

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

**The Town of Shandaken Town Board conducted a Regular Monthly Meeting on Monday
October 7, 2024 7pm. Shandaken Town Hall. 7209 Rt. 28 Shandaken, NY**

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

Members Present
Peter DiSclafani – Supervisor
Kevin VanBlarcum - Board Member
Kyle Steen – Board Member
Elizabeth Kneissl – Board Member
Robert Drake – Board Member

Recording Secretary **Joyce Grant - Town Clerk**

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

**Legal Notices: Town of Shandaken will hold a Public Hearing on Amending the STR
Short Term Rental Law prior to our next Meeting. Monday October 7th, 2024 at 6:30 pm.
To hear all those for or against, restricting multi family dwellings.**



**Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday October 7, 2024 – 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. Parks & Recreation**
 - h. Housing Smart**
 - i. Conservation Advisory Council**
 - j. Comprehensive Plan**
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions:**
 - 114. Pay All Bills**
 - 115. Environmental Impacts Local Law4-2024**
 - 116. Amend STR Law – LL4-2024**

- 117. Lower Cap on Non-Resident STR Licenses
- 118. Accept Bids – Glenbrook Park Repairs
- 119. Adopt 2025 Tentative Budget as Prelim Budget
- 120. Set Public Hearing on 2025 Prelim Budget
- 121. Set Public Hearing Override Tax Levy Limit – LL#5-2024
- 122. Approval of Phoenicia Turkey Trot
- 123. Name Pine Hill Bridge in Honor of Nancy Smith
- 124. Appoint Phoenicia Water Committee Members
- 125. Use of ARPA Funding – Town Hall Relocation
- 126. Appoint Assistant Dog Enforcement Officer

11. Open Public Comment

Meeting Adjournment – IN MEMORY OF – *Lynne Byron, Judy Wagner, Marjorie Himber, Robert Nussbaum.*

MOTIONS

- 1-Disclafani/Drake – Workshop on Budget 10/15/24 @ 5pm – before Glenbrook Park Meeting at 6pm
- 2-Disclafani/Drake – Table Resolution 119 until October 15 meeting
- 3-Disclafani/Vanblarcum – Submit NY Forward Application – Pine Hill
- 4-Disclafani/Drake – Perform Environmental Study on Pine Hill Parking Lot

Comments

Vivian Welton, Tom Frasier, Sophie Grant in favor of resolution 116 & 117.
Rob Stanley commented on Tentative budget – ‘numbers don’t jive.’
Jan Jaffee – Wellington Presentation at next HSC meeting. October 28th.
Howard Widenski has a question on hourly pay procedures.
Sophie Grant – Famers Market is moving to Pine Hill Nov. 10th.

The Town Board adjourned to Executive Session on a personnel matter.



Of the many resolutions tonight, I am highlighting a few.

Tonight, I am presenting our Tentative Budget to be accepted as Preliminary and we will schedule a public hearing to hear comments in favor or in opposition.

We will open bids for our Glenbrook Park improvements as a reminder, we received a \$125,000. grant for this work. We will more thoroughly examine and decide on October 15th at 6pm.

We have an approval from DEP for a Pine Hill parking lot stormwater retro-fit and we are still awaiting CWC to finalize details.

We are amending our STR law to hopefully encourage more long-term rental availability.

We are Honoring the life of esteemed resident Nancy Smith by naming the Academy Street Stone Bridge the Nancy Smith Bridge.

Don’t forget to vote!

Our next regular meeting is November 6th

Peter DiSclafani

Building Department Activity for September 2024

Certificate of Compliance. 5

Building Permits. 28

Demo Permits 1

Flood Plain Permits 4

Certificate of Occupancy 2

Donna LeMoine

Shandaken Historical Museum Monthly Report for September 2024

The Museum participated in the Phoenicia Farmer’s Market on most Sundays in September offering books, historical images and stories presented from our museum table. There continues to be great interest by the community to interact, visit and use the museum.

On Sept. 21st historian, photographer and tour guide-hiker Paul Misco gave a visually impressive presentation about author John Burroughs, his personal history and his attempts to scale Slide Mountain. It was attended by a number of hikers and local history enthusiasts.

The Museum is preparing for a presentation that will be given by Cynthia Nikitin of the Brunel Park/Sculpture Garden on Sunday, October 13th at 1:00 at the Museum. There will also be a museum exhibit on the Brunel Park Sculpture Garden up for the month of October.

Grants for a number of proposed new exhibits are being prepared and submitted for next year including the NYForward Grant in collaboration with Jan Jaffe and The Hotel Wellington in Pine Hill, NY. The plan is to start applying for grants that would help fund interactive exhibits to enhance the quality and depth of our exhibitions attracting more visitors and tourists to Pine Hill and the Museum.

