

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

The Town of Shandaken Town Board conducted a Regular Monthly Meeting on Thursday February 4th, 2021. (Re-scheduled due to snow storm). 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**

Member Absent **Faye Storms – Board Member**

Recording Secretary **Joyce Grant - Town Clerk**

On a Stanley/Steen 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, February 4, 2021 – 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:**
 - 49. Pay All Bills**
 - 50. Town Board – Appoint Planning/Zoning/Building Secretary**
 - a. Sarah Pellizzari @ \$13/hr*
 - 51. Town Board – Authorizing Supervisor to Access NYSDOT EBO System**
 - a. Peck Hollow Bridge NY Project*
 - 52. Town Board - Appoint Assessment Board of Review Members**
 - a. James Cope – Term to End 9/30/2024*
 - b. Elizabeth Kneissl – Term Ends 9/30/2025*
 - 53. Town Board – Recommend 2nd Vice Chair for ORDA Board**
 - a. Diane Heley Munro – Delaware County Rep.*
 - 54. Highway – Advertise for Gravel Crushing Bids**

- 55. Shandaken Septic – Advertise for District Superintendent**
- 56. Town Board – Set Public Hearing on Police Committee Report**
 - a. Monday, March 1, 2021 @ 6:30pm*
- 57. SAFARI – Authorize Owner to Enter NYCFFBO Program**
 - a. Owners: Damiana; 620 Oliverea, Rd., Oliverea, NY*
- 58. SAFARI – Continue Property in NYCFFBO**
 - a. Sage-Shurter parcel, 5257 Rte 28, Mt. Tremper, NY*
 - b. Securing Upland Sub-Division from Parcel*

11. Open Public Comment

12. Meeting Adjournment - IN MEMORY OF:
Susan Holzer - Carl Larish - Karl Bower – June LaMarca – Harold Boyer

MOTIONS: On a Disclafani/Steen motion, the Town Board unanimously voted to use the Good Neighbor funds to finish up the Town Hall building project – Mold remediation & repair. Not to exceed \$7,000.

Town Clerk Notice: Due to Covid-19 Concerns, the Town Hall is still closed to the Public, We are not accepting Tax Payments at our window & all Town transactions should be completed online, over the phone or through the mail.

All Town meetings are still closed to the public, but can be accessed online, through Spectrum Cable channel 23 (Live) or you may call our available landline during any meetings. 845-688-5004.

Shandaken Museum Director’s Report – January 2021

We have had fewer visitors due to the pandemic. However we are open by appointment. We had 13 visitors this month with the addition of at least 25 students. Mr. Gabriel Buono , principal of the Bennett School was here and did a live virtual tour for his students at 8am on the 25th. He would like to send his teachers to do virtual field trips for their classes as well. Eventually businesses will reopen and I can now look forward to schools participating in our local history.

I have continued posting our history on the internet and have received numerous requests for research. Richard Sacks is interested in the old suspension bridges , Rona Gollob is curious about the Ulster Phoenicia Printing Co. run by Karl Dehmann , Jill Press wants to know about Schmitt’s Farm , Dean Ayre wants to know about Belle Ayre in relevance to the name Ayre. Mike Ricciardella was interested in the Waldorf Hotel , Rachel Dawn wants a property search in Pine Hill , and Anne O’Neill is looking for ancestry research.

We continue to follow NYS Guidelines , Stay Well.....Kathleen Myers\Director\Historian

**Accounts Payable
February, 2021**

GENERAL	\$	203,950.80
HIGHWAY	\$	239,717.09
PHOENICIA WATER	\$	11,598.32
PINE HILL WATER	\$	678.00
PHOENICIA LIGHTS	\$	1,138.26
CHICHESTER LIGHTS	\$	164.43
PINE HILL LIGHTS	\$	724.61
CWC Construction	\$	-
	\$	457,971.51



Town of Shandaken Ambulance Service

"Committed to Care In the Heart of the Catskills"

January 2021 Report

TOTAL CALLS RECEIVED - 47

MUTUAL AID GIVEN – 2 -Town of Olive, 1- Town of Lexington

MUTUAL AID RECEIVED- 0

It was an incredibly busy January, and about 1/3rd of the call volume can be attributed to increased calls at the mountain (a total of 14). Employees continue to follow up on their second COVID vaccines to better protect them while performing their duties. Fortunately thus far, we have only had two confirmed COVID cases throughout the pandemic of off duty personnel, and 3 cases of individuals that had proximate contact while off duty. Compared to similar sized Agencies in the Region, we have been EXTREMELY lucky. Thanks to our County Department of Emergency Services, as well as our own proper planning in regards to personal protective equipment acquisition, we have sufficient PPE for the foreseeable future.

