

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

**The Town of Shandaken Town Board conducted a Regular Monthly Meeting on Monday,
March 2, 2020. Shandaken Town Hall. 7209 Rt. 28 Shandaken, NY**

Call to Order

Pledge of Allegiance

Roll Call

Members Present

Robert A. Stanley – Supervisor

Kyle R. Steen - 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, March 2, 2020**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of previous T/B Meeting minutes**
- 5. Supervisor's Financial Report**
- 6. Communications**
 - a. USPS – Presentation Regarding Possible Mt Tremper Post Office Relocation
- 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:**
 - 53. Pay All Bills**
 - 54. Town Board – Sale of Property to CWC**
 - a. Former Site of proposed Municipal Complex
 - 55. Shandaken Septic District – Purchase of Property for Project**
 - a. Purchase and easements for Moore Properties
 - b. 2-Ruthenbeck Rd. parcels for \$43,000
 - 56. Town Board – Support 2020 Bike Race**
 - a. 8th Annual Woodstock Womens' Cycling Grand Prix
 - 57. Town Board – Support 2020 Budget Legislation**
 - a. Re: Improved Cell Service in the Catskills
- 11. Open Public Comment**

12. Meeting Adjournment -

IN MEMORY OF:
Anthony Motti, Dolores Harvey, Lynne Stewart

Volunteers are needed to help with replacing the fence at the Glenbrook Park Dog Park. Please call the Town Clerk 845-688-5004 if you can help in April.

Phoenicia Water – all is running as it should. Next meeting is March 18th Pho. Library. 6:30

Supervisor Report February 2020
Revenues

Registrar Fees	\$ 20.00
Higley Settlement (Misc. Rev)	\$ 379.11
DRAM Antitrust litigation (Misc Rev)	\$ 49.59
Tax Warrant	\$ 1,336,605.00
Medical Insurance Reimbursment	\$ 93.87
Police Fees	\$ 30.00
Ambulance Fees	\$ 5,398.62
Town Clerk EZ Pass	\$ 75.00
Rental of Real Property	\$ 1,104.43
Justice Fees	\$ 15,873.00
Building Fees	\$ 1,533.00
Dog Licenses	\$ 108.00
Refuse and Recycling	\$ 242.00
PILOT Program	\$ 7,653.86
Unallocated Insurance Reimbursement	\$ 295.90
Phoenicia Firehouse Tax Warrant	\$ 270,000.00
Pine Hill Firehouse Tax Warrant	\$ 51,433.00
Highmount Firehouse Tax Warrant	\$ 53,687.00
Big Indian Firehouse Tax Warrant	\$ 115,586.00
Highway Revenue	\$ 981,380.21
CWC Revenue	\$ 42,441.25
Totals	\$ 2,883,988.84



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

February 2020 Monthly Report

INCIDENT TYPE	NUMBER
Real Property/alarm/trespass	5
Vehicle, Traffic and Related Accidents	51
Narcotic	
Assault and Related	6
Larceny and Theft	
Forgery and Related	
Fraud and Related	1
Public Sensibilities / criminal mischief and Related	3
Local Law	
Lost/Missing Person(s)	
Lost/Found Property	
Suspicious Activity	5
Security Check/Welfare Check/COPP	168
School Check	31
Animal	1
Assist Fire/Ambulance	15
911 abandoned, misdial, and Related	2
Civil	2
County Coroner Related	
Request Patrol	1
Total	291

SUMMONS ISSUED	9
ARRESTS	2

UNIT	Start	End	Total
82	0	0	0
83	0	0	0
84	95131	98602	3471
85	0	0	0
86	27354	30716	3362
TOTAL			6833



February 2020 Report

TOTAL CALLS RECEIVED - 48

MUTUAL AID GIVEN- 1

RECEIVED – 2 (Multiple calls in the District)

The shortest month of the year proved to be just as busy as January- with 48 calls to service. It is without doubt that we are in the thick of our busy season, despite our relatively mild winter.

For the past few months I have watched the valiant efforts of our Town-vehemently fighting for cellular service in our widely underserved areas. Ten years ago TO THE DATE I addressed the Town just as vehemently, stating that this lack of cellular service “greatly impacts our daily operations and could potentially impact patient care”. Tonight that same sentiment reigns supreme; the statistics still hold true- and nothing has happened despite the decade of pleas from Townspeople, the Town Board, State, County, and last but not least our Emergency Services.

