

**Town of Shandaken
County of Ulster
State of New York
August 6, 2012**

The Town Board met this date for the Regular Monthly meeting as per Resolution #2. Minutes of the Monthly Regular Town Board Meeting held in Shandaken on Monday August 6, 2012 at 7pm at the Town Meeting Hall, Rt. 28, Shandaken NY.

**Pledge of Allegiance
Roll Call**

Members Present: **Doris Bartlett, Board Member
Alfred Higley, Jr., Board Member
Jack Jordan, Board Member
Robert Stanley, Supervisor**

Members Absent: **Vincent Bernstein, Board Member**

Recording Secretary: **Joyce Grant, Town Clerk**

On a Stanley/Jordan motion the Town Board unanimously approved the minutes of the June meeting as submitted by the Town Clerk.



**Town of Shandaken Town Board Meeting Agenda
Regular Monthly Meeting
Monday, August 6, 2012**

1. Pledge of Allegiance
2. Roll Call
3. Approval of previous T/B Meeting minutes
4. Supervisor's Financial Report
5. Communications
6. Committee Reports:
 - a. Ambulance
 - b. Police
 - c. Phoenicia Water
 - d. Pine Hill Water
 - e. Museum
 - f. Recreation
 - g. Shandaken Day
7. Public Comments on Resolutions
8. Motions:
9. Resolutions:
 - 121) *Pay all Bills*
 - 122) *Recreation* – Approve Parks and Recreation Planner
 - 123) *Recreation* – Recommend Designation for Belleayre Ridge Parcel
 - 124) *Recreation* – Support Catskill Divide Bike Race
 - 125) *Highway* – Advertise for bids for Chichester Stream work
 - a. Sites 2 & 9 – Stony Clove, Site 4- Warner Creek
 - 126) *Highway* – Approve purchase of Ford F550 Dump Truck – County Bid
 - 127) *Town* – Prohibiting Hydraulic Fracturing Brine on Town Roads (Res. 100-12)
 - 128) *Town* – Public Hearing - Procurement Policy Update
 - a. Monday, August 20, 2012 @ 1pm
 - 129) *Town* – Special Meeting – Procurement Policy/Award Highway Bids
 - a. Monday, August 20, 2012 @ 1:15 pm
 - 130) *Town* – Public Hearing- Flood Plain Development Regulations
 - a. Monday, September 10, 2012 @ 6:30
 - 131) *Vehicle* – Accept bids- 2000 Chevy Blazer (\$400) minimum
 - 132) *Museum* – Accept Earl Hatleberg Resignation
 - 133) *Phoenicia Water*- RFP for Construction Designer-High St. Loop
10. Open Public Comment
11. Meeting Adjournment - *IN MEMORY OF: Larry Feehan - Claude Ravatier - Peggy Gale*

Supervisor Report July 2012

Ambulance Fees	\$ 9,500.32
Ambulance Donation	\$ 200.00
Justice Fees	\$ 12,822.00
Police Fees	\$ 90.25
Town Clerk Fees	\$ 527.38
Planning Fees	\$ 100.00
Zoning	\$ 745.00
Building Permit Fees	\$ 4,991.00
Dog Licenses	\$ 206.00
Registrar	\$ 70.00
Phoenicia Library reimb.Fuel	\$ 411.76
Phoenicia Library Rent	\$ 200.00
Fuel Reimbursement	\$ 572.75
Supervisor Interest	
U.C. Mortgage Tax	\$ 22,417.81
Health reimbursement	\$ 156.51
Millens Steel	\$ 196.88
Reimb Flood Clean-up	\$ 509.98
ASCAP Lic reimb	\$ 320.00
FEMA Reimb	\$ 37,860.78
Total	\$ 91,898.42

**Accounts Payable
July, 2012**

GENERAL	\$ 123,304.53
HIGHWAY	\$ 131,679.06
PHOENICIA WATER	\$6,188.25
PINE HILL WATER	
PHOENICIA LIGHTS	\$820.09
CHICHESTER LIGHTS	\$124.91
PINE HILL LIGHTS	\$485.19

Committee Reports:

Phoenicia Water – Still on Drought Alert. Next meeting Wed. Aug. 15th. Services for Peggy Gale – Gormley’s Funeral Home, Thurs. Aug. 9th 2-4, 7-9. Friday 11am. In lieu of flowers send donations to Phoenicia United Methodist Church.

