

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

**The Town of Shandaken Town Board conducted a Regular Monthly Meeting on Monday,
September 11, 2017 – 7pm, Shandaken Town Hall. 7209 Rt. 28 Shandaken, NY**

**Call to Order
Pledge of Allegiance
Roll Call**

Members Present **Robert Stanley – Supervisor
Gael Alba - Board Member
Peter DiSclafani – Board Member
Faye Storms – Board Member**

Members Absent **Tim Malloy – Board Member**

Recording Secretary **Joyce Grant - Town Clerk**

**On a Stanley/Malloy motion the Town Board unanimously approved the minutes of the
previous meeting as submitted by the Town Clerk.**

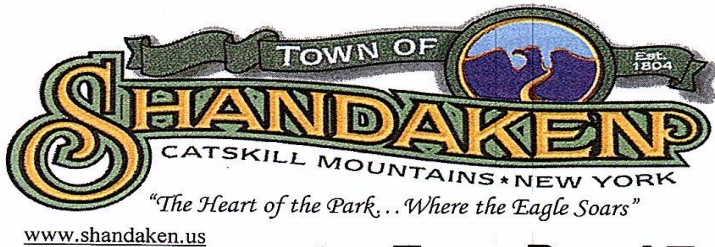


**Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, September 11, 2017 - 7pm**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of previous T/B Meeting minutes**
- 5. Supervisor's Financial Report**
- 6. Communications**
- 7. Committee Reports:**
 - a. Ambulance*
 - b. Building /Zoning*
 - c. Police*
 - d. Phoenicia Water*
 - e. Pine Hill Water*
 - f. Museum*
 - g. Recreation*
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions:**
 - 107. Pay All Bills**
 - 108. Authorize Participation in Pre-Construction Phase**
 - a. Wastewater Program- Shandaken Hamlet
 - b. LaMont Engineering
 - 109. SAFARI – Accept Properties for NYCFFBO**
 - a. SBL # 14.13-3-49 (Station Rd., Phoenicia); Current owner –Ulster County; Transfer to Town
 - 110. SAFARI – Accept Properties for NYCFFBO**
 - a. SBL # 25.1 -2-12.100, 25.1-2-18 (Plank Rd., Mt. Tremper) Current Owner – A. Reiss; Transfer to NYCDEP
 - 111. Town Board – Purchase Replacement Boiler for Museum**
 - a. Heritage Energy - not to exceed \$11,500.
 - 112. Town Board – No Campaign Signage Until After Columbus Day**
 - a. Monday, October 9, 2017

11. Open Public Comment

12. Meeting Adjournment - *IN MEMORY OF: Betty Jane Platt, Carrie Tintle*



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

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

Upcoming Town Board Topics & Activity

MONTH OF SEPTEMBER 2017

SHANDAKEN SEPTIC DISTRICT: A little over a month ago the Town was given a

presentation concerning the establishment of a Septic Maintenance District for the Hamlet of Shandaken. The formation of a District, if approved by the residents of the proposed District, would provide the Town a fund to help residents repair or replace their septic systems if needed. At the meeting it was discussed that if the Town wished to consider this project further it would require the Town Board pass a resolution to accept moving forward through the process, adding that at multiple times throughout, if the Town Board or residents which to decline this offer, we retain that option through several steps until the beginning of construction. The resolution tonight simply moves this project into a more detailed engineering investigation in order to better evaluate the options and costs associated.

DEP FLOOD BUYOUTS: There are two resolutions tonight regarding properties where the owners have inquired about being bought out by NYC DEP due to their location within the Floodplain and/or Floodway. With each the Town has the option to either take ownership of the parcel or have the DEP take possession.

The first parcel is along Station Rd in Phoenicia and is in an area that was identified in the Phoenicia Flood Analysis report as part of a larger project which would help reduce flood elevations in Phoenicia. It is currently held by Ulster County for non-payment of taxes. They are offering it up recognizing it is part of a larger proposed project area. NYC DEP will provide the funds to demolish any structures located on the parcel and purchase the property. The Town is requesting ownership, which occurs without any cost to the taxpayer, of this parcel as we have recognized that if the project were to proceed it would require funding from multiple state and federal sources. Town ownership makes it much easier to apply for funding to proceed with such a project as opposed to the legal wrangling that would ensue to perform a project on property not owned by the municipality.