As of 2/4, there were 2,320 active cases of COVID in Ulster County, with 14 active cases in the Town of Shandaken. Total cumulative cases in the Town have reached 66, with 52 individuals that have recovered, and we still thankfully have had no fatalities. Total cumulative cases in the County have reached 9,655, with 215 fatalities. 7,120 cases have successfully recovered.

In other news, the cardiac monitors have been delivered and have entered service. Many thanks to the Town Board, as well as the Town of Shandaken taxpayers for making the acquisition of these essential devices possible. These monitors will undoubtedly save lives in the Town, and will be utilized daily by our staff. As an added bonus, it was discovered that many of the parts from the older monitors could be utilized on the newer ones. Pricey parts such as defibrillator pads, monitor leads, and various case parts can be adapted to fit them, further saving thousands in continuing equipment expenditure.

In conclusion, please stay safe and remember- PLEASE WEAR A MASK when in public, practice social distancing, and limit gatherings. It could save your life!

BUILDING/ZONING/PLANNING					
MONTHLY REPORT					
	Jan-21				
DEPARTMENT CALLS					
BUILDING QUESTIONS					
ZONING QUESTIONS					
FLOODPLAIN QUESTIONS					
BUILDING PERMITS	11				
DEMOLITION PERMITS	2				
FLOODPLAIN PERMITS	2				
BUILDING INSPECTIONS	12				
FIRE INSPECTIONS					
CERTIFICATES OF OCCUPANCY	4				
CERTIFICATES OF COMPLIANCE	5				
REQUEST FOR RESEARCH					
STOP WORK	1				
VIOLATIONS	1				
INCOME	\$3,580.00				

RESOLUTION #49-21

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	\$ 203,950.80
Highway	239,717.09
Phoenicia Water	11,598.32
Pine Hill Water	678.00
Phoenicia Lights	1,138.26
Chichester Lights	164.43
Pine Hill Lights	724.61

	\$ 457,971.51

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM

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

RESOLUTION #50-21

OFFERED BY: VANBLARCUM

Appoint Planning/Zoning/Building Secretary

WHEREAS, under §20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town;

THEREFORE BE IT RESOLVED that the following personnel be appointed to the Shandaken Building/Zoning/Planning Department, at the following rates:

SARAH PELLIZZARI \$13 per hour

AND MOVES 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	ABSENT	<u> </u>
BOARD MEMBER VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 51-21

OFFERED BY STANLEY

RESOLUTION IDENTIFYING THE TOWN OF SHANDAKEN SUPERVISOR AS THE RESPONSIBLE LOCAL OFFICIAL AUTHORIZED TO ACCESS NYSDOT’S EBO SYSTEM

WHEREAS, the New York State Department of Transportation (NYSDOT) has implemented a web-based reporting system called Equitable Business Opportunities (EBO) to streamline and satisfy Title VI Civil Rights Reporting requirements for Federal-Aid locally sponsored contracts; and

WHEREAS, NYSDOT requires that each local municipality as a sub-recipient to NYSDOT OF Federal funds and sponsor of Federal-Aid Contracts to identify a single primary user in order to access and use the system for Title VI compliance reporting requirements,

THEREFORE, BE IT RESOLVED that the Town Board identifies Robert A. Stanley, Town Supervisor, as the Town’s Responsible Local Official authorized to access the EBO System as the Town’s EBO Administrator; and

BE IT FURTHER RESOLVED that this resolution is effective immediately.