Need Clearwell Pump. Fema won’t pay, but NYSEG may provide Grant money for equip. & labor. Need specs to submit paperwork.
Rick Ricciardella – Water from portal is filthy, really affecting our water. Burnham Hollow trees need to be removed from stream. Trees will hit bridges.

Recreation – Heather Roberts At last meeting we chose planner to assist us with Master Plan-Gilmore LLC. Based on work he has done in the past & familiarity with our area. We felt the 1,200 acres would be best served by designating as ‘Intensive Use’.

Next meeting date has been changed to Monday, Aug. 27th. 6:30 pm at Town Hall.



Town of Shandaken

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

"The Heart of the Park...Where the Eagle Soars"

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 8/6/12**

Phoenicia Sewer : The Town was notified by the Environmental Facilities Corporation last week concerning the funding for the proposed Phoenicia Sewer Project. According to EFC the Town had until the end of business today to decide whether we mutually agreed to release the funds allocated for the project. If the Town chose to argue points of default on the contract with the city, there would be "consequent negative impacts" to the Town's financial status. It is still the Town's estimation that the City is at default on this agreement as they never provided the funds sufficient for an approvable project. The Town Board has unanimously agreed to agree to this "mutual default" so it would not have a negative impact on the Town. We consulted with the Town's Attorney on this and it seemed the most practical response for the Town. We will release a more formal statement after further conference with our attorney.

Recreation: We have several resolutions tonight. The first is hiring Gilmour Planning, LLC to assist the Parks and Rec Board in creating a Comprehensive Plan for the Parks. This is being paid from a grant received from the Hudson River Valley Greenway. Also we are supporting the Parks and Rec Board in requesting that the DEC's newly acquired 1200 acre parcel adjacent to Belleayre be designated as "Intensive Use," it is both board's feelings that it still provides "Forever Wild" protection but allows for a multitude of recreational uses which we all feel would be an economic boost to our Town and region. And last we have a resolution to Support the Catskill Divide Bike Race scheduled for August 19th.

SAFARI: We have several large stream stabilization projects slated for the Stony Clove and Warner Creeks. These projects are high on our priority list and being funded through the Natural Resources Conservation Service and coordinated through the Ulster County Soil and Water Conservation District. These jobs need to be awarded fairly quickly

because these are large jobs and they need to be completed prior to September 30th, the date we are supposed to cease all stream activity according to the DEC. We have scheduled a special meeting for the 20th of this month to award these projects. We also will be looking at new flood plain regulations as recommended by our Flood Mitigation consultants. These new regulations would help the Town accrue Community Rating System points helping to reduce overall flood insurance rates Town Wide. This first regulation will be amending the application providing more information on proposed development within floodplains, the second would be amending the Town Law regarding cumulative impacts to structures already within the floodplain. Essentially, any structure receiving 50% or more improvements to their structure cumulatively over a ten year span, must bring their entire structure up to current code. These regulations will provide a savings for all residents and further ensure the resiliency of structures in the flood plain areas. We do not have the specific language ready, as of this meeting, and if we do not have it ready by the middle of this month we will not hold a public hearing on the law as currently proposed in a resolution tonight and reschedule it for a later date.

Highway : Eric is looking to purchase a new dump truck for the Highway Department he has the budgeted monies available and can purchase it through the County Bid. We also have a resolution prohibiting hydro-fracking fluids from being used on Town roads. Although we currently do not use these fluids, the environmental damage to the Town would, in our estimation, be detrimental to the forest preserve that we live in and feel it is right for us to join others in prohibiting the use of these fluids on our roads.

Comptroller: The State Comptroller's office has been taking a tour of local Towns and in his stop here highlighted some policy and procedural changes that need to be updated. The most glaring was the Town's Procurement Policy which has not been updated since 1991. Under the current structure the Town is to receive verbal bids in excess of \$100 and written bids in excess of \$1000. The comptroller suggested that in order to make the offices more efficient we were advised to amended to, at the very least, the State minimum, which would increase these to \$1000 and \$3000 respectively. There are different levels for Supplies and Equipment versus Public Works Projects which garner higher levels as they tend to be more expensive projects. We will hold a public hearing on these amendments prior to our meeting on August 20th. The other suggestions were inter-office changes that we have already started implementing and will continue to address over the coming months.