The second parcel, privately owned, is along Plank Rd in Mt. Tremper. It is a sizable parcel wholly within the floodplain and floodway, but is not part of any proposed project area. The property is actually a number of rivulets along the Esopus Creek. The Town is asking that the DEP retain ownership of this parcel as they already own an adjacent parcel. It would still be available for recreational activity, as with other DEP owned properties, but we are not requesting any formal fishing access point or maintenance of this parcel.

These resolutions are required under the NYC Funded Flood Buyout Program rules and help the owners move forward with DEP in appraisals and negotiations for the purchase of the properties. These resolutions do not guarantee that the parcels will complete the process as the landowner may choose to longer participate to a certain point.

Upcoming Events in Shandaken

Remember all events are listed on our town website: www.shandaken.us as well as Channel 23 through Spectrum Cable. Check those for specifics.

Friday Sept. 15 – Phoenicia Rotary is having a Fund Raiser Pig Roast at Parish Hall, Phoenicia. Starting at 5:30.

Saturday Sept. 16 – Community Yard Sale at Phoenicia Fish & Game in Mt. Tremper. 10-3pm

Saturday Sept. 16 – American Legion Pig Roast – Starts at 2pm

Friday Sept. 22 – Shandaken Parks & Recs Annual Fund Raiser for our parks. Cocktail Party 5-7pm – tickets available at Town Clerk office.

Saturday Sept. 23 – Celtic Music Concert at Phoenicia Library 2-3:30 pm

Saturday Sept. 23 – Church Ham Dinner Memorial United Methodist Church Shandaken 4.30-7. Take out available.

Sunday Sept. 24 - Presentation at Empire Railway Museum – Moe Lemire will tell about his travels on the Appalachian Trail 2pm

Saturday Sept. 30 – Comfort Food Fundraiser at Big Indian/Oliveria Fire House. 4:30-7:30

MUSEUM BOILER: We have several reports from the Museum Board over sometime regarding the inadequacy of the boiler at the Museum. Our repair options have helped hold it together for some time, but that time came to a close when the boiler failed last weekend. We received several bids and are looking to hire a firm to replace the boiler with a newer high-efficiency boiler. We will utilize Good Neighbor funds for this repair. We hope to have the boiler replaced before the end of the month as the air is already starting to get quite chilly in Pine Hill.

CAMPAIGN SIGNAGE: As always at this time of year, we have our annual resolution asking candidates not to place campaign signs out for the General Election prior to Columbus Day. This is a memorializing resolution and simply a neighborly request to allow our residents and visitors the right to view the fall foliage in its unspoiled splendor. I'm sure a few of you may be questioning sign that are currently out along the roads, this is for several Primaries in several parties that are taking place tomorrow (Tuesday, September 12th from 12 noon until 9pm). Of course, I'm assured the candidates will be removing these signs following those primaries and I ask all of you to make sure you get tomorrow and exercise your right to vote.

2018 BUDGET: Before the end of the month I will be releasing a Tentative Budget for next year. As always we will work to try and keep the taxes down without reducing the services we offer. There are quite a few factors that will dramatically effecting this year's budget from the increase in the NYS State Minimum Wage, an already reported 10% increase in Healthcare costs, an increase in Retirement costs and an additional payroll period. I am already preparing for an increase, but I'm hoping to keep it as minimal as possible. There are other factors as we have to prepare for other costs in several departments due to legal issues and still trying to improve the services we do offer. The Tentative 2018 Budget will be released by the end of this month.

PINE HILL: Pine Hill resident Barbara Hagstrom helped to gather a few folks over this past weekend in Pine Hill and they scraped, primed and painted the main entrance sign. I would like to extend our gratitude for helping to organize this and for all the volunteers that helped get this done this past Saturday.

**Our next regular meeting is scheduled for
Monday, October 2, 2017 at 7 pm.**

Supervisor Report August 2017

Police Fees	30.00
Ambulance Fees	15,263.92
Ambulance Donations	667.00
Town Clerk	201.38
Cell Tower	945.28
Justice Fees	3,800.00
Building Permit Fees	3,537.00
Dog Licenses	89.00
Pine Hill Water Rents	135.29
Summer Rec Funds Received	142.00
Recreation (Baseball Uniforms)	418.00
Recreation (Shandaken Day)	1,664.00
Highway Scrap Recycling	702.00
Highway Interest	5.95
Engineering	8,980.60
Insurance reimbursement	137.52
U.C. Sales Tax	34,504.31
Postage Returned from Town Clerk	50.66
Shandaken Cemetary	2,400.00
Total	\$ 73,673.91

