

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

The Town of Shandaken Town Board conducted a Regular Monthly Meeting on Monday August 6, 2018. Shandaken Town Hall. 7209 Rt. 28 Shandaken, NY

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

Members Present	Robert Stanley – Supervisor Peter DiSclafani – Board Member Kevin VanBlarcum – Board Member Faye Storms – Board Member
Members Absent	Gael Alba - Board Member

Recording Secretary	Joyce Grant - Town Clerk
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Our regular meeting was preceded by Public Hearing: at 6:45 pm

Notice of Public Hearing

Pursuant to Resolution 96-18 Town of Shandaken Town Bd. Has set a date for a a public hearing on Local Law #2-2018 to amend zoning for Big Indian parcels from mixed R1.5 & R5 to wholly R5. SBL’s 12.7-2-7.141 & 12.7-2-7.2 Town of Shandaken Town Board does hereby call for a Public Hearing on the Zoning Amendment to be held **Monday August 6TH @ 6:45 – pm at the Shandaken Town Hall, 7209 Route 28, Shandaken, NY to hear all those in favor and against such actions.**

There were 2 people in the audience, Roy Dignes & Tina Rice.

There were no comments or questions. On a Vanblarcum/Storms motion, the meeting adjourned at 6:50.



**Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, August 6, 2018**

- 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
- h. Shandaken Day

8. Public Comments on Resolutions

9. Motions:

10. Resolutions:

- 103. Pay All Bills
- 104. Planning – Approve Local Law #2 – Big Indian Zoning Lots Amendment
 - a. Big Indian Parcels from mixed R1.5 & R5 to wholly R5
 - b. SBL #'s – 12.7-2-7.141 & 12.7-2-7.2
- 105. SAFARI – Accept Properties for NYCFFBO
 - a. SBL # 25.10-1-10 & 25.10-1-13 (Owners – Rodney Sage & Raecine Shurter)
 - b. Transfer to Town
- 106. Highway – Withdraw from Shared Service Agreement
 - a. Regarding Shared Sweeper – w/ Hurley, Ulster & Woodstock
- 107. Town Board – Appoint Short-Term Rental Committee
 - a. R. Stanley, K. VanBlarcum, H. McGowan, R. Reiss, D. Brewer, Sam Spata
- 108. Town Board – Advertise Bids for Scenic Byway Sign
 - a. Joint Community Sign on Rte 28 across from UC 49A (Belleayre Exit)
- 109. Town Board – Support Ulster County Bridge (Bridge Street) Dedication
 - a. Former Ulster County Sheriff Michael LaPaglia
- 110. Town Board – Liquor License Notification Waiver
 - a. Woodstock Local Brewing, LLC, Phoenicia

11. Open Public Comment

12. Meeting Adjournment - *IN MEMORY OF: William Shultz, Keith D’Lia*

On a Vanblarcum/Disclafani motion, the Shandaken Town Bd. Unanimously voted to appoint Clifton Rabuffo Vice Chair of the Shandaken Planning Bd.

Supervisor Report July 2018
Revenues

Zoning Fees	\$250.00
Time Warner Franchise Fee	\$18,163.47
Medical Insurance Reimbursment	\$150.66
Police Fees	\$15.00
Ambulance Fees	\$6,601.54
Town Clerk Fees/EZ Pass/Conservation	\$336.50
Cell Tower	\$973.64
Justice Fees	\$15,899.00
Building Permit Fees	\$2,295.00
Dog Licenses	\$129.50
T/C Interest & Penalties	\$24,768.88
Ambulance Donation	\$250.00
Planning Fees	\$750.00
Phoenicia WD Interest	\$1.21
Misc Rev/Unclassified Revenue	\$697.00
Registrar	\$20.00
Phoe. Water Misc Revenue	\$25.00
State Aid/Mortgage Tax	\$30,245.98
Heritage Donations	\$6,180.00
Phoe. Water Rents	\$16,000.00
Shandaken Rural Cemetary	\$185.00
Shandaken Rural Cemetary	\$1,600.00
Building Contract Expense (Refund)	\$1.04
Higley Settlement	\$897.86
TOTAL	\$126,436.28

Vehicle	Ending	Beginning	Total
7850	104565	103520	1045
7851	92018	91918	100
625	78210	77760	450
626	34816	33616	1200

Public Comment pertaining to Large Statue going on property at 822 Woodland Valley Rd. by Hank Williams, Gayle Margulis, Steven Hefner of W.Valley, and Ann Carlton of Willow. As yet, no site plans have been provided to the Building/Zoning Dept. so discussion was limited.

The Meeting adjourned at 8:15 on a Disclafani/VanBlarcum motion.