Museum: Sadly, the Director hired at last month's meeting felt he would be unable to perform the duties and has handed in his resignation, we will be advertising the opening again for Museum Director.

Phoenicia Water: The water district has some cash on hand that can be used to address projects highlighted in the Preliminary Engineer's Report completed last year. Tonight we are sending out an RFP looking for a Construction Design Firm to draw up plans to complete what is commonly referred to as the "High Street Loop" connecting the waterline from the Woodland Valley Bridge to the end of the main along High Street. We will be awarding this job at our August 20th meeting to help ensure the district can get the job completed prior to cold weather setting in.

Shandaken Day: is getting ready to go in Pine Hill on August 25th. Sadly, due to logistical issues involving the transfer of management from DEC to ORDA, we will not be moving the event to Belleayre. We also will not be hosting fireworks. Although, we have had some recent rain, the dry weather could quickly return and we did not feel it right to hold fireworks while a statewide burn ban remains in effect. Those issues aside, we are looking forward to celebrating on Main Street from 10am until 6pm, with all of the usual fun and fanfare. We currently have only a few locations left, so please get your applications in ASAP. The flyer will be in the Freeman on August 16th. This year we are noting the fact that Pine Hill has been placed on the State registry of Historic Places, while awaiting the same from the National Registry. Doris Nieves will be holding a ZUMBA dance at the Community Center and we will have live entertainment all day. As usual we will be giving out all sorts of awards including a special awards ceremony recognizing people and organizations that were intrinsic to the recovery of the Town since last year's floods.

Smart Growth: The Town is glad to report that the Pavilion Repair in Glenbrook Park is complete. I'd like to thank Black Bear Builders of Margaretville for doing this job quickly and working with the Town by clearing out equipment every weekend, so we could still rent the pavilion. They placed stone faced columns to the bottom of the pavilion to enhance the look and provide protection from further rot, which was severe on some of the posts. This job cost the Town nothing as all funds were provided through the Smart Growth Grant program. Additionally, Kurt has completed the Rte. 28 signs and the sign for opposite the Eagle entering Phoenicia. Eric and I need to coordinate the time to install these signs, hopefully this month. The work provided by our

Highway crews will apply as our match for this grant. Lastly, the kiosk committee has been meeting and we are anticipating seeing some drafts of panels coming up shortly.

- I'd like to thank the organizers of the Festival of the Voice which was well received in Phoenicia this past weekend. Business owners throughout the Town seemed pleased with the turnout and we certainly look forward to this event continuing and providing a much needed lift for our local economy while highlighting the arts in our community.

Our next regular meeting is scheduled for

Monday, September 10, 2012 at 7pm.

TOWN OF SHANDAKEN AMBULANCE SERVICE



**PO BOX 91 PHOENICIA, NY 12464
WWW.SHANDAKENAMBULANCE.ORG**

JULY 2012 REPORT

Total calls received- 45

Mutual aid given- 1 (Town of Olive)

Mutual aid received- 1 (West Hurley for Standby at UCVFA Parade)

Busy is an understatement to describe your Ambulance Service this past month. In addition to responding to a large number of calls for service your EMS professionals have been busy preparing for bi-annual agency audits by the Regional EMS Council and the NYS Department of Health, performing meticulous quality checks on equipment, and stood fast at numerous events most notably the Ulster County Volunteer Firefighters Convention Parade. Special thanks goes out to West Hurley Fire Department for providing additional standby Ambulance coverage for the Town, and Diaz Ambulance for allowing the use of their specialized misting fan. Anyone whom actually attended the Parade or watched the regional weather radar that day understands the irony of that last bit of gratitude.

From time to time we unfortunately need to bid farewell to one of our employees and this upcoming month we must salute Emergency Medical Technician Kevin Mcgee. On August 8th Kevin is to depart home to report to Lackland Air Force Base and commence Basic Training for the United States Air Force. We commend Kevin for his decision to serve our Country and wish him the best of luck in fulfilling his dream.