Fortunately, our patients have had 10 years of luck, and a whole lot of help from our friends. The Town of Shandaken is full of survivor-types and in the case of public safety, our resilient Community came together and volunteered locations of personal cellular network extenders so our Paramedics could utilize them as a worst case when communications with receiving hospitals was necessary for patient care. We gained Regional media publicity for that solution, and National publicity in the Emergency Services world, but no avail from cellular providers.

Ten years later, the advent of Wifi calling and widespread utilization of such in Town has made network extenders as obsolete as the VCR, and yet again our Paramedics are tasked to utilize patient’s landline phones, or wait until they reach Highmount or nearly to Boiceville to gain cellular contact or share data with receiving hospitals and Doctors. An awful lot of bad things can happen to a critical patient in transit from their home located in one of the hollows, to where our

responders can regain cellular service to contact the hospital for medical direction, or transmit an EKG to prepare a hospital for the arrival of a critical patient.

Furthermore, the recent renaissance of our area accentuates now more than ever the lack of reliable communications technology as a critical public safety risk. Increased traffic on the 28 corridor, and increased popularity in local outdoor activities has made this of paramount concern. Just two days ago, an unprepared lost hiker who was caught overnight in the Giant Ledge area of the Big Indian Wilderness was fortunate enough to locate two campers that by happenstance were able to pick up an intermittent cell signal to notify rescuers. The key word in that sentence was LUCK, and the situation could have been much worse if LUCK was not on their side. Would it be the same on Sheridan Mountain? Romer? Tremper?

On Super Bowl Sunday many watched great football, and even more people watched some great commercials. Around 8PM that Sunday, Verizon Wireless had a wonderful commercial spot paying tribute to our Nation’s First Responders that every day answer the calls of those in need, while simultaneously touting their groundbreaking 5G service. I am elated that approximately 100 million people saw that fitting tribute to our responders, and in turn recognize (as Verizon made very apparent) that those individuals tasked to respond to the worst day of their lives rely on reliable mobile communications. For the 3,000 people in the Town of Shandaken, countless travellers, and Emergency responders, Verizon is hardly “the network more people rely on”. It is high time to double down, and put your service where your mouth is.

Can you hear me now?

Vehicle	Ending	Beginning	Total
7850	14121	12781	1340
7851	101214	101211 (OOS)	3
625	87721	86510	1211
626	54914	53677	1237

Proposed 2020 fee Schedule

PROPOSED

Application/Permit	Now	PROPOSED
Building Permit	Cost valuation plus CO fee	Deck + 40 SF
Fine for Working w/o Permit	.50 SF Res .55 SF Com	300 ⁰⁰
Fence Permit	\$250.	75 ⁰⁰
Alternative Heating Appliance Permit	\$45. Includes CC (Certificate of Compliance)	100 ⁰⁰
Demolition Permit	\$65. Includes CC	120 ⁰⁰
Sign Permit	\$70 Includes CC	100 ⁰⁰
Logging Permit	\$70. Includes CC	125 ⁰⁰
Floodplain	\$100.	125 ⁰⁰
Special Permit	\$100.	150 ⁰⁰
Subdivision	\$100. plus Certified Mailing Fee	150 ⁰⁰
Lot Line Adjustment	\$110.00	100 ⁰⁰
Area Variance	\$50. Per line	100 ⁰⁰
Use Variance	\$50 1 st , \$25 Each Add. plus Certified Mailing Fee	125 ⁰⁰
Manufactured/Mobile Home	\$100. plus Certified Mailing Fee	225 ⁰⁰
	\$175. Plus foundation cost	
	(Engineer - Contractor must be certified).	
Certificate of Occupancy	\$25.	50 ⁰⁰
Certificate of Compliance	\$15.	25 ⁰⁰
Municipal Search Request	\$25.	75 ⁰⁰ 100 ⁰⁰
Fire Inspections	\$25.	25 ⁰⁰
Appliance Permits(Heating, Hot H2O)	\$15.	25 ⁰⁰
Roofing Permits 50%	\$25.	50 ⁰⁰
Operating Permit(assembly, hazardous)	INC CC	100 ⁰⁰
Alarm* Permit	\$50. Yearly	35 ⁰⁰
False Alarm Fines	\$20. One time	
	1 st offense per year.	
	2 nd Offense \$50	100 ⁰⁰
	3 rd & all after - \$200	250 ⁰⁰

*Any Alarms that directly contact a responding agency

Building Permit Renewal one year only \$ 50.⁰⁰
 AFTER second year 1/3 of original fee

Director's Report February 2020

The Shandaken Historical Museum had 28 visitors this month

We had a meeting with Leah Loscutt from the Stevens Institute of Technology in regards to our extensive Henry Morton collection. They will be honoring him, their first president of the institute, this coming year. She will return to share and collaborate with our museum.

