



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, April 4, 2016

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. Police
 - c. Phoenicia Water
 - d. Pine Hill Water
 - e. Museum
 - f. Recreation
8. Public Comments on Resolutions
9. Motions:
10. Resolutions:
 78. Pay All Bills
 79. Ambulance – Release Funds Due for Back Wages and Overtime
 - a. US Dept. of Labor Audit
 80. Police – Hire P/T Officer as F/T Officer
 - a. Shandaken Officer Lillian Tuey
 81. Phoenicia Water – Advertise RFP for Grant Administrator
 - a. Request For Qualifications
 82. Town Board– Authorize Property Buyouts from Hurricane Irene
 - a. 10 Properties (Fox Hollow, Big Indian, Oliverea, Mt. Tremper)
 83. Highway – Accept Bids for Muller Rd. Bridge Replacement (FEMA)
 84. Highway – Award Bid for Peck Hollow Bridge Project (FEMA)
 85. Highway – Final Award Engineering for Pantherkill Br. (NY RISING)
 - a. Brinnier & Larios, Kingston, NY
 86. Highway – Advertise Bid for Lower Birch Creek Bridge (FEMA)
 87. Ambulance - Amend Ambulance Billing Rates
 88. Town Board – Support Woodstock Women's Cycling Grand Prix
 89. Ambulance – Back Wages Bond Resolution
11. Open Public Comment
12. Meeting Adjournment - *IN MEMORY OF: Ken Umhey, Sr., Janice Santora, Gerald Setchko, Douglas Clark, Addison Eshbach, Genevieve Denney, Shirley McCausland.*



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 APRIL 2016

AMBULANCE: Tonight we have a resolution to finally reach a resolve on the

claim made by the US Department of Labor against the Town pertaining to Back Wages owed a number of our Ambulance personnel. The total amount owed is \$108,559.13. We are looking to pay these wages to the employees, as soon as we can secure the bonding necessary to pay this claim. I am confident that we can absorb some of these costs, specifically \$18,559.13 within the existing budget for this year. The remaining balance of \$90,000 would be bonded for a period no less than ten years. This will help us work toward maintaining our record of keeping within the State imposed Tax Cap of 2% and minimize the impact to the tax payers. I would also like to add that this is a correction to these employees and ask that no one in the Town or public hold this judgement against the Ambulance Department or any of its employees. These men and women serve the Town respectfully and responsibly and are committed to ensure this necessary service to our community continues.

Additionally, we have a resolution tonight to increase rates charged by the Ambulance for its service. Toward the end of last year we were enlightened by our Ambulance Billing Firm, COMSTAR, our rates were dramatically lower than those charged by similar agencies. Average rates charged by 50 other agencies are nearly 4X the amount we charge. In order for us to recoup more funds, to help further offset taxes, we are proposing raising the rates, but not to the dramatic levels by the other agencies. The rates proposed are still nearly half of the other's rates.

PHOENICIA WATER: The Phoenicia Water District was awarded a \$415,000

grant for improvements throughout the District. The state requirements to process this grant are cumbersome, to say the least, and requires some knowledge of the multiple forms needed to report activities to the State. The grant was written to include \$27,500 for grant administration. We have a resolution tonight to advertise for an administrator for the grant in order for us to start progressing on the grant and possibly get some of the

work started before the summer. We will be accepting these bids at a Special Board meeting later this month and look to award it at our next monthly meeting in May.

POLICE: We have a resolution tonight to move one of our Part Time Police Officers to Full Time Status. Officer Lillian Tuey has been with us for some time and has been recommended by the Chief and the Police Commissioners for this change in status. This hire will help us meet our contractual obligation by maintaining at least four Full Time Officers on the Town Police Department. We welcome her aboard and ask that you welcome her if you see her in her patrol through the community.

FEMA BUY OUTS: Similar to last year, we have several more properties moving forward through the process of being bought out by FEMA following Hurricane Irene and Tropical Storm Lee in 2011. These ten properties will be cleared by the County and then turned over to the NYC DEP. The resolutions tonight pertain to Town agreeing with the DEP that we will not require any long term maintenance of these parcels as they revert back to open forest lands. We will be requesting the DEP allow fishing access within the majority of the parcels as they are small parcels adjacent to the stream. Currently, this would leave three parcels left in the program. We have no word when those parcels may move forward.