Stay Safe Out There,

**Richard Muellerleile
Captain/ Administrator, Shandaken Ambulance**

Committed To Care In The Heart Of The Catskills

SHANDAKEN POLICE DEPARTMENT MONTHLY REPORT			
Month of July 2012			
CHIEF W.JAMES MCGRATH			
Abandoned Vehicle	0	Mental Health Law	1
Abandoned 911's	2	Motorist Assists	3
Aggravated Harassments	1	Neighbor Disputes	1
Animal Complaints	20	Noise Complaints	5
Assaults	1	Parking Complaints	0
Assist Other Police Agency's	5	Property Disputes	0
Assist Town Ambulance	14	Property Damage Accidents	10
Assist Fire Department	4	Involving DEER	4
Automatic Alarms	1	Involving BEAR	5
Bad Checks	0	Personal Injury Accidents	2
Burglaries	1	Plates Lost M.V.	0
Criminal Mischief's	2	Public Lewdness	0
Criminal Possession Weapons	1	Reckless Endangerments	0
Check the Welfare	6	Robbery	0
Civil Matters	0	Suspicious Persons	2
Drug Possessions	0	Suspicious Vehicles	2
Drug Overdoses	1	Security Checks	12
Disorderly Subjects	3	Shots Fired Complaints	1
Domestic Disputes	11	Suicides Attempted	1
Driving While Intoxicated	2	Suicides	1
Larcenies	5	Traffic Details	2
Fights in Progress	0	Trespassing Complaints	2
General Town Complaints	11	Theft of Service Complaints	0
Grand Larcenies	0	Unattended Deaths	0
Harassment Complaints	2	V&T Complaints	20
Lock-out Assists	6	Water Rescues	0
Land-lord/Tennant disputes	1	Missing Persons	2
Littering/Dumping Complaints	5	Marijuana Possessions	0
Juvenile Complaints	0	Identity Theft	1
Endangering Welfare Complaints	1	TOTAL CALLS HANDLED	183
Violations	5	Uniform Traffic Tickets	52
Misdemeanors	9	Parking Tickets	2
Felonies	1	Warrants	3
Appearance Tickets	11	TOTAL ARRESTS	15
*****POLICE VEHICLE REPORT*****			
83 Patrol Miles	3778	83 Odometer Reading	70870
84 Patrol Miles	2914	84 Odometer Reading	148120
85 Patrol Miles	225	85 Odometer Reading	60420
86 Patrol Miles	196	86 Odometer Reading	84745
87 Patrol Miles	534	87 Odometer Reading	142000
TOTAL MILES PATROLLED	7647		

Public Comment on Resolutions:

Nick Alba is in favor of Fracking Brine Resolution. Would like to also include banning transportation of brine on town roads.

Cathy Nolan also in favor of Fracking Brine Resolution. May want to do separate resolution pertaining to transportation of brine on roads. Resolution on 1,200 acres: designation should be divided up by partial ‘Wilderness’ designation – for south side ridge. Would like the County corridor used to connect the acreage and parking area by Pine Hill Lake.

Marty Gailes – Acreage should be developed for Recreation not Wild Forest.

Gary Gailes – Acreage should be designated ‘Intensive Use’ as Belleayre is already designated as such.

Walter Krump – stated he was against ‘Forever Wild’ designation. Land should be developed.

RESOLUTION # 121-12

OFFERED BY: JORDAN

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 \$ 123,304.53
Highway 131,679.06
Phoenicia Water 6,188.25
Pine Hill Water
Phoenicia Lights 820.09
Chichester Lights 124.91
Pine Hill Lights 485.19

AND MOVES ITS ADOPTION

Seconded by: HIGLEY

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

RESOLUTION #122 - 12

OFFERED BY STANLEY

**RESOLUTION APPOINTING A PLANNING CONSULTANT
FOR TOWN PARKS AND RECREATION COMPREHENSIVE PLAN**

WHEREAS, the Town of Shandaken Parks and Recreation Board is in receipt of a grant from the Hudson River Valley Greenway for the purpose of creating a Parks and Recreation Comprehensive Master Plan (PLAN); and

WHEREAS, the Parks and Recreation Board created a Request For Qualifications (RFQ) and advertised for a planner to assist them (Res. 117-12); and

WHEREAS, the Parks and Recreation Board at a meeting on Monday, July 30, 2012 recommended to the Town Board that we hire **Gilmour Planning, LLC.** to assist them with their task.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board authorizes the Supervisor to enter into a contract with **Gilmour Planning, LLC.** as the Planning Consultant to assist the Parks and Recreation Board in developing the PLAN; and