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	ABSENT	<u> </u>
BOARD MEMBER VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION #52-21

OFFERED BY: STEEN

Assessor – Board of Assessment Review

WHEREAS, under §20 of the Town Law, the Town Board shall designate all appointed officers and employees of the Town;

THEREFORE BE IT RESOLVED that **James Cope** be appointed as member of the Shandaken Board of Assessment Review – Term to expire September 30, 2024. And, **Elizabeth Kneissl** also be appointed as member of the Shandaken Board of Assessment Review – Term to expire September 30, 2025 At no compensation

AND MOVES 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	ABSENT	<u> </u>
BOARD MEMBER VANBLARCUM	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 53-21

OFFERED BY DISCLAFANI

RESOLUTION RECOMMENDING THE APPOINTMENT BY THE GOVERNOR OF A SECOND VICE-CHAIR TO THE BOARD OF DIRECTORS OF THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

At a meeting of the Town Board of the Town of Shandaken, the Town Supervisor offered the following resolution:

WHEREAS, Belleayre Mountain Ski Center is located in the Towns of Shandaken and Middletown in Ulster and Delaware Counties, respectively; and

WHEREAS, Belleayre Mountain Ski Center is managed and operated by the State of New York Olympic Regional Development Authority (ORDA); and

WHEREAS, among other things Public Authorities Law § 2608 (1) and the ORDA By-Laws provide that:

ORDA is a public benefit corporation, the Board of Directors of which shall consist of twelve members, three of whom consist of the commissioners of environmental conservation, economic development, and parks, recreation, and historic preservation, and the other nine of whom are to be appointed by the Governor, by and with the advice and consent of the senate; and

Two of those board members shall be residents of Ulster and Delaware Counties; and

The governor shall appoint a chairperson, a vice-chairperson and a second vice-chairperson from among any of the members of the authority and such chairperson, vice-chairperson, and second vice-chairperson shall serve at the pleasure of the governor; and

Provided that the Second Vice-Chairperson of the ORDA Board of Directors shall be appointed upon the recommendation of the Town Boards of the Town of Shandaken and the Town of Middletown, and must be a resident of either Ulster County or Delaware County; and

Such appointment shall be recommended to the governor through a majority vote of the combined two town boards determining who shall be recommended; and

WHEREAS, among other responsibilities, it will be the responsibility of the Second Vice-Chairperson to Chair any meeting of the ORDA Board of Directors in the event that the Chairperson and Vice-Chairperson are absent, recused, or unavailable for any other reason; and

WHEREAS, the ORDA Board of Directors does not currently have a Second Vice-Chairperson;

THEREFORE, BE IT RESOLVED that after careful consideration and due deliberation, by a majority vote, the Town Board of the Town of Shandaken has determined that Diane Munro, who was appointed by the Governor to the ORDA Board of Directors and who is a resident of Delaware County, shall be recommended to the Governor for appointment to the position of Second Vice-Chairperson for the ORDA Board of Directors.

AND MOVE ITS ADOPTION

SECONDED BY: VANBLARCUM

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DISCLAFANI	<u> X </u>	_____
BOARD MEMBER STEEN	<u> X </u>	_____
BOARD MEMBER STORMS	ABSENT	_____
BOARD MEMBER VANBLARCUM	<u> X </u>	_____
SUPERVISOR STANLEY	<u> X </u>	_____

RESOLUTION #54-21

OFFERED BY VANBLARCUM

ADVERTISE FOR GRAVEL CRUSHING BIDS

WHEREAS, the Town of Shandaken Highway Department is seeking bids for crushing of item 4 at the Town owned gravel bank, specifications are available at the Highway Superintendent’s Office, 7209 Route 28, Shandaken, NY or by calling (845) 688-9901.

THEREFORE BE IT RESOLVED bids 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 Monday, March 1, 2021, to be opened at the regular Town Board meeting scheduled for 7 pm that evening.

AND MOVE ITS ADOPTION

SECONDED BY: STANLEY

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

BOARD MEMBER STEEN	<u> X </u>	_____
BOARD MEMBER STORMS	ABSENT	_____
BOARD MEMBER VANBLARCUM	<u> X </u>	_____
SUPERVISOR STANLEY	<u> X </u>	_____

RESOLUTION # 55-21

OFFERED BY: STANLEY

ADVERTISE FOR SHANDAKEN SEPTIC DISTRICT SUPERINTENDENT

WHEREAS, the Town of Shandaken maintains the Shandaken Septic Maintenance District. The Town is seeking to hire a person to supervise the activities of the district.