HIGHWAY: We have a few resolutions concerning Highway work and bridges that are due to be replaced. Tonight we are advertising for bids for Lower Birch Creek Road Bridge (FEMA), Accepting Bids for Muller Road Bridge (FEMA) and Awarding bids for Peck Hollow Road Bridge (FEMA) with a Final Award for Engineering for the Pantherkill Bridge (NY Rising).

MISC.: We have our annual resolution supporting the Woodstock Women's Cycling Grand Prix. The event runs from Woodstock on several courses through Mt. Tremper and one through Phoenicia. We again look to support the event and cheering on the ladies as they pass through our fine hamlets.

Additionally, I was thrilled to visit our neighbors over in Fleischmanns this past weekend for the first Scenic Byway Signature Event, ours being Shandaken Day. The event, Maple Fest, was fun and delicious. Of course, one of the highlights for me was taking the Silver Medal in my first 5K run. In the slush a few hearty souls ran the course and I, for one, was happy to see the finish line. Of course, I have to mention a number of other Town personnel had threatened to run, but couldn't muster the weather or were just afraid of me beating them. Either way, I hope you all get a chance to attend each of the events this year in each community, as we support each other along the Byway.

**Our next regular meeting is scheduled for
Monday, May 2, 2016 at 7:00 pm.**

Monthly Statistical Report MARCH 2016

Incident Type	Number
All Accidents	4
Incidents involving Animals	2
Incidents Involving Real Property	7
Civil Incidents	2
Traffic Incidents	15
Crimes Against Public Order	4
Check Welfare	3
Community Oriented Policing Project	1
Automated Intrusion Device Calls	3
Assault and Related Offenses	7
Assist Fire Department/Ambulance	19
Criminal Mischief	1
Security Check	170
Request for Patrol	10
Suspicious Activity	10
E911 Calls Abandoned etc.	1
Fraud/Larceny/Robbery	1
Warrants	1
Lost/Missing Persons	0
Lost/Found Property	1
Unattended	0
Total	262

Summons's Issued	60
Arrests	8

Unit #	Odometer	Miles
83		0
84	124747	4622
86	119590	1899
Patrol	Total Miles	6521



Town of Shandaken
Ambulance Service
"Committed to Care in the Heart of the Catskills"

March 2016

TOTAL CALLS RECEIVED- 32

MUTUAL AID GIVEN- 1 (Standby for Greene County)

MUTUAL AID RECEIVED- 0

As much of tonight’s meeting is devoted to the resolution of many Ambulance issues already, the Ambulance membership and leadership would simply like to thank the Town Board, and Citizens of the Town of Shandaken for their overwhelming support over the past few months. Instead of opposition from the public in regards to the myriad of issues we are facing as a result of the Department of Labor audit, all of the feedback from the public has been positive- even individuals stopping our off-duty personnel to ask if there is anything that they can do to help.

The answer to the aforementioned is a simple one- keep supporting us. As the Ambulance is certainly a valuable and essential service to the Town it certainly can become a tough pill to swallow when numbers such as the ones you will hear become reality. Medical care is not cheap – no matter where you go, and it just so happens that the Town Ambulance Service still remains a bargain to the taxpayer compared to other similar Advanced Life Support Ambulance operations in Ulster County despite our latest snafus.

No matter what, know that we are there for you- the Citizens of the Town of Shandaken- and so long as we continue to have the support of our great community we will only get better and better. Thank you.

Vehicle	Beginning	Ending	Total
7850	91767	92221	454
7851	74387	75287	900
625	59502	60163	661
626	5613	6321	708

Stay Safe Out There,

Richard Muellerleile, Chief

April 2016 – Upcoming Events

April 6th, Wed. Home Cooked Dinner at Phoenicia Fish & Game Assn. Rt. 28 Mt. Tremper 5-7pm

April 9th, Saturday Abbie Gardner in Concert @ Empire State Railway Museum in Phoenicia 7:30

April 16th, Saturday Catskill Fishing Fever Forums by Jerry Bartlett Angling Collection at Phoenicia Library. 12:30-3pm

April 16th – Annual Boy Scout Penny Social at Parish Hall. Doors open at 6pm

April 18th Monday, Pine Hill 20/20 Visioning Meeting #4 at Colonial Inn Pine Hill 6:30pm

April 30th Saturday – Indoor/Outdoor Community Yard Sale @ Phoenicia Fish & Game Mt. Tremper 10am-3pm

Reminder – All our meeting videos are updated to our youtube channel. Go to [www.youtube.com](http://www.youtube.com/TOWNOFSHANDAKEN) Type in TOWNOFSHANDAKEN (one word) to see all our Town Board, Planning Bd & ZBA meetings. Our Spring Newsletters will be out this week.. Check libraries, stores, gas stations in town.