AND MOVES ITS ADOPTION

Seconded by: JORDAN

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

RESOLUTION #123- 12

OFFERED BY HIGLEY

**RESOLUTION CONCERNING DEC CLASSIFICATION OF THEIR NEWLY ACQUIRED PARCEL
ADJACENT TO BELLEAYRE MOUNTIAN**

WHEREAS, the New York State Department of Environmental Conservation (DEC) has acquired a 1200 acre parcel of land adjacent to Belleayre Mountain along Rte. 28 in the Hamlet of Big Indian; and

WHEREAS, the DEC is asking for comments on the classification of this parcel; and

WHEREAS, the Town of Shandaken Parks and Recreation Board on Monday, July 30, 2012 unanimously supported a resolution requesting this parcel be classified as “Intensive Use,” partly due to the new parcel being adjacent to Belleayre Mountain Ski Center and the Belleayre Beach (Pine Hill Lake), which are both classified as “Intensive Use;” and

WHEREAS, the land would still be part of the Forever Wild distinction within the Catskill Forest Preserve and would like to see more recreational activity allowed on these lands than allowed under other classifications; and

WHEREAS, The Town of Shandaken is limited in its development opportunities to improve economy and recognizes that expansion of recreational uses are essential to the economy of the Town in which near 85% of the land is publicly owned; and

WHEREAS, the parcel has a relatively flat ridge line and existing road networks that have been built and maintained which the Town believes would be an asset in providing a relatively accessible and minimal physically challenging area for use by the broadest base of individuals and families from the State of New York, as well as visitors from abroad and Town residents which would assist in the further development of the Town, and therefore the State’s economy.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board supports the recommendation of the Town of Shandaken Parks and Recreation Board in urging that the entire acquisition be classified as “Intensive Use.” This conforms to the classification assigned to Belleayre Ski Center and the Belleayre Beach, and is appropriate because the land is, in fact, an extension of Belleayre Mountain. The 1200 acres will become part of the NYS Forest Preserve guaranteeing that this land will be protected while allowing for activities such as Mountain Biking, Cross-Country Skiing and proper trail maintenance for these activities.

BE IT FURTHER RESOLVED, that the Town Board of Shandaken hereby requests that such parcel be properly named as the “Belleayre Ridge” so as to avoid any confusion as its physical location.

AND MOVES ITS ADOPTION

Seconded by: JORDAN

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

RESOLUTION #124 - 12

OFFERED BY BARTLETT

RESOLUTION SUPPORTING CATSKILL DIVIDE ROAD RACE

WHEREAS, the Town of Shandaken has been contacted by the Catskill Mountain Velo Club (Michael Wentland - Club President) concerning a 3rd annual cycling event for the Catskills being sponsored by Catskill Mountain Velo Club based in Big Indian, NY; and

WHEREAS, the event is a bicycle race to be held on Saturday, August 19, 2012; and

WHEREAS, said race will consist of a course originating in the Hamlet of Big Indian, and passing through Fleischmanns and Halcott, before finishing back in Big Indian; and

WHEREAS, the Town of Shandaken fully supports recreational events, tourism, and ventures throughout the Town and the region as beneficial economic activities,

THEREFORE BE IT RESOLVED, that the Town Board of Shandaken supports the event known as the “Catskill Divide Road Race,” and extends any courtesy to provide for the health, safety and welfare assistance of the participants, visitors and residents within the Town of Shandaken during this event.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

**RESOLUTION ADVERTISING FOR COSTRUCTION WORK
FOR TOWN FLOOD RECOVERY WORK**

WHEREAS, the Town of Shandaken is in need of construction work in order to repair and stabilize portions of the Stony Clove and Warner Creeks following damages that occurred due to Tropic Storms Irene and Lee; and

WHEREAS, the amount needed to pay for such services are reimbursable to the Town from NRCS;

THEREFORE BE IT RESOLVED, that the Town of Shandaken advertise for independent construction bids for the following projects:

- A – Chichester Sites 2 & 3 (Stony Clove Creek)
- B – Stony Clove and Warner Creeks Confluence Project
- ~~* C – Warner Creek Site 5~~

BE IT FURTHER RESOLVED, that any person(s) interested in applying for such work must attend a mandatory pre-bid meeting at the Shandaken Town Hall located at 7209 Rte. 28, Shandaken, NY 12480 on Friday August 10, 2012 @ 1pm for site visits. Responsible bidders must attend the site visit specific to the job they are bidding; and

