). <https://opengovernment.ny.gov/open-meetings-law>

This policy sets forth the options for attendance at public meetings either in person, via videoconference at a public location, or via videoconference at a non-public location due to "extraordinary circumstances" being experienced by a member who still wishes to attend.

This policy defines these "extraordinary circumstances" by which a member may participate in a meeting of the board or committee via videoconferencing in a non-public venue and establishes the procedures for notifying the town in order to verify the extraordinary circumstance and sets forth a method for updating the public on opportunities to attend via videoconference.

1. Open Meeting Law states that a quorum of the board must be present in-person at a predetermined time and public location wherein the meeting will be conducted. Any member attending in-person at the predetermined and noticed public location may count toward quorum.
2. Any member attending via videoconference under "extraordinary circumstances" will not be counted toward a quorum, but may vote on motions and resolutions.
3. When participating under "extraordinary circumstances" by which a member of the public body may request participation via videoconferences, they must notify the Town Supervisor/acting Supervisor AND the Town Clerk by phone or email as soon as the circumstance is presented.
4. Extraordinary circumstances allowed by this policy are:
 - a. Physical Disability whereby they are unable to meet in a physical location.
 - b. Illness whereby they are under direct orders from a doctor not to attend in-person meetings, or whereby their illness presents a risk of spreading to others attending the meeting.
 - c. Caregiver responsibilities whereby they are the only option for attending to the physical care of a minor or other dependent or family member.
 - d. Work-related restrictions whereby their place of business does not allow for participation at in-person meetings outside the parameters of their business location, or whereby their presence at the business location is critical during the date and time of the town meeting.
 - e. Travel commitments whereby they are at a location too distant to attend the meeting in-person.
 - f. Other significant or unexpected, unforeseen factors or events which preclude attendance must be presented within a reasonable amount of time before the meeting in order to approve a videoconference option and to give notice to the public for a

videoconference option.

5. Public Notice of an Open Meeting will be posted online on the Town's Agenda.
6. Pre-established meetings will provide for meeting notice at least 72 hours prior to meeting to announce the time and physical or virtual locations whereby the public can attend and it must account for ADA accommodations or compliance for public attendance.
7. In the event a member is allowed to participate via videoconference under "extraordinary circumstances," the town shall include a link to the same videoconference service by which the member will be participating on the agenda and within the public notice as soon as reasonably possible.
8. Any member of board or committee participating via videoconferencing must be able to be seen, heard and identified, as well as all members attending in person. Members of the public attending in person or via videoconference will also be asked to identify themselves for the purpose of notation the minutes.
9. Minutes of the meeting will delineate the attendance of each member and by what means they are attending, either in-person or via videoconference and under which "extraordinary circumstance."
10. Any meeting of the town or committee that is conducted with members via videoconference will be recorded and saved for five (5) years.

APPROVING TOWN POLICE DEPARTMENT CONTRACT

WHEREAS, THE TOWN OF SHANDAKEN OWNS AND OPERATES THE SHANDAKEN POLICE DEPARTMENT; AND

WHEREAS, TOWN OFFICIALS AND EMPLOYEES OF THE TOWN POLICE DEPARTMENT RECENTLY MET TO NEGOTIATE A CONTRACT WITH THE TOWN IN ORDER TO MEET A LEGAL UNDERSTANDING OF WHAT IS EXPECTED OF THE TOWN AND THE EMPLOYEES; AND

WHEREAS, ALL PARTIES IN ATTENDANCE HAD REACHED AN ACCORD; AND

WHEREAS, THE SHANDAKEN POLICE DEPARTMENT EMPLOYEES MET IN AUGUST OF 2024 AND BY MAJORITY VOTE RATIFIED THE CONTENTS OF THE NEW CONTRACT;

THEREFORE, BE IT RESOLVED THAT THE TOWN OF SHANDAKEN TOWN BOARD HEREBY APPROVES THE CONTRACT AS NEGOTIATED FOR THE PERIOD OF JANUARY 1, 2025 THROUGH DECEMBER 31, 2029, INCLUDING ALL TERMS AGREED TO THROUGH NEGOTIATION AND RATIFICATION.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
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BOARD MEMBER DRAKE	_____	_____
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BOARD MEMBER KNEISSL	_____	_____
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BOARD MEMBER STEEN	_____	_____
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BOARD MEMBER VAN BLARCUM	_____	_____
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SUPERVISOR DISCLAFANI	_____	_____
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RESOLUTION ADOPTING PAYMENT IN LIEU OF PARKING FEE STRUCTURE

WHEREAS, § 116-24 Parking and loading standards, paragraph C of the Shandaken town code indicates that “the minimum required number of off-street parking spaces ... may be alternatively satisfied for any commercial use, whether permitted by right or by special use permit, by the one-time payment of a fee per parking space...”; and

WHEREAS, that same code establishes that the amount of said fee per parking space shall be in accordance with the fee schedule annually reviewed and established by the Town Board; and

WHEREAS, no fee has been established in recent years by the Shandaken Town Board.

THEREFORE, BE IT RESOLVED that the Town of Shandaken Town Board hereby establishes a fee of \$250 to be paid one time for each parking space paid for in lieu of parking requirements, with a maximum of no more than 15 spaces deferrable through this payment.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

AYES **NAYS**

BOARD MEMBER DRAKE _____ _____

BOARD MEMBER KNEISSL _____ _____

BOARD MEMBER STEEN _____ _____

BOARD MEMBER VAN BLARCUM _____ _____

SUPERVISOR DISCLAFANI _____ _____

RESOLUTION ASSIGNING NYSERDA AWARDS

WHEREAS, Shandaken established its Conservation Advisory Council (CAC) in March of 2022,

AND WHEREAS, since then the CAC has completed various actions as part of the NYSERDA Clean Energy Community program including multiple community campaigns,

AND WHEREAS, through those actions the town has recently been awarded \$87,500 which can only be expended in a limited number of eligible clean-energy relevant ways,

THEREFORE, BE IT RESOLVED, that the Shandaken Town Board assign \$37,500 toward heat pumps within municipal buildings, and \$50,000 toward an EV vehicle to be used as a more economical and environmentally friendly town car,

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

	AYES	NAYS
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BOARD MEMBER DRAKE	_____	_____
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BOARD MEMBER KNEISL	_____	_____
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BOARD MEMBER STEEN	_____	_____
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BOARD MEMBER VAN BLARCUM	_____	_____
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SUPERVISOR DISCLAFANI	_____	_____
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RESOLUTION # 143-24

OFFERED BY

Resolution Directing SAVE to act as the adoption agency for the Shandaken Dog Shelter

WHEREAS, Article 7, Section 114 of the New York Agriculture and Market Law allows that towns may establish a pound or shelter for dogs,

And WHEREAS, Shandaken Animal Volunteer Effort (S.A.V.E) is a local non-profit dedicated to serving needy animals in our shelter and finding them homes,

THEREFORE BE IT RESOLVED, that the Shandaken Town Board establishes S.A.V.E as the entity responsible for adopting out animals from the Shandaken shelter upon receiving medical clearance from a town Animal Control Officer or any licensed veterinarian.

AND BE IT FURTHER RESOLVED, that S.A.V.E shall develop whatever procedures shall be necessary to best place animals with new owners, and, after any adoptions, shall deposit such documents with the Town Clerk.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL

AYES **NAYS**

BOARD MEMBER DRAKE _____ _____

BOARD MEMBER KNESSL _____ _____

BOARD MEMBER STEEN _____ _____

BOARD MEMBER VAN BLARCUM _____ _____

SUPERVISOR DISCLAFANI _____ _____