

**Town of Shandaken
County of Ulster
State of New York
Monday August 3, 2015**

The Town of Shandaken Town Board conducted their Regular Monthly Meeting as per Resolution #2. Minutes of the Monthly Regular Town Board Meeting held in Shandaken on Monday August 3rd at 7 pm at the Town Meeting Hall Rt. 28, Shandaken NY

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

Members Present **Vin Bernstein – Board Member
Tim Malloy - Board Member – Acting Supervisor
Al Higley, Jr. – Board Member
Faye Storms – Board Member
Robert Stanley – Supervisor**

Members Absent

Recording Secretary **Joyce Grant – Town Clerk**

On a Malloy/Higley motion, the Town Board unanimously approved the minutes of the March meeting as submitted by the Town Clerk.



**Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, August 3, 2015**

- 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*
 - g. Shandaken Day*
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions:**
 - 99. Pay All Bills**
 - 100. Town Board– Authorize Supervisor to execute USDA-ECWAG**
 - a. Bridge Street Main Repair**
 - 101. Town Board – Approve Affirmative Action Plan for NY Rising Projects**
 - 102. Town Board – Approve Policy and Grievance Procedure for NY Rising Projects**
 - 103. Bldg/Planning/ Zoning – Hire Secretary for Dept. – Anne Ricciardella**
 - a. 35 hrs/wk @ \$10.30 per hour**

- 104.Highway – Accept Bids for Slope Stabilization Project Silver Hollow
- 105.Highway – Accept Bids for Herdman Bridge Repair Project
- 106. Highway – Set Special Meeting to Award Highway Slope Stabilization & Herdman Bridge Repair Projects
- a.TBD
- 107. Amend Dog Licensing & Impoundment Fees

11.Open Public Comment

12. Meeting Adjournment - *IN MEMORY OF:*
Martin Millman - Susan “Sue” Tiso - Darryl M. Ward



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 August 2015

Phoenicia Water: First and foremost, the Town has been notified that it has been preliminarily awarded the Emergency Water Repair Grant (ECWAG) from the USDA for the repairs to the Bridge Street Bridge main project. They awarded us the maximum \$150,000 for the project. They are requesting supplemental information before we can go out to bid. One of those items is a necessary resolution from the Town Board authorizing me to process these monies. Once we get the final approval, we will go out for bid on this project to ensure it is completed before the cold season.

In addition to this grant I’d like to thank Peg Ellsworth from the MARK Project and Candace Balmer from RCAP Solutions for their work in applying for two additional Community Development Block Grants (CDBG) to assist the Phoenicia Water District. The first, with MARK Project and Candace’s assistance, is an infrastructure grant for \$415,000 to complete the High Street Loop, Install the Third Finishing Pump at the Filtration Plant, Clean and Disinfect the existing Infiltration Gallery, Adding Chemical Storage and Ventilation System, and TV Inspection of the Water Tank and Spring Resources.

The second, with Candace’s assistance, was a CDBG - Planning Grant for \$46,000 to help us investigate and find the most cost-effective manner to relocate the High Street Pump House and reduce turbidity throughout the system, including the expansion of storage reservoirs or adding settling chambers.

We will have to wait for the State’s decision on both these matters, but feel that we made the best attempt at applying for these funds for the benefit of the Phoenicia Water District.

NY Rising: We have been informed that NY Rising is ready to move forward the Five Bridges Infrastructure Project as well as the project to install a generator for Town Highway Garage and Town Hall. We hope to get these projects moving before the end of the year. Tonight we have two more resolutions required for the acceptance and disbursement of these funds.

their decades of commitment and support for a multitude of local organizations and fundraisers. Additionally, and sadly selected just prior to his passing, the Pride of Shandaken Award will be presented to Georganna and Martin Millman of Oliverrea.

Festivals: I hope everyone had a moment to indulge in some of the wonderful offerings from the Phoenicia International Festival of the Voice. Again, Maria, Louie, Justin and Barbara amongst a litany of local volunteers continue to improve the event and coordinating with the local businesses. This year’s event again, as far as any issues regarding the Town and its services, was...uneventful. Special thanks to all who were and continue to be involved in their commitment to keeping this special event here in our Town. I look forward to next year’s offerings where they event will focus around Mr. William Shakespeare, so expect a play or two.

Also, I’d like you all to join me in inviting our friends from around the Catskills to the Great Outdoor Experience Festival coming August 15th and 16th at the Catskill Interpretive Center in Mt. Tremper. This event is to promote all the outdoor offerings of the Catskill region and was recently moved from Margaretville. We look forward to welcoming this event to our Town and wish it success in attracting more visitors to our area.

Our next regular meeting is scheduled for Monday, September 14th, 2015 at 7:00 pm.

Supervisor Report - July 2015		
Supervisor (interest & penalties)		
Police Fees	\$	60.00
Fuel Reimbursement	\$	666.64
Ambulance Fees	\$	1,411.86
Ambulance Donation	\$	25.00
Cell Tower Rental	\$	891.02
Town Clerk Fees	\$	2,