BE IT FURTHER RESOLVED, that any person(s) interested in bidding on such may view, starting Tuesday, August 7, 2012 during regular business hours, engineering drawings at the Ulster County Soil and Water Conservation District Office located at 6375 Rte. 28, Phoenicia, NY 12464 and, upon appointment, at the Shandaken Highway Garage Office located at 7209 Rte. 28, Shandaken, NY 12480. Bidders will be provided bid packets on Friday, August 10, 2012 at 1pm during the mandatory site visits with bids to be received no later than 12pm on Monday, August 20, 2012 in the Town of Shandaken Town Clerk's Office, PO Box 67. The Town of Shandaken reserves the right to reject any and all bids.

AND MOVES ITS ADOPTION

***On a Stanley/Jordan Motion the board unanimously voted to STRIKE 'C-Warner Creek Site 5'**

Seconded by: STANLEY

ROLL CALL 4 AYES, 1 ABSENT (BERNSTEIN)

RESOLUTION APPROVING DUMP TRUCK PURCHASE

WHEREAS, the Town of Shandaken Highway Department is in need of a new dump truck; and

WHEREAS, the Town of Shandaken Highway Superintendent has located a 2012 Ford F550 Dump through Ulster County Bid;

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board approve the purchase of a 2012 Ford F550 Dump Truck for a price not to exceed \$50,000.00 (US).

AND MOVES ITS ADOPTION

Seconded by: JORDAN

ROLL CALL 4 AYES, 1 ABSENT (BERNSTEIN)

**RESOLUTION PROHIBITING USE OF HYDRAULIC FRACTURING BRINE
AS DE-ICING AGENT ON TOWN ROADS**

WHEREAS, hydraulic fracturing (fracking) for natural gas involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery; and

WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effect and/or adverse environmental impacts; and

WHEREAS, wastewater from fracking can contain radioactive elements

THEREFORE BE IT RESOLVED, as follows:

1. That the Town Board of the Town of Shandaken hereby resolves that brine from natural gas drilling, being production brine, produced waters, flow back fluids or hydraulic fracturing fluids generated as a result of

drilling for or seeking gas in wells, included but not limited to hydraulic fracturing, shall not be used as a de-icing agent on the roads of the Town of Shandaken; and

2. That this resolution shall take effect immediately.

AND MOVES ITS ADOPTION

Seconded by: JORDAN

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

RESOLUTION #128 - 12

OFFERED BY BARTLETT

**RESOLUTION ESTABLISHING PUBLIC HEARING
FOR AMENDING TOWN PROCUREMENT POLICY**

WHEREAS, the Town of Shandaken Town Code Article 41 illustrates policies for procurement of supplies, equipment and public works; and

WHEREAS, the current policy has not been updated since 1991,

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board, will conduct a Public Hearing, to hear arguments for or against said amendments, at **1 pm** prior to a special Town Board meeting on **Monday, August 20, 2012.**

AND MOVES ITS ADOPTION

Seconded by: JORDAN

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

**A LOCAL LAW TO AMEND ARTICLE 41
OF THE TOWN CODE OF THE TOWN OF SHANDAKEN**

BE IT ENACTED by the Town Board of the Town of Shandaken as follows:
SECTION 41-2 – Determination of whether procurements subject to bidding
A. Procedure

- (1) Purchase contract for supplies and/or equipment in excess of twenty thousand dollars.
- (2) Contract for public works in excess of thirty-five thousand dollars.

SECTION 41-5 – Adequate documentation

Documentation of actions taken in connection with each such method of procurement is required as follows:

- A. For contracts involving supplies or equipment in excess of three thousand dollars but less than twenty thousand dollars and for contracts for public works in excess of ten thousand dollars but less than thirty five thousand dollars there shall be a written specification request and written quotes from three vendors.
- B. For contracts for public works in excess of three thousand dollars but less than ten thousand dollars there shall be an oral or written specification request and written quotes from two vendors.
- C. For contracts for supplies and equipment and for contracts for public works in excess of one thousand dollars but less than three thousand dollars there shall be an oral specification request and oral or written quotes from two vendors.
- D. For contracts for supplies and equipment and contracts for public works less than one thousand dollars the contract may be awarded at the discretion of the entity making the purchase.
- E. All quotes are to be documented in writing by the Department head or the designee making the request.
- F. If Department head or designee have a failure in meeting guidelines set forth above then Department head or designee are required to document in writing reasons for failure in process. (i.e., low reply rate, etc.)