Ken Gierloff our local NYSDEC Forest Ranger spoke about the annual State Burn Ban from March 15th to May 14th. No Open Burning during this time. This drastically cuts down on the wildfires. When the burn ban is over, you must get a Burning Permit at the Town Clerk’s office – which is only to be used to do yard clean up, small piles of brush. You can no longer burn garbage or treated, painted wood. You can not use a burning barrel.

Sheriff Paul VanBlarcum & Police Chief Chad Storey spoke in favor of hiring Police Officer Lillian Tuey to full time status.

Aaron Bennet spoke about Shandaken Little League – volunteers are needed to coach & help with clean up days. Call him for info. 845-254-8010.

A discussion was held on Ambulance fees.. and benefits of full time police officers in the town.

RESOLUTION #78-16 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	\$ 35,427.90
Highway	32,015.57
Phoenicia Water	4,861.25
Pine Hill Water	7 75.04
Phoenicia Lights	977.48
Chichester Lights	139.70
Pine Hill Lights	564.12

	\$ 74,761.06

AND MOVES ITS ADOPTION

Seconded by: Malloy

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	__X__	_____
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	ABSENT	_____
SUPERVISOR STANLEY	__X__	_____

RESOLUTION # 79 - 16 OFFERED BY MALLOY

RESOLUTION RELEASING FUNDS DUE TO AMBULANCE EMPLOYEES FOLLOWING UNITED STATES DEPARTMENT OF LABOR AUDIT

WHEREAS, the Town of Shandaken (TOWN) owns and operates an Ambulance Service; and

WHEREAS, the TOWN received a visit from the United States Department of Labor (USDOL) in late 2015 due to undisclosed circumstances; and

WHEREAS, the UDOL found the TOWN to be deficient in its pay rates for Ambulance employees under the Fair Labor Standards Act; and

WHEREAS, by law and guidelines set forth by the USDOL, the TOWN must reimburse certain employees for a period not exceed two (2) years prior to the initiation of the investigation starting September 19, 2015; and

WHEREAS, the TOWN must pay these funds directly from TOWN funds in a timely fashion in order to meet those guidelines set forth by USDOL; and

WHEREAS, following the investigation, figures derived from an internal audit and subsequent inspection by USDOL personnel covering said period for current and former Ambulance employees; and

WHEREAS, it was determined that the following individuals are owed the following amounts:

<u>AMBULANCE EMPLOYEE</u>	<u>BACK WAGES OWED</u>
Bedell, Mark	\$24,500.03
Booth, Kenneth	\$4,502.65
Camperlino, Joseph	\$2,582.96
Carr, Courtney	\$35.04
Carr, Todd	\$2,274.10
Cowan, Concha	\$11,972.52
Cowan, Jesse	\$8,133.20
DiSclafani, Peter	\$2,252.31
Frano, Dennis	\$4,691.97
Harrington, Melvin	\$6,940.50
Janensch, Michael	\$118.57
Johnson, Keith	\$4,833.50
Kay, Matthew	\$42.93
Longhi, Tracy	\$12,314.93
Longhi Jr., Ernest	\$512.78
Longhi Sr., Ernest	\$9,624.36
Muellerleile, Richard	\$1,176.26
Neal, Gerald	\$7,025.67
Pease, Vincent	\$494.63
Perez, Brian	\$2,418.60
Rossitz Jr., John	\$81.20
Schmitt, Casandra	\$742.44
Spinnenweber, Jack	\$558.62
Whalen, Brendan	\$219.21
Williams, Michael	\$510.15

THEREFORE, BE IT RESOLVED that the Town of Shandaken Town Board hereby approves the release of these funds for a total of \$108,559.13 to personnel as stated above and understand they hereby agree to not retaliate against any employee for accepting payment of these wages.