WHEREAS, the Town Board; under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town; and

WHEREAS, the Town wishes to explore available options for this position, and

THEREFORE BE IT RESOLVED the Town of Shandaken will advertise for the position immediately with interviews to be conducted before the end of the month and person to be hired at our next regularly scheduled Town Board meeting; and

AND MOVE ITS ADOPTION

SECONDED BY: STEEN

	ROLL CALL	
	AYES	NAYS

BOARD MEMBER DISCLAFANI	<u> X </u>	_____
BOARD MEMBER STEEN	<u> X </u>	_____
BOARD MEMBER STORMS	ABSENT	_____
BOARD MEMBER VANBLARCUM	<u> X </u>	_____
SUPERVISOR STANLEY	<u> X </u>	_____

RESOLUTION # 56-21

OFFERED BY: STEEN

SET PUBLIC HEARING ON POLICE COMMITTEE REPORT

WHEREAS, the Town of Shandaken requires that the Town Board set a Public Hearing on the Police Reform Committee recommendations to the Shandaken Town Board for approval.

THEREFORE BE IT RESOLVED that the Town Board of Shandaken will hold a Public Hearing on said report prior to its regularly scheduled meeting on Monday March 1, 2021 @ 6:45pm @ Town Hall – 7209 Rt. 28 Shandaken to hear all comments for or against.

AND MOVE ITS ADOPTION

SECONDED BY: DISCLAFANI

	ROLL CALL	
	AYES	NAYS

BOARD MEMBER DISCLAFANI	<u> X </u>	_____
BOARD MEMBER STEEN	<u> X </u>	_____
BOARD MEMBER STORMS	ABSENT	_____
BOARD MEMBER VANBLARCUM	<u> X </u>	_____
SUPERVISOR STANLEY	<u> X </u>	_____

RESOLUTION # 57-21

OFFERED BY DISCLAFANI

SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR 620 OLIVEREA RD., OLIVEREA, NY 12410

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 **620 Oliverea Rd., Oliverea, NY 12410 (Section Block Lot 12.18-1-13)** has been recommended for consideration for buyout in the LFA and the Town has been approached by **Gary J. & Michele E. Damiana**, the owners 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 **620 Oliverea Rd., Oliverea, NY 12410** 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 MOVE ITS ADOPTION

Seconded by: VANBLARCUM

ROLL CALL
AYES NAYS

BOARD MEMBER DISCLAFANI	<u> X </u>	_____
BOARD MEMBER STEEN	<u> X </u>	_____
BOARD MEMBER STORMS	ABSENT	_____
BOARD MEMBER VANBLARCUM	<u> X </u>	_____
SUPERVISOR STANLEY	<u> X </u>	_____

RESOLUTION # 58-21

OFFERED BY VANBLARCUM

SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM (NYCFFBO) FOR PROPERTY ALONG NYS ROUTE 28 IN MT. TREMPER, NY WITHOUT UTILIZING THE UPLAND AREAS OF THE PROPERTY FOR DEVELOPMENT.

WHEREAS, the Town of Shandaken previously passed Resolution #105-18 for 5257 Route 28, Mt. Tremper, NY 12457 (S.B.L. #25.10-1-10 and 25.10-1-13) currently owned by Rodney Sage and Raecine Shurter (the “Parcel”) to be included for buyout in the LFA under the Hydraulic Study category.

WHEREAS, the Town of Shandaken opted for Town ownership, to implement future flood mitigation activities, understanding 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 communities long-term plan for the management, use, and development of the Parcel.

WHEREAS, the May 23, 2015 Second Supplemental Side Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City Funded Flood Buyout Program provides for the acquisition of properties that contain land outside of the mapped floodplain, the (“Upland Areas”).

WHEREAS, the Town may, but is not required, to place a conservation easement on such Upland Areas.

WHEREAS, the Town has no intention of developing the Upland Areas.

THEREFORE, BE IT RESOLVED the Town of Shandaken, intends to grant a conservation easement to the State of New York over the entire Parcel. As in the original Resolution #105-18 of 2018, all activities on the Parcel, including any Upland Areas, shall be consistent with restrictions and allowed uses in Flood-Prone Areas.

AND MOVE ITS ADOPTION

Seconded by: STANLEY

ROLL CALL
AYES NAYS

BOARD MEMBER DISCLAFANI X

BOARD MEMBER STEEN X

BOARD MEMBER STORMS ABSENT

BOARD MEMBER VANBLARCUM X

SUPERVISOR STANLEY X

Signed this 5th day of February, 2021

Joyce Grant – Town Clerk