A table promoting the Museum was on display at the Phoenicia Ulster Savings Bank branch during September to present Shandaken history and Museum events to the bank’s customers.

The museum is improving both the exterior and interior of the building, getting ready for the winter and working to improve overall heating and dehumidifying. We are looking into decarbonizing strategies and possible EV parking in coordination with some of our upcoming grant proposals.

There were over 40 visitors in September to the Museum from the west coast, New York City, New Jersey, and Europe. Many of the Museum visitors are regional history buffs doing research. They often left donations and grateful messages.

Respectfully submitted, Joseph Prieboy Museum Director



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

September 2024 Monthly Report

INCIDENT TYPE	NUMBER	INCIDENT TYPE	NUMBER
911 Misdel/No Voice/Abandoned	1	Harassment	1
Accident PIAA/PDAA	7	Local Law	3
Abandoned Vehicle	5	Lock Out	3
Alarm Burglary/Panic/Robbery	5	Lost/Missing Person	4
Animal Complaint/Investigation	4	Noise	1
Assist EMS/Fire	13	Property Retrieval/Lost/Found	1
Criminal Mischief	1	Public Service	1
Disorderly Conduct	2	Open Door	1
Encon Violation	5	Property Check	381
Larceny	2	Road Hazard	2
Community Oriented Policing Project	1	School Check	8
Custody Dispute	1	Shots Fired	1
Civil	23	Suspicious Activity	9
Disabled Vehicle	1	Traffic Stop	29
Dispute	1	Trespass	1
Domestic Dispute	3	Vehicle and Traffic Complaint	7
Erratic Vehicle	1	Welfare Check	13
Foot Patrol	1	Field Interview	1
Fraud/Larceny	1	Warrant	1
Mental Health Law	1	Total	132
SUMMONS ISSUED	18	Property Checks	381
ARRESTS	6	Total w/property checks	513



September 2024 Report

TOTAL CALLS RECEIVED- 28
MUTUAL AID GIVEN- 3 (Olive First Aid, Woodstock)
MUTUAL AID RECEIVED- 0
TOTAL MAY REPORTS- 28
TOTAL TRANSPORTS- 16
TOTAL NO TRANSPORT/ STANDBY/ RELOCATIONS – 12

Its starting to get cooler, and by the end of this month it will become very spooky, but a few weeks before the ghouls and goblins take to the streets we observe one of my personal favorite weeks- Fire Prevention Week! The history of Fire prevention week goes back to 1925 when President Coolidge made the first proclamation. Many may not realize that this very week, observed from Sunday to Saturday when October 9th falls, commemorates the Great Chicago Fire that burned over 3 square miles of that city in 1871. The fire left over 100,000 homeless, burned 17,000 structures, and 300 people lost their lives.

With every year there is a theme to Fire Prevention Week and this year's theme is " Smoke Alarms- Make Them Work for You!" Now anyone who pays attention to any of these safety tidbits in the monthly report should be a smoke alarm (and carbon monoxide alarm) superstar, but for you newcomers please consider the following safety tips:

- Install smoke alarms in every bedroom, outside each separate sleeping area (like a hallway), and on each level (including the basement) of the home.
- Make sure smoke alarms meet the needs of all family members, including those with sensory or physical disabilities.
- Test smoke alarms at least once a month by pushing the test button.
- Replace all smoke alarms when they are 10 years old.

As always contact your local Fire Department for any Fire Prevention Week activities, and for more information about Fire Prevention Week and smoke alarms, visit fpw.org.

Stay safe,

Richard Middleton, EMT-P
Chief of Department, Town of Shandaken Ambulance Service



RESOLUTION #114-24 OFFERED BY: VANBLARCUM

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	\$ 324,479.27
Highway	143,349.12
Phoenicia Water	9,894.84
Pine Hill Water	1,062.81
Phoenicia Lights	XXX
Pine Hill Sign	33.35
Chichester Lights	84.67
Pine Hill Lights	XXX
Shandaken Septic	16,770.00
Heritage	691.67

	\$ 496,765.73

AND MOVES ITS ADOPTION

Seconded by: KNEISSL
ROLL CALL: 5 AYES

RESOLUTION 115-24 **OFFERED BY: KNEISSL**

**Resolution of the Town of Shandaken Town Board
Determining No Adverse Impacts on the Environment
for Local Law #4 of 2024 STR**

WHEREAS, the Town of Shandaken Town Board is in consideration of Amending Local Low 2 of 2022, Short Term Rental Law; and

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board has determined that the approval of the Town of Shandaken Local Law #4 of 2024, will not have significant adverse impacts on the environment; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to take such further steps as necessary to discharge the Board’s responsibility as lead agency for this action including but not limited to the issuance of a negative declaration consistent with this resolution.