RESOLUTION #103-18

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	\$ 99,371.70
Highway	193,457.21
Phoenicia Water	4,565.59
Pine Hill Water	241.57
Phoenicia Lights	949.88
Chichester Lights	148.33
Pine Hill Lights	566.83
Ambulance Donation	238.88
Recreation Expenses	934.50
Heritage Expenses	107.39

	\$ 300,581.88

AND MOVES ITS ADOPTION

Seconded by Vanblarcum

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

RESOLUTION # 104 - 18

OFFERED BY Vanblarcum

RESOLUTION TO ADOPT TOWN OF SHANDAKEN LOCAL LAW #2 OF 2018:

AMENDING ZONING MAP – BIG INDIAN LOTS

WHEREAS, the Town of Shandaken Planning Board, in a letter dated August 28, 2017, made a recommendation to amend the Zoning Map for the Town of Shandaken specifically regarding two parcels located in Big Indian; and

WHEREAS, an introductory Local Law, entitled “Zoning Map Amendment – Big Indian Lots” was introduced before the Town Board of the Town of Shandaken on October 2, 2017, and upon notice duly published and posted, a hearing was held on October 16, 2017, before the Town Board, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory Local Law where it was decided that the Planning Board perform the necessary State Environmental Quality Review (*SEQR*) for adoption at such time as the Planning Department seem it prudent; and

WHEREAS, the Town Board in Resolution # 95-18 confirmed the Town Planning Board to act as Lead Agency and whereas the Planning Board subsequently held a Public Hearing and made a Negative SEQR Declaration regarding Local Law #2 of 2018 in conjunction with a site plan review; and

WHEREAS, the Town Board held a Public Hearing on Local Law #2 prior to its August 6, 2018 meeting.

THEREFORE, BE IT RESOLVED that the Town of Shandaken Town Board does hereby adopt Local Law #2 of 2018: Zoning Map Amendment – Big Indian Lots, and that said Local Law #2 will take effect immediately upon roll call approval of this resolution and Certification by the Town Clerk of Shandaken.

AND MOVE ITS ADOPTION

Seconded by: Stanley

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

RESOLUTION # 105-18

OFFERED BY STANLEY

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUY OUT PROGRAM FOR
PROPERTY ALONG NYS ROUTE 28 IN 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, 5267 Route 28, Mt Tremper, NY 12457 (S.B.L. # 25.10-1-10 & 25.10-1-13) currently owned by Rodney Sage & Raecine Shurter has been recommended for consideration for buyout in the LFA and the Town has been in contact with the owners 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 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 **5267 Route 28, Mt Tremper, NY 12457 (S.B.L. # 25.10-1-10 & 25.10-1-13)** 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 for the Town to retain ownership of the parcels for future flood mitigation activities.

AND MOVE ITS ADOPTION

Seconded by: Storms

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

RESOLUTION # 106-18

OFFERED BY: Storms

RESOLUTION AUTHORIZING SUPERVISOR AND HIGHWAY SUPERINTENDENT
TO WITHDRAW FROM INTERMUNICIPAL AGREEMENT

WHEREAS, on or about February 2015 the Highway Superintendents of the Towns of Hurley, Shandaken, Woodstock and Ulster jointly purchased used sweeper and the Town of Shandaken entered into an Intermunicipal Agreement for the purchase and operation of said sweeper; and

WHEREAS, said sweeper was involved in an accident and has been rendered permanently inoperative; and

WHEREAS, it is prudent that the Town of Shandaken formally withdraw from said Agreement as the purpose for such is now moot.

THEREFORE, BE IT RESOLVED by the Town Board of Shandaken the following:

- 1) Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.
- 2) The Town Board of Shandaken does hereby direct the Town Supervisor and Highway Superintendent to execute any and all documents so as to withdraw the Town of Shandaken from the aforesaid Intermunicipal Agreement.

AND MOVE ITS ADOPTION

Seconded by: Stanley

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

RESOLUTION # 107-18

OFFERED BY: Disclafani

RESOLUTION APPOINTING SHORT-TERM RENTAL COMMITTEE

WHEREAS, the Town of Shandaken recognizes the growth of Short-Term Rentals throughout the community; and

WHEREAS, we recognize there are benefits effecting the Town and personal economies as well as issues regarding sound, trash and overall community character; and

WHEREAS, the Town wishes to create legislation to better control and address these types of activities throughout the Town; and

WHEREAS, the Town wishes to create a committee of individuals to help establish a base for such legislation.

THEREFORE, BE IT RESOLVED that the Town Board of Shandaken does hereby name Supervisor Robert A. Stanley, Town Board Member Kevin VanBlarcum, Code Officer Howard McGowan, ZBA Vice-Chari Rolf Reiss, Planning Board Chair Don Brewer and Planning Board Member Sam Spata as members of the **Short-Term Rental Committee**.