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 MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 80 - 16

OFFERED BY STANLEY

TOWN POLICE DEPARTMENT

WHEREAS, The Town of Shandaken, is a Town of the second class; and

WHEREAS, there is a Town Police Department; and

WHEREAS, the Town currently employs three (3) Full-Time Officers and is contractually required to maintain four (4) Full-Time Officers; and

WHEREAS, a Part-Time Officer has been recommended by the Police Commissioners to be hired Full-Time;

THEREFORE BE IT RESOLVED, that pursuant to the Town Law of the State of New York § 20 (1) (b), the Town Board hereby appoints the following individual as Full –Time Police Officer to receive compensation as indicated:

NAME	COMPENSATION
Lillian Tuey	\$50,312.25 plus longevity (\$24.19per hour)

And that said police officer shall have all powers conferred upon police officers by the general laws of the State of New York including but not limited to and such powers, not inconsistent with law, as are hereinafter set forth; and that said police officers shall have all powers designated in § 2.2O of the Criminal Procedure Law of the State of New York and shall have the following special duties:

- 1. To enforce all local laws, ordinances and regulations of the Town of Shandaken.
- 2. To enforce the Vehicle and Traffic Law of the State of New York to the extent that police officers may be so permitted by the general laws of the State of New York.
- 3. To enforce such Penal Statutes as police officers are permitted to enforce pursuant to the general laws of the State of New York, and in furtherance of said special duties police officers are hereby authorized the use, of a Town Vehicle to be known as a police officer's vehicle which may be equipped with emergency lights in accordance with applicable sections of the Vehicle and Traffic Law, and may use the State and County radio to the extent permitted by the general laws of the State of New York, and may carry fire arms while on duty in compliance with the general laws of the State of New York pertaining to Police Officers generally.

AND MOVES ITS ADOPTION
Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	__X__	_____
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	ABSENT	_____
SUPERVISOR STANLEY	__X__	_____

RESOLUTION #81-16 **OFFERED BY: ALBA**

Resolution Advertising Request For Proposal To Hire Administrator For \$415,000 Community Development Block Grant Awarded To Phoenicia Water District

Whereas, the Town of Shandaken owns and operates the Phoenicia Water District located in and around the Hamlet of Phoenicia; and

Whereas, the Town of Shandaken is in receipt of a \$415,000 Community Development Block Grant (CDBG) from the Office of Homes and Community Renewal (OHCR) for upgrades to and for the Phoenicia Water District; and

Whereas, the award includes \$27,500 in funding allocated for expenses specifically associated with Administrative activities; and

Whereas, the Town Board has created a Request For Qualifications (RFQ) [attached] in order to seek qualified personnel or individuals to assist in administration of this grant; and

Whereas, the Town will appoint a review committee to rank firms or individuals based on their respective submittals for said purposes in order to make recommendation to the Town Board in accordance with OHCR requirements.

Therefore Be It Resolved, that the Town of Shandaken advertise for an Administrator to assist the Town Board in processing the grant and any and all projects associated with the CDBG grant; 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 RFQ (Request For Qualifications). Copies of the RFQ 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 12 pm on Monday, April 25, 2016. All submissions will be opened at a Special Town Board meeting on Monday, April 25, 2016 at 1pm. The Town of Shandaken reserves the right to reject any and all bids.

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 MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

Town of Shandaken Request for Proposal

Project Description and Preliminary Scope of Work

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

Project Description

Assist the Town of Shandaken in administering a Community Development Block Grant (CDBG) and projects involving engineering and construction components for the Phoenicia Water District.

Completion Date

Project has a proposed completion date of December 31, 2017.

Scope of Work

Professional services required are likely to include:

- Assist Town with properly documenting all activities associated with the grant
- Assist in guiding the Town through multiple activities necessary for the completion of the project
- Assist Town in procuring and properly documenting any contracts associated with the grant
- Assist Town in meeting all requirements set forth by New York State Office of Homes and Community Renewal (OHCR)
- Meet regularly, at least bi-monthly, with the Phoenicia Water Committee to update them on progress made on grant
- At the discretion of the Town Board attend Town Board meetings upon request to update them on progress or upcoming activities
- Create a clear and feasible schedule through completion of the project
- Detailed estimates of costs for both materials and construction