AND MOVES ITS ADOPTION
Seconded by: DISCLAFANI
ROLL CALL: 5 AYES

RESOLUTION 116-24 **OFFERED BY DISCLAFANI**

RESOLUTION TO AMEND Short-Term Rental Law LL#4-2024

WHEREAS, the Shandaken Town Board held a public hearing to amend Short-Term Rental Law (LL#2 of 2022), and

WHEREAS, the Shandaken Housing Smart Task Force recommended various changes to said STR law, and

WHEREAS, following a discussion of the town board, the following addition to the law is proposed:

LL#2 2022 §3 P. Only 1 STR rentable dwelling unit shall be allowed per parcel.

THEREFORE BE IT RESOLVED, the Town of Shandaken approves the amendments to Local Law #2 of 2022, Short-Term Rentals;

THEREFORE, BE IT FURTHER RESOLVED, that parcels with no active STR violations that have multiple units included under an existing STR license, shall have the right to rent these same units for as long as they maintain their STR license and remain in full compliance with all other provisions of this amended law.

AND MOVES ITS ADOPTION
Seconded by: DRAKE
ROLL CALL: 5 AYES

RESOLUTION #117-24 **OFFERED BY: DRAKE**

Lower Non-Resident STR License Cap

Whereas, Local Law #2 of 2022 §3 (2) B established a cap of 150 on the number of Short Term Rental (STR) Licenses that may be issued to Non Residents, and

Whereas, that same law states that the Town Board may adjust the caps by resolution from time to time, and

Whereas, the Shandaken Housing Smart Task Force recommended the town reduce the number of licenses available to non-residents,

THEREFORE BE IT RESOLVED, the Town of Shandaken establishes a cap of 100 STR Licenses for non-residents, with existing license holders with no STR violations against their parcels to be allowed to renew their licenses.

AND MOVES ITS ADOPTION

Seconded by: STEEN
ROLL CALL: 5 AYES

RESOLUTION 118-24 **OFFERED BY STEEN**

Accept Bids – Glenbrook Park Repairs

WHEREAS, Pursuant to Resolution 101-2024, the Town of Shandaken Town Board Advertised for bids for repairs to the Glenbrook Park Pavilion & Bathroom located at 48-72 Rt. 42 Shandaken - SBL 5.13-2-25.100.

WHEREAS, bids were received at the Town Clerk’s Office, Shandaken Town Hall, 7209 Rt. 28 PO Box 67, Shandaken, NY 12480 no later than 3pm on Monday October 7, 2024, with bids to be opened at the Town Board Meeting on the same date at 7pm.

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

BE IT FURTHER RESOLVED, A Special Meeting has been scheduled to award the bid on Tuesday October 15, 2024 at 6pm. Shandaken Town Hall.

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM
ROLL CALL: 5 AYES

***TABLED* RESOLUTION #119-24** **OFFERED BY:**

RESOLUTION ADOPTING TENTATIVE BUDGET AS PRELIMINARY BUDGET

WHEREAS, the Town of Shandaken has prepared a 2025 Tentative Budget for review;

THEREFORE, BE IT RESOLVED the Town Board of the Town of Shandaken hereby adopts the 2023 Tentative Budget as the 2025 Preliminary Budget for the Town of Shandaken

RESOLUTION #120-24 **OFFERED BY VANBLARCUM**

SET PUBLIC HEARING ON 2025 PRELIMINARY TOWN BUDGET

WHEREAS, a Public Hearing is held every year for the purpose of hearing all those in favor or against the adoption of the Preliminary Budget for the Town of Shandaken as the Annual Budget

THEREFORE, BE IT RESOLVED the Town Board of the Town of Shandaken will meet and review the 2025 Preliminary Budget and hold a Public Hearing thereon, at the Shandaken Town Hall on **Wednesday November 6, 2024 at 6:30PM** preceding the Regular Monthly Meeting, and at such hearing any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any items or items therein contained.

AND MOVES ITS ADOPTION

Seconded by: KNEISSL
ROLL CALL: 5 AYES

RESOLUTION #121-24 **OFFERED BY: KNEISSL**

**SET MEETING - ADOPTING TOWN OF SHANDAKEN LOCAL LAW #5 OF 2024 –
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C**

WHEREAS, the Town of Shandaken foresees the necessity to exceed the Tax Levy Limit established in General Municipal Law § 3-C; and

THEREFORE BE IT RESOLVED, the Town of Shandaken Town Board will hold a Special Meeting and a Public Hearing on **Wed. November 6, 2024 @ 6:15 pm** at the Shandaken Town Hall 7209 Rt. 28 Shandaken NY 12480, to hear all those in favor and against the adoption of said law in accordance with General Municipal Law; and