SECTION 41-7 – Items excepted from policy and procedures by the Board

C. Small procurement under one thousand dollars

EFFECTIVE DATE: This Law shall become effective immediately upon filing of same in the Office of the Secretary of State after being approved by the qualified voter.

RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING

WHEREAS, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning Highway projects and its procurement policy,

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board, will conduct a Special Meeting at **1:15 pm on Monday, August 20, 2012** for the purpose of conducting business related to awarding Highway Projects and an update to the Town Procurement Policy.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

RESOLUTION ESTABLISHING PUBLIC HEARING
FOR AMENDING TOWN FLOOD DEVELOPMENT REGULATIONS

WHEREAS, the Town of Shandaken Town Code Articles 4, 5 & 6 illustrates requirements for Flood Plain Development; and
WHEREAS, the Town has recently endured severe flooding due to Hurricane Irene in August of 2011; and
WHEREAS, the Town is currently developing a Flood Mitigation Plan to guide us in making residential and commercial properties more resilient to flood damage and prioritize projects to make some communities more flood resilient; and
WHEREAS, the amendments to the current regulations will help the Town reduce overall flood insurance rates throughout the Town through Community Rating System (CRS) Credits

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board, will conduct a Public Hearing, to hear arguments for or against said amendments, at **6:30 pm** prior to the regularly scheduled Town Board meeting on **Monday, September 10, 2012.**

AND MOVES ITS ADOPTION

Seconded by: JORDAN

ROLL CALL **4 AYES, 1 ABSENT (BERNSTEIN)**

RESOLUTION REQUESTING BIDS FOR VEHICLE

WHEREAS, the Town of Shandaken is in possession of a 2000 Chevy Blazer (VIN #1GNDDT13WXY2102797), and
WHEREAS, the vehicle is no longer needed as a Town due to wear and tear; and
WHEREAS, that the Town advertised for sealed bids with a minimum requirement of \$400.00 (US)
THEREFORE BE IT RESOLVED, that the Town award the vehicle to_____ from _____ for the price of \$_____.

***THERE WERE NO BIDS FOR THE VEHICLE.** On a Jordan/Bartlett motion the board unanimously voted to sell the vehicle as scrap metal

ADVERTISE FOR MUSEUM DIRECTOR OPENING

WHEREAS, Earl Hatleburg, has submitted a resignation letter to the Town of Shandaken for his position with Town of Shandaken Historical Museum; and

WHEREAS, the Town would like to advertise for the opening as Museum Director.

THEREFORE BE IT RESOLVED, that the Town Board of Shandaken hereby accepts Earl Hatleburg's resignation from the Town of Shandaken Historical Museum and the Town will immediately advertise for the vacant position.

AND MOVES ITS ADOPTION

Seconded by: HIGLEY

ROLL CALL 4 AYES, 1 ABSENT (BERNSTEIN)

RESOLUTION #133 - 12

OFFERED BY JORDAN

**RESOLUTION ADVERTISING FOR ENGINEERING AND DESIGN FIRM
FOR PHOENICIA WATER DISTRICT CONSTRUCTION PLAN**

WHEREAS, the Phoenicia Water District in 2011 created an Engineer's Preliminary Report (EPR); and

WHEREAS, the EPR highlighted certain projects that would be of benefit to the district and its users; and

WHEREAS, the Phoenicia Water Committee would like to proceed with certain projects described within the EPR, specifically requesting that the Phoenicia Water District expend available funds to complete a supply system loop from High Street across the Woodland Valley Bridge (High Street Loop).

THEREFORE BE IT RESOLVED, that the Town of Shandaken advertise for an Engineering and Construction Design Firm to assist them in creating a construction plan for the High Street Loop in the Phoenicia Water District; and

BE IT FURTHER RESOLVED, that any person(s) interested in applying for such work should supply the appropriate reference materials and other requested documentation in accordance with the supporting RFP (Request For Proposal). Copies of the RFP can be found at the Town Clerk's Office (7209 Rte. 28, PO Box 67, Shandaken, NY 12480) and on the Town website (www.shandaken.us). All submissions must be received in the same office no later than 12pm on Monday, August 20, 2012. All bids will be opened at a Special Town Board meeting on Monday, August 20, 2012 at 1:15pm. The Town of Shandaken reserves the right to reject any and all bids.