Other: 1) The successful firm or individuals **must** have familiarity with CDBG and NYS OHCR reporting and reimbursement 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. Please highlight projects illustrating work within the Catskill Forest Preserve and the New York City West-of Hudson Watershed. 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.
- **Costs.** Provide a schedule of the hourly rate of each person who would be working on this project and set forth a detailed description of any other costs, disbursements and expenses that would be charged to the town by the firm.
- **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 past general projects and activities indicating the duration of each activity and of the total project, including a schedule of Personnel assigned to project. The schedules should reflect actual 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

shandakensupervisor@yahoo.com

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

- CDBG application and award
- Phoenicia Water District Map
- Town Flood Maps (including new preliminary maps)
- Preliminary Engineering Report for projects included in grant
- Other pertinent material (as requested)

Submittal Deadline

Four copies of the proposal must be received no later than 12:00 p.m. on April 25, 2016 at the Town Clerk’s Office, Town of Shandaken, 7209 Rte. 28, P.O. Box 67, Shandaken, NY 12480. Proposals must be clearly marked with large block lettering on the envelope “**CDBG Bid.**” Proposals received after the deadline will not be considered.

Selection Process

Proposals will be ranked based on the factors set forth below and the Town of Shandaken Review Committee and Town Board, in its discretion, may choose to interview several of the top ranked firms or it may reject all of the applicants. 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 open proposals at a Special Town Board meeting scheduled for 1:00pm on Monday, April 25, 2016 and in due course, will provide written notification to the awarded firm. The Town of Shandaken reserves the right to reject any and all proposals.

Equal Opportunity/ Affirmative Action Employer

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

RESOLUTION # 82 - 16

OFFERED BY: DISCLAFANI

AUTHORIZING SUPERVISOR TO ENTER AGREEMENT WITH NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING FEMA BUYOUT PROPERTIES

WHEREAS, the Town of Shandaken (*Town*) suffered devastating losses from Hurricane Irene and Tropical Storm Lee (*Storms*) in August and September of 2011; and

WHEREAS, multiple residential parcels endured ‘Substantial Damages’ from said *Storms* as prescribed under Federal Emergency Management Agency (*FEMA*) Guidelines which makes them eligible for purchase through the *FEMA* Buyout Program; and

WHEREAS, sixteen (16) parcels have been identified and have remained in the *FEMA* Buyout Program which includes demolition of any structures and restricting the parcels as open space perpetually; and

WHEREAS, the *Town* has declined taking ownership of these parcels whereby the New York City Department of Environmental Protection (*NYC-DEP*) is willing to take ownership; and

WHEREAS, in order for these buyouts to continue being processed the *Town* and *NYC-DEP* must enter into an agreement regarding maintenance of said parcels whereby *NYC-DEP* is offering minimal maintenance including annual property inspections, boundary maintenance and signage but not including active management (mowing, snowplowing, etc.); and

WHEREAS, the *Town* understands that moving forward if the *Town* wishes active management activities to take place on these parcels the *Town* would have to take responsibility for these through a permitting process of the *NYC-DEP*; and

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to enter into an agreement with *NYC-DEP* with understanding of all that is prescribed above and moves the following parcels forward through the *FEMA* Buyout Program:

Parcel # 8525	SBL# 25.15-1-59	Owner: L. Bodak
Parcel # 8526	SBL# 5.18-1-4	Owner: D. Kaiser

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u> X </u>	<u> </u>
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	X	

OFFERED BY MALLOY

Accept Bids for Muller Rd. Bridge Replacement (FEMA)

WHEREAS, Pursuant to Resolution 74-16, the Town of Shandaken Town Board Advertised for bids for Mueller Rd. Bridge Replacement.

WHEREAS, bids – clearly marked on envelope MUELLER RD. BRIDGE REPLACEMENT, were received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on April 4, 2016, to be opened at the regular Town Board meeting scheduled for 7PM that evening. The Town Board reserves the right to reject any or all bids.