AND MOVES ITS ADOPTION
Seconded by: DISCLAFANI
ROLL CALL: 5 AYES

RESOLUTION #122-24 **OFFERED BY DISCLAFANI**

**RESOLUTION APPROVING PUBLIC ASSEMBLY PERMIT
FOR THE PHOENICIA TURKEY TROT**

WHEREAS, the Town of Shandaken Town Board under §59 of the Town of Shandaken Code has the sole authority to approve applications for the purpose of a Public Assembly in excess of five hundred (500) persons, and

WHEREAS, the Town Board recognizes the benefits of public events to the economy of the Town and also recognizes the necessity to provide adequate protections and a safe environment for its residents and participants alike, and

WHEREAS, the Town is in receipt of documentation illustrating compliance under the law providing the necessary insurance, permits, security, parking, lighting, sanitation, emergency and evacuation requirements, and

WHEREAS, the Town Board is satisfied with the application from the **Phoenicia Turkey Trot** for their event to be held in **Phoenicia, NY on Saturday, November 30, 2024** from 7am until 4pm.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board hereby approves the permit for a Public Assembly to the Phoenicia Turkey Trot for their event and that a certified copy of this resolution shall suffice as the approval certificate.

AND MOVES ITS ADOPTION
Seconded by: DRAKE
ROLL CALL: 5 AYES

RESOLUTION #123-24 **OFFERED BY DRAKE**

NAMING PINE HILL BRIDGE IN HONOR OF NANCY SMITH

WHEREAS, NANCY SMITH was born and lived in Pine Hill, a Hamlet of the Town of Shandaken for more than fifty years,

WHEREAS, NANCY SMITH was appointed by Superintendent Wayne Gutman and approved by the action of the Shandaken Town Board in 1984 to be the official Historian of the Town of Shandaken.

WHEREAS, NANCY SMITH was the founder of THE TOWN of SHANDAKEN HISTORICAL MUSEUM that open its doors in the Hamlet of Pine Hill on October 21, 1989 at The Old Pine Hill School House located at 26 Academy Street, Pine Hill, New York,

THEREFORE BE IT RESOLVED, In honor of NANCY SMITH’S passion to preserve the past for the future, the Town of Shandaken Town Board hereby HONORS NANCY SMITH by naming the bridge that connects the Hamlet of Pine Hill with Town of Shandaken Historical Museum on Academy Street, Pine Hill - as THE NANCY SMITH BRIDGE.

AND MOVES ITS ADOPTION
Seconded by: STEEN
ROLL CALL: 5 AYES

RESOLUTION #124-24

OFFERED BY STEEN

RESOLUTION TO APPOINT PHOENICIA WATER COMMITTEE MEMBERS

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 Kerry Henderson, Barbara Mansfield, and Kathryn Haber be appointed to the Phoenicia Water Committee, at no compensation, and

BE IT FURTHER RESOLVED that this Committee be charged with ensuring the maintenance and function of the Phoenicia Water District by:

- Evaluating expenses, fund balances, and water rates
- Evaluating vendors and practices
- Reviewing water related facilities and ensuring their operation
- Reviewing and prioritizing water district capital improvements
- Identifying grant / other funding opportunities for the water district
- Assisting the District Water Commissioner and other water district staff
- Recommending to the Shandaken Town Board any changes as may be needed to best facilitate ongoing operations

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM

ROLL CALL: 5 AYES

RESOLUTION #125-24

OFFERED BY VANBLARCUM

COMMIT \$200,000 FROM ARPA FUNDS FOR TOWN HALL RELOCATION

WHEREAS, the Shandaken town hall and highway department building are located in a special flood hazard area, and

WHEREAS, the town recently completed a feasibility study of potential parcels that could be viable for the construction of one or more municipal facilities, and

WHERAS, the town is actively working with CWC, DEC, and other organizations who may be able to assist in relocating the town hall and/or Highway department building, and

WHERAS, American Rescue Plan Act funds (ARPA) are to be expended or encumbered before 12/31/2024,

THEREFORE, BE IT RESOLVED, the Town of Shandaken commits \$200,000 from our Town ARPA funds to be encumbered toward land acquisition, construction, or any other costs necessary for the relocation of the Shandaken town hall and/or highway department.

AND MOVES ITS ADOPTION

Seconded by: KNEISSL

ROLL CALL: 5 AYES

RESOLUTION #126-24

OFFERED BY KNEISSL

RESOLUTION – ASSISTANT DOG ENFORCEMENT OFFICER

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

THEREFORE BE IT RESOLVED, The Town Board hereby appoints Olivia Amenta as Assistant Dog Enforcement Officer to be paid per diem at \$20. Per hour.

BE IT FURTHER RESOLVED, The Town Board hereby accepts Thomas Rinaldo resignation as Assistant Dog Enforcement Officer.

AND MOVES ITS ADOPTION

Seconded by: DISCLAFANI

ROLL CALL: 5 AYES

Meeting adjourned at 8:35.

Signed this ____ Day of October, 2024

Joyce Grant – Town Clerk