AND MOVE ITS ADOPTION

Seconded by: VanBlarcum

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

RESOLUTION # 108-18

OFFERED BY: Vanblarcum

RESOLUTION ADVERTISING FOR BIDS FOR SHARED SCENIC BYWAY SIGN

WHEREAS, the Town of Shandaken is part of the Catskill Mountain Scenic Byway (CMSB) including the Towns of Olive, Middletown and Andes and the Villages of Fleischmanns and Margaretville; and

WHEREAS, the CMSB continues to work on ways to promote our local Towns and Villages along the Byway for the benefit of our economies; and

WHEREAS, the Central Catskill Collaborative, an advisory Board, and the Route 28 Municipal Leaders Group, the Byway Executive Board, have made a recommendation for a sign to be erected opposite the road exiting Belleayre Mountain Ski Center entering the CMSB in the Town of Shandaken; and

WHEREAS, said sign would list CMSB Villages and Hamlets with mileage counts and would be built from funds provided by each municipality.

THEREFORE, BE IT RESOLVED that the Town of Shandaken advertise for bids for an all-weather composite sign for the CMSB any interested parties should contact the Town Supervisor’s Office at (845) 688-7165 or via email for specifications all bids clearly marked in large block letters “**SIGN BID**” must be received by the Town Clerk’s Office, PO Box 67, 7209 NYS Rte 28, Shandaken, NY 12480 no later than 3pm on Monday, September 3, 2018 with bids to be opened during the Town Board meeting that evening at 7pm.

AND MOVE ITS ADOPTION

Seconded by: Disclafani

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

RESOLUTION # 109-18

OFFERED BY: Stanley

**SUPPORT DEDICATION OF ULSTER COUNTY BRIDGE STREET BRIDGE IN PHOENICIA
TO HONOR FORMER ULSTER COUNTY SHERIFF MICHAEL LAPAGLIA**

WHEREAS, in May of 2017 former Shandaken resident Michael LaPaglia passed away; and

WHEREAS, Mr. LaPaglia served well for our community and dedicated his life to trying and help others; and

WHEREAS, Mr. LaPaglia was born of Italian Immigrant parents in Brooklyn in 1931 and served in the Air Force Reserves and the Office of Special Investigations (OSI); and

WHEREAS, in 1957 he joined the ranks of the NYPD and assigned to the Homicide-Organized Crime Squad; and

WHEREAS, during vacations he vacationed and fell in love with the Hudson Valley eventually building a home in Shandaken; and

WHEREAS, after moving to Shandaken Mr. LaPaglia served as Town Constabulary Administrative Chief (1981-82) and then Town Councilman (1983-86); and

WHEREAS, he then won several terms as Ulster County Sheriff serving in that position from January 1987 until his retirement in December of 1998.

THEREFORE, BE IT RESOLVED that considering Shandaken resident Mr. Michael LaPaglia’s distinguished career of Public service to our community and the County of Ulster, the Town Board of Shandaken does hereby make this formal request to dedicate the Bridge Street Bridge along County Route 40 in Phoenicia be dedicated in the name of former Ulster County Sheriff Michael LaPaglia and ask the Ulster County Legislature to take the necessary steps to accomplish this goal.

AND MOVE ITS ADOPTION

Seconded by: Storms

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

RESOLUTION #110-18

OFFERED BY: Storms

**RESOLUTION AUTHORIZING WAIVER OF 30 DAY NOTIFICATION REQUIRED
BY THE NEW YORK STATE LIQUOR AUTHORITY**

WHEREAS, WOODSTOCK LOCAL BREWING LLC, has applied for a liquor license, and

WHEREAS, WOODSTOCK LOCAL BREWING LLC has requested that the Town waive the 30 day notification required by the New York State Liquor Authority in an effort to expedite the granting of their liquor license, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Shandaken does hereby grant the request of the WOODSTOCK LOCAL BREWING LLC, and does hereby waive the thirty (30) day Liquor License notice requirement to WOODSTOCK LOCAL BREWING LLC , located at 5581 Route 28, Phoenicia NY 12464.

AND MOVES ITS ADOPTION

Seconded by: VanBlarcum

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER ALBA	ABSENT	_____
BOARD MEMBER DISCLAFANI	__X__	_____
BOARD MEMBER STORMS	__X__	_____
BOARD MEMBER VANBLARCUM	__X__	_____

SUPERVISOR STANLEY __X__ _____

Signed this 7th day of August, 2018

Joyce Grant – Town Clerk