We have reached out to the Facebook - group "So you know you grew up in Shandaken, N.Y and its hamlets if.....". The museum's posts have been well received.

Cedar Dutcher continues to be a great help, as I am a staff of one.

We proudly announce that Brad Bernard of the Community Bank has joined the Shandaken Museum Board.

On March 14th the Big Indian Native American Cultural Center will be having a Prayer Feather Workshop as well as their usual talking circle. June 6th Chris VanKleeck will present his video "Vacation Valley" at 1pm. On July 11th local historian Dr. Bill Birns will give a talk on the Catskills from the Shandaken perspective at 1pm.

Thank You,

Kathleen Myers\Director

RESOLUTION # 53-20

OFFERED BY: DISCLAFANI

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	\$ 681,231.77
Highway	127,060.94
Phoenicia Water	6,094.15
Pine Hill Water	1,330.08
Phoenicia Lights	1,080.08
Chichester Lights	159.43
Pine Hill Lights	649.98
CWC Construction	42,441.25

	\$ 860,048.21

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER STEEN	__X__	_____
BOARD MEMBER STORMS	__X__	_____
BOARD MEMBER VANBLARCUM	__X__	_____
SUPERVISOR STANLEY	__X__	_____

RESOLUTION # 54-20

OFFERED BY: VANBLARCUM

AUTHORIZE SALE OF A PARCEL OF REAL PROPERTY TO CATSKILL WATERSHED CORPORATION

WHEREAS, on March 7, 2016 (Resolution 77-16), the Town Board of Shandaken accepted a Local Flood Analysis (“LFA”) for the Hamlets of Phoenicia and Mt. Tremper; and

WHEREAS, the LFA highlighted certain activities to mitigate flooding and improve resiliency and response to future flood events; and

WHEREAS, one of the projects was the retention of a Town-owned parcel (SBL # 25.1-1-2.1) (“Land”) along Rte 28 in Phoenicia, NY for future use as a site for a new Town Complex (defined below); and

WHEREAS, the Town, through the NY Rising Program, initiated a feasibility study and design for a new “Town Complex” (Town Hall, Highway Garage and Ambulance Department) to meet the goals outlined in the LFA; and

WHEREAS, the Town through Resolution 68-17 dated March 7, 2017, was authorized to enter into an agreement (“2017 Agreement”) for funding (as described in said Agreement) from the Catskill Watershed Corporation (CWC) to acquire unencumbered property for relocation of the Town Complex; and

WHEREAS, the 2017 Agreement was executed by the Town and CWC on March 16, 2017 and CWC provided payment on behalf of the Town for acquisition of real property in the amount of \$114,000.00; and

WHEREAS, pursuant to the 2017 Agreement, title to the Land was agreed to be vested to CWC within five (5) years if the relocation of the Town Complex to the Land is not then accomplished; and

WHEREAS, the Town has determined that a new Town Complex to the Land is not feasible; and

WHEREAS, the Town has determined that it is in the best interest of its residents to accelerate the five (5) year delivery of the Land to the CWC:

THEREFORE, BE IT RESOLVED, that the Town of Shandaken Town Board hereby authorizes the Town Supervisor to execute a deed and all related documents to transfer titleof the Land to CWC, or its successors or assigns in lieu of reimbursing to CWC the sum of \$114,000.00; and

AND MOVE ITS ADOPTION

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<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 # 55-20

OFFERED BY: STANLEY

AUTHORIZE PURCHASE OF PARCELS OF REAL PROPERTY TO SHANDAKEN SEPTIC MAINTENANCE DISTRICT

WHEREAS, on December 3, 2018 (Resolution 138-18) & finalized following a public permissive referendum on May 6, 2019 (Resolution 76-19), the Town Board of Shandaken created the Shandaken Septic Maintenance District in accordance with the Memorandum of Agreement with NYC DEP; and

WHEREAS, in order for the project to proceed it was noted that certain real properties would need to be acquired in order to remedy engineering restraints within the boundaries of other parcels within the District; and

WHEREAS, those parcels were identified and efforts were made to procure said properties in order to proceed; and