THEREFORE, BE IT RESOLVED, that the following bids were received and accepted as qualified bidders-

Advanced Enterprise Concrete & Excavation 40 Mullens Lane Saugerties NY 12477	\$522,470.
Evergreen Mtn. Contracting 25 Evergreen Mtn. Rd. Westkill, NY 12492	521,843.
Kingston Equip. Rental Inc. 78 Stone Rd. West Hurley, NY 12491	518,000
New Century Construction 11 Arch St. Watervliet, NY 12189	594,400
OCS Industries 33 Fini Drive Middletown, NY	669,690
Tweedie Construction 90 Crystal Creek Rd. Walton NY 13856	497,726

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 MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	X	

RESOLUTION # 84-16

OFFERED BY: STANLEY

Award Bid – Peck Hollow Bridge Project (FEMA)

WHEREAS, Pursuant to Resolution 59-16, the Town of Shandaken Town Board Advertised for & Received bids from firms for Peck Hollow Bridge Project.

WHEREAS, On March 7, 2016 the following bids were received and accepted as qualified bidders-

Advanced Ent. Concrete & Evacuation 40 Mullens Lane, Saugerties NY 12477	\$727,690.
Evergreen Mtn. Contracting 25 Evergrren Mtn. Rd. West Kill, NY	\$535,750
Hubbell Inc. PO Box 664 Margaretville, NY 12455	\$632,780
Kingston Equipment Rental 78 Stone Rd. West Hurley NY 12491	\$486,000
Tweedie Construction Services 90 Crystal Creek Rd. Walton, NY 13856	\$544,561

THEREFORE, BE IT RESOLVED, That after a review with the Town’s Engineering Services, the Town of Shandaken Town Board award Peck Hollow Bridge Project to:

Kingston Equipment Rental 78 Stone Rd. West Hurley NY 12491	\$486,000
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AND MOVES ITS ADOPTION

Seconded by: ALBA

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	__X__	_____
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER MALLOY	__X__	_____
BOARD MEMBER STORMS	ABSENT	_____
SUPERVISOR STANLEY	__X__	_____

RESOLUTION # 85-16

OFFERED BY ALBA

RESOLUTION TO APPROVE BRINNIER & LARIOS, P.C. AS THE ENGINEERING FIRM FOR THE CDBG-
DISASTER RECOVERY (NEW YORK RISING) COMMUNITY RECONSTRUCTION
“PANTHERKILL ROAD BRIDGE REPLACEMENT” PROJECT

WHEREAS, the Town of Shandaken Request for Qualifications Evaluation Committee has recommended Brinnier & Larios, P.C. for this project; and

WHEREAS, the Town of Shandaken Supervisor has permission, through a Subrecipient Agreement between the Town of Shandaken and the Governor’s Office of Storm Recovery, to sign documents pertaining to this project; and

WHEREAS, the Governor’s Office of Storm Recovery has reviewed the process utilized by the Town of Shandaken in its procurement of engineering services and consents to the Town entering into a contract with the aforementioned firm.

THEREFORE BE IT RESOLVED, by the Town of Shandaken Town Board, acting as the governing authority of the Town of Shandaken, certifies approval of the Town to execute a contract with Brinnier & Larios, P.C. to perform architectural/engineering design services for the above named project.

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 MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 86-16

OFFERED BY DISCLAFANI

Advertise for Bids - Lower Birch Creek Bridge Replacement

WHEREAS, The Town of Shandaken Highway Department is seeking bids for Lower Birch Creek Bridge Replacement Project, as a result of Hurricane Irene damage. There will be a MANDATORY Pre - Bid Meeting on **Thursday April 14th at 1pm** at the Shandaken Town Hall.

Specifications are available at the Highway Superintendant’s Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-5031

THEREFORE BE IT RESOLVED, that bids – clearly marked on envelope **Lower Birch Creek Bridge Replacement Project** - will be received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Route 28, PO Box 67, Shandaken, NY 12480 no later than 3pm on MAY 2, 2016, to be opened at the regular Town Board meeting scheduled for 7 pm that evening. The Town Board reserves the right to reject any or all bids.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u> X </u>	<u> </u>
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 87 - 16

OFFERED BY MALLOY

Resolution To Amend Ambulance Billing Rates

Whereas, The Town of Shandaken owns and operates an Advanced Life Saving (ALS) Ambulance Service; and

Whereas, in order to offset costs associated with this necessary and beneficial service to the community the Town charges certain fees (rates) commensurate with the services provided; and

Whereas, The Town of Shandaken has been notified by its current billing agent that the rates currently charged are well below the regional average rates charged by similar agencies; and

Whereas, The Town of Shandaken Town Board has reviewed these rates and wishes to update them with respect to other rates charged by similar agencies.