AND MOVES ITS ADOPTION

Seconded by: BARTLETT

ROLL CALL 4 AYES, 1 ABSENT (BERNSTEIN)

Signed this 7th day of August, 2012

Joyce Grant – Town Clerk

Town of Shandaken Request for Proposals

Project Description and Preliminary Scope of Work

The Town of Shandaken is soliciting proposals from qualified engineering firms for assistance in the following:

Project Description

Create construction design plans and estimate costs to construct the recommended municipal drinking water system improvement to complete the “High Street Loop” for the Phoenicia Water District in the Hamlet of Phoenicia NY.

Completion Date

The required completion date of this project is September 21, 2012.

Scope of Work

Professional services required are likely to include:

Survey work including land elevations

Detailed Construction plans illustrating depths, lengths of run and materials needed

Detailed estimate of costs for both materials and construction

Other: The successful firm must comply with all applicable funder requirements.

Submittal Content

The proposal must be organized in sections containing the following information:

Description of Firm. Describe your firm's legal structure, areas of expertise, length of time in business, number of employees, and other information that would help to characterize the firm. Provide the address of the main office (for legal purposes) and the address of the office that will manage the project.

Experience. Briefly describe other projects executed by your firm that demonstrate relevant experience; however, extensive descriptions of vaguely related projects are discouraged. Also list all public sector clients for whom you have performed similar work in the past five years. For each project mentioned, include the name, address and phone number of a person who can be contacted regarding your performance on the project. When submitting projects for which your firm worked in an auxiliary capacity or in a joint venture or partnership, include the name and address of the lead firm as well as the name and addresses of the other firms with which you worked.

Personnel. Provide a professional resume for the key people proposed to be assigned to the project (including any important sub-consultants), and describe relevant related experience. Describe key personnel's proposed roles and responsibilities on this project. Submittals must identify a proposed project manager, who would be responsible for the day-to-day management of project tasks and would be the primary point of contact with your firm. An organization chart of the project team may be appropriate but not required.

Project Approach. Describe the tasks that must be accomplished to complete the project. Provide a narrative description of how the firm proposes to execute the tasks. If applicable, discuss any unique aspects of the project, alternate approaches the Town of Shandaken might wish to consider, or special considerations related to programmatic/ funding requirements. Your firm should rely on its expertise and experience with similar projects to demonstrate how it will effectively complete the project.

Project Schedule. Provide a schedule of general project activities indicating the duration of each activity and of the total project, including a schedule of Personnel to be assigned to project. The schedule should reflect realistic activity durations.

Brochures or other material that may be helpful in evaluating your firm may be included in an appendix of the proposal.

Additional Information

Questions regarding the project may be directed to Supervisor Robert A. Stanley at:

Town of Shandaken

P.O. Box 134, Shandaken, New York 12480

(845) 688 – 7165

supervisor@shandaken.us

The following may be requested from, or viewed at, Town offices at 7209 Rte. 28, Shandaken, NY 12480, Water District Map

Submittal Deadline

Seven copies of the proposal must be received no later than 12:00 p.m. on August 20, 2012 at the Town Clerk's Office, Town of Shandaken, P.O. Box 67, 7209 Rte. 28, Shandaken, NY 12480. Proposals received after the deadline will not be considered.

Selection Process

Proposals will be ranked based on qualifications and the Town of Shandaken in its discretion may choose to interview several of the top ranked firms. However, at its discretion, the Town of Shandaken may dispense with interviews and select a firm to perform the work. Firms will be evaluated on the basis of the following factors:

Firm History and Capability to Perform Project

Relevant Project Experience

Qualifications of Project Team

Familiarity with Area and Project

Project Approach and Schedule

References

Cost Proposal

Responsibility/capability to complete the work as required

A selection committee appointed by the Town of Shandaken will assist with firm evaluations and make recommendations to the Town Board of Shandaken who will make the final selection. The Town of Shandaken expects to evaluate proposals and select a firm at a Special Town Board meeting scheduled for 1:15pm on Monday, August, 20, 2012 and will provide written notification to the awarded firm. The Town of Shandaken reserves the right to reject any and all bids.

Equal Opportunity/ Affirmative Action Employer

All qualified engineers will receive consideration without regard to race, color, religion, creed, sex, age, or national origin.