WHEREAS, the Town, through negotiations with the landowners have come to an agreement on price; and

WHEREAS, the TOWN OF SHANDAKEN, acting by and through its Town Board (“Purchaser” or the “Town”), wishes to enter into contract (“Contract”) by and between SANDRA MOORES and RUDOLPH MOORES (collectively referred to as the “Seller”) referred to in this Contract collectively, as the “parties.”; and

WHEREAS, Seller owns that certain real property referred to on the Tax Map of the County of Ulster and Town of Shandaken, as Tax Parcel Nos. 5.13-3-20 and 5.13-3-21 (collectively the “Property”) being more particularly bounded and described in a deed recorded at the Ulster County Clerk’s Office in Liber 6510 of Deeds at page 99, said Property being more particularly described in Schedule “A” attached to the Contract; and

WHEREAS, Seller desires to grant, and Purchaser desires to purchase the Property (“hereinafter the “Parcel”), while reserving an Easement for Seller (“Easement Area”), as shown in Schedule “B” of the Contract attached hereto and made a part hereof this Resolution.

THEREFORE, BE IT RESOLVED, in consideration of the mutual promises hereinafter set forth and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to all Recitals within the Contract to Buy Real Estate between the parties for a price not to exceed Forty-Three Thousand Dollars and No Cents (\$43,000.00 US) minus an initial non-refundable deposit of Five Thousand Dollars and No Cents (\$5,000.00 US).

BE IT FURTHER RESOLVED, the effective date of this Contract shall be the later of the date of the execution of this Contract by the Town and the date of the execution of this Contract by Seller.