Therefore Be It Resolved, that the Town Board of Shandaken will be amending Ambulance Service rates as follows:

Charges	Current Rate	New Rate
BLS Emergency Base Rate	\$372.49	\$600.00

ALS1 Emergency Base Rate	\$442.33	\$825.00
ALS2 Emergency Base Rate	\$640.22	\$1,300.00
Mileage	\$7.27	\$20.00
Paramedic Intercept	\$0.00	\$500.00

Be It Further Resolved that aforementioned new rates shall be effective as of April 15, 2016.

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 MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 88 - 16

OFFERED BY ALBA

Resolution Supporting 4th 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 SATURDAY, MAY 7th, 2016; 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 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 MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 89 - 16

OFFERED BY STANLEY

***BOND RESOLUTION DATED APRIL 4, 2016, AUTHORIZING
THE ISSUANCE OF A \$90,000 STATUTORY INSTALLMENT
BOND OF THE TOWN OF SHANDAKEN, COUNTY OF***

***ULSTER, PURSUANT TO THE LOCAL FINANCE LAW TO
FINANCE A PORTION OF A SETTLED CLAIM BY THE U.S.
DEPARTMENT OF LABOR FOR BACK WAGES OF PAST
AND PRESENT AMBULANCE EMPLOYEES***

BE IT RESOLVED, by the Town Board of the Town of Shandaken, in the County of Ulster, as follows:

Section 1. The Town of Shandaken, County of Ulster, shall issue its statutory installment bond of the aggregate principal amount of NINETY THOUSAND AND 00/100 (\$90,000.00) DOLLARS pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is: the payment of a settled claim by the U.S. Department of Labor for back wages due to past and present ambulance employees.

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town Board is ONE HUNDRED EIGHT THOUSAND FIVE HUNDRED FIFTY-NINE AND 13/100 (\$108,559.13) DOLLARS, and (b) the Town hereby authorizes payment of EIGHTEEN THOUSAND FIVE HUNDRED FIFTY-NINE AND 13/100 (\$18,559.13) DOLLARS from current funds to be applied to the payment of the costs of said purpose, and (c) the Town Board plans to finance the NINETY THOUSAND AND 00/100 (\$90,000.00) DOLLAR balance of the Town's costs of said purpose entirely from funds raised from the issuance of such Statutory Installment Bond (notwithstanding the interim use of funds derived from Bond Anticipation Notes that may be issued in contemplation of the eventual issuance of said Statutory Installment Bond), and

Section 4. It is hereby determined that said purpose is an object or purpose described in Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten (10) years, pursuant to Section 11.00(a)(33)(b), as the amount of such settled claim falling due this fiscal year is more than one per centum of the average assessed valuation of the Town.

Section 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be ten (10) years.

Section 6. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 60.00, inclusive, of said law, the power to authorize Bond Anticipation Notes in anticipation of the issuance of the Statutory Installment Bond authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form and contents of said Statutory Installment Bond, and said Bond Anticipation Notes, and the power to sell and deliver said Statutory Installment Bond and any Bond Anticipation Notes issued in anticipation of the issuance of such bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any Statutory Installment Bond issued pursuant to this resolution and any Bond Anticipation Notes issued in anticipation of the issuance of said Statutory Installment Bond and to negotiate and fix the interest rate due on any Statutory Installment Bond or Bond Anticipation Notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix the corporate seal of said Town to any of said Statutory Installment Bond or any Bond Anticipation Notes and to attest such seal.

Section 7. Pursuant to Section 35.00(b)(1)(4), this resolution is not subject to permissive referendum as a settled claim against the Town.

Section 8. This resolution shall be published in full by the Town Clerk of said Town, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in The Daily Freeman, a newspaper published in the City of Kingston, and having a general circulation in said Town. The validity of said Statutory Installment Bond or of any bond anticipation notes issued in anticipation of the sale of said Statutory Installment Bond may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the Constitution of New York.

Section 9. This resolution shall take effect immediately upon its adoption.

AND MOVES ITS ADOPTION

Seconded by: MALLOY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	<u> X </u>	<u> </u>
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	ABSENT	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

All pertinent information having been discussed, the Town Board adjourned at 8:30 pm on a Malloy/Alba motion.

Signed this 5th day of April, 2016

Joyce Grant Town Clerk