RESOLUTION #107-17

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	\$ 103,154.83
Highway	30,102.00
Phoenicia Water	4,010.42
Pine Hill Water	902.22
Phoenicia Lights	970.90
Chichester Lights	147.23
Pine Hill Lights	570.99

	\$ 139,858.59

AND MOVES ITS ADOPTION

Seconded by: ALBA

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

RESOLUTION # 108-17

OFFERED BY: STANLEY

RESOLUTION OF THE TOWN BOARD OF SHANDAKEN AUTHORIZING PARTICIPATION IN PRE- CONSTRUCTION PHASE OF THE WASTEWATER MANAGEMENT PROJECT IN THE HAMLET OF SHANDAKEN

WHEREAS, the Town Board of the Town of Shandaken previously entered into an agreement (the “Agreement”) with the Catskill Watershed Corporation (“CWC”) to participate in the Community Wastewater Management Program, which program will provide for the design and construction of a wastewater management program project in the Hamlet of Shandaken; and

WHEREAS, CWC’s consultant for the Program, Lamont Engineers, has prepared a Preliminary Engineer’s Report for the Hamlet of Shandaken, final version dated June, 2017 evaluating various alternative methods for managing the wastewater needs of the Hamlet of Shandaken, such report marking the end of the Study Phase of the project; and

WHEREAS, the Town has reviewed the Preliminary Engineer’s Report prepared by Lamont Engineers; and

WHEREAS, based upon its review of the Preliminary Engineer’s Report and Supplement, the Town Board wishes to proceed to the Pre-Construction phase of the Project as set forth in Section 2.05 of the Agreement, such schedule to be agreed upon by the Town and CWC; and

WHEREAS, pursuant to Section 2.05(A) of the Agreement, the Town must acknowledge in writing its desire to continue into the Pre-Construction Phase of the Project within ninety (90) days; and

WHEREAS, pursuant to Section 2.06(B) of the Agreement, the Town may terminate participation in the program if the bids received by the Town for construction are greater than the amount reserved for that purpose in the Block Grant, and the Town and CWC are unable to agree to modifications to the Program to bring the anticipated cost within the Block Grant amount;

THEREFORE BE IT RESOLVED;

- 1. The Town of Shandaken by and through its Town Board, desires to continue with the Pre-Construction Phase of the Community Wastewater Program for the Hamlet of Shandaken, and
- 2. The Town Board hereby authorizes the Town Supervisor to execute any and all Documents for the Hamlet of Shandaken on behalf of the Town as may be necessary to continue with the Pre-Construction Phase.

AND MOVES ITS ADOPTION

Seconded by: STORMS

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

RESOLUTION # 109-17

OFFERED BY: STORMS

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR
27 STATION RD., PHOENICIA, NY**

WHEREAS, the Town of Shandaken is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Shandaken has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for flood buyout, and

WHEREAS, the property at **27 Station Rd., Phoenicia, NY 12464 (Section Block Lot 14.13-3-49)** has been recommended for consideration for buyout in the LFA and the Town has been approached by **County of Ulster**, the owner of the property, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

WHEREAS, the Town of Shandaken has the option to decline ownership of the property choosing instead that the City of New York own the property but has the desire to own this property for future flood mitigation activities, and

WHEREAS, The Town of Shandaken understands that this Town-owned property will be managed by the Town in conjunction with a Re-Use Plan prepared by the Town that identifies the community’s long term plan for the management, use, and development of this parcel. All activities are to be subject to and consistent with the restrictions in Flood-Prone Areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program, Page 5 (1) a., i., ii., iii., iv., and v.

NOW, THEREFORE BE IT RESOLVED, The Town of Shandaken Town Board approves **County of Ulster**, homeowners of **27 Station Rd., Phoenicia, NY 12464** to apply for the NYCFFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting them in the real estate process.

BE IT FURTHER RESOLVED, The Town of Shandaken Town Board opts to retain ownership of the parcel for future flood mitigation activities.

AND MOVES ITS ADOPTION

Seconded by: STANLEY		
	AYES	NAYS
BOARD MEMBER ALBA	<u> X </u>	<u> </u>
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	ABSENT	<u> </u>
BOARD MEMBER STORMS	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>
RESOLUTION # 110-17		

OFFERED BY ALBA

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR
718 & 762 PLANK RD., MT. TREMPER, NY**

WHEREAS, the Town of Shandaken is subject to flooding that can damage property, close roads, disrupt traffic, and present a public health and safety hazard; and

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Shandaken has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town and the LFA recommends certain properties that are subject to repetitive flood damages should be considered for flood buyout, and

WHEREAS, the properties at **762 & 718 Plank Rd., Mt. Tremper, NY 12457 (Section Block Lot 25.1 - 2-12.100, 25.1-2-18)** has been recommended for consideration for buyout in the LFA and the Town has been approached by **Algernon Reese**, the owner of the properties, requesting to participate in the NYCFFBO program under the Hydraulic study category, and

WHEREAS, the Town of Shandaken has the option to decline ownership of the properties choosing instead that the City of New York own the property and the Town understands that this City-owned property will be managed by the City as open space. Minimal management of the property will be performed, such as maintaining boundary lines, posting signs, and annually inspecting the property, and

WHEREAS, at some point in the future, should the Town of Shandaken want the properties actively managed, i.e., mowing, snow plowing, constructing and maintaining permissible recreational facilities, the City will consider issuing the Town a revocable land use permit to address these activities or any other maintenance requested by the Town; however, the DEP in its discretion has the right to approve or reject any such request.

NOW, THEREFORE BE IT RESOLVED, The Town of Shandaken Town Board approves **Algernon Reese**, homeowner of **762 & 718 Plank Rd., Mt. Tremper, NY 12457** to apply for the NYCFFBO program to permanently remove this flood hazard risk allowing the DEP to begin assisting in the real estate process.

BE IT FURTHER RESOLVED, The Town of Shandaken Town Board opts to allow the City of New York owning the properties as Open Space with the above acknowledged management conditions.

AND MOVES ITS ADOPTION

Seconded by: DISCLAFANI		
	AYES	NAYS
BOARD MEMBER ALBA	<u> X </u>	<u> </u>
BOARD MEMBER DISCLAFANI	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	ABSENT	<u> </u>
BOARD MEMBER STORMS	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 111-17

OFFERED BY: DISCLAFANI

RESOLUTION FOR PURCHASE OF REPLACEMENT BOILER FOR TOWN OWNED MUSEUM BUILDING

WHEREAS, the Town of Shandaken owns the building which houses the Town of Shandaken Historical Museum at 26 Academy St., Pine Hill, NY 12465; and

WHEREAS, the boiler required to heat the building has been in need of replacement and has ceased to operate; and

WHEREAS, the Town has received and received and reviewed several bids to replace the boiler;

THEREFORE BE IT RESOLVED, that the Town Shandaken Town Board does hereby awards the boiler replacement to **Heritage Energy of 625 Sawkill Rd., Kingston, NY 1240** for the bid price of **\$10,375.00 (ten thousand three hundred seventy five dollars and no cents)** and that said replacement will done through utilization of existing Good Neighbor Funds.

AND MOVES ITS ADOPTION

Seconded by: ALBA

	AYES	NAYS
BOARD MEMBER ALBA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BOARD MEMBER DISCLAFANI	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BOARD MEMBER MALLOY	ABSENT	<input type="checkbox"/>
BOARD MEMBER STORMS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUPERVISOR STANLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESOLUTION # 112-17

OFFERED BY: STANLEY

RESOLUTION REQUESTING NO CAMPAIGN SIGNAGE
UNTIL AFTER COLUMBUS DAY (October 9, 2017)

WHEREAS, the Town of Shandaken recognizes the importance of preserving its natural beauty and viewscapes throughout the Town and

WHEREAS, Columbus Day weekend is recognized as a highly desirable time for visitors to travel to our area and enjoy the pristine beauty of Shandaken.

THEREFORE, the Town Board of Shandaken requests that campaign signs for the General Election regardless of party affiliation or contest, not be displayed until after Columbus Day, October 9, 2017.

AND MOVES ITS ADOPTION

Seconded by: ALBA

	AYES	NAYS
BOARD MEMBER ALBA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BOARD MEMBER DISCLAFANI	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BOARD MEMBER MALLOY	ABSENT	<input type="checkbox"/>
BOARD MEMBER STORMS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUPERVISOR STANLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>

All pertinent business, having been discussed, the meeting adjourned on a Stanley/Storms motion at 7:50pm