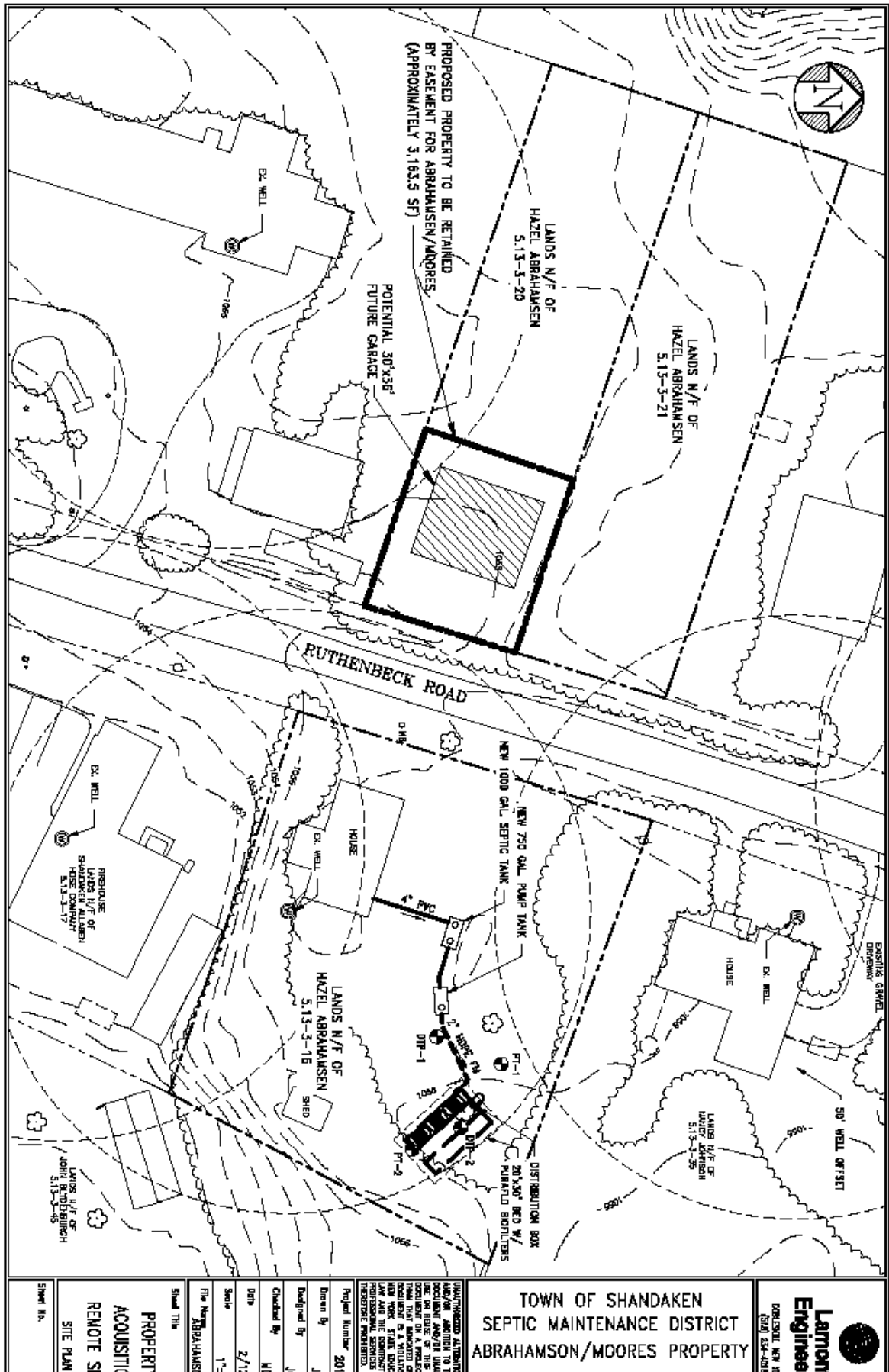
AND MOVE ITS ADOPTION

Seconded by: DISCLAFANI

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	<u> X </u>	<u> </u>

BOARD MEMBER VANBLARCUM X

SUPERVISOR STANLEY X



RESOLUTION # 56-20

OFFERED BY: STEEN

RESOLUTION SUPPORTING 8TH ANNUAL WOMEN’S WOODSTOCK CYCLING GRAND PRIX

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

WHEREAS, the Town has in the past supported an annual bicycle race to be held on **Friday, May 1 thru Sunday, May 3, 2020**; and

WHEREAS, said race will consist of a course originating from Woodstock, NY, through and along Rte. 212, Rte. 28, Plank Rd. and Wittenburg Rd., in Mt. Tremper, NY through and including Rte. 28, Bridge Street and Plank Road in Phoenicia and concluding in Woodstock, NY,

THEREFORE, BE IT RESOLVED, that the Town Board of Shandaken supports this event known as the “Women’s Woodstock Cycling Grand Prix,” and extends any courtesy as may be necessary to provide for the health, safety and welfare of the participants, visitors and residents alike.

AND MOVE ITS ADOPTION

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<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 # 57-20

OFFERED BY: STORMS

**RESOLUTION SUPPORTING NYS FY 2021 EXECUTIVE BUDGET TRANSPORTATION, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL CONSERVATION
ARTICLE VII LEGISLATION PROPOSAL FOR CELLULAR SERVICE EXPANSION**

WHEREAS, the Town of Shandaken and other communities have in the past noted the need for increased cellular service within our community and along the NYS Route 28 a NYS “Critical Corridor”; and

WHEREAS, it is our understanding that a Task Force was created by Governor Cuomo in order to investigate options to expand cellular service within the Catskills and Adirondacks which recommended a mix of large and small towers in order to optimize cellular service within rural mountainous terrain such as Shandaken; and

WHEREAS, the Town of Shandaken appreciates that Governor Cuomo has built some incentives into his Executive Budget currently under consideration under Bill 12673-01-0 § BB, Article 13-E, Small Wireless Facilities Legislation; and

WHEREAS, the Town of Shandaken hopes that large cell towers can be included in this legislation in order to receive full cellular service throughout all our communities; and

WHEREAS, we implore our State Legislative leaders to fully support this initiative; and

WHEREAS, the Town of Shandaken also understands that the Public Service Commission currently claims it has no authority over Cellular carriers; and

WHEREAS, at one time electric and telephone companies were eventually deemed a necessity and we feel that cellular communication has reached the point that it should be considered a necessary Public Service.

THEREFORE, BE IT RESOLVED, that the Town Board of Shandaken Town Board hereby sends notification to all of our local elected representatives, including the Honorable Governor Andrew Cuomo, that the NYS Legislative bodies support this bill for Small Wireless Facilities but ask that large towers be included in the bill; and

BE IT FURTHER RESOLVED, that the Town Board of Shandaken requests that the NYS Legislature consider qualifying cellular and internet communications be considered a public necessity, similar to telephone and power, and allow the Public Service Commission authority to assist in its expansion and coverage.

AND MOVE ITS ADOPTION

Seconded by: STEEN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<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>

All business pertinent having been discussed the Town Board adjourned at 7:30 pm on a Disclafani/Vanblarcum motion.

Signed this 3rd day of March, 2020

Joyce Grant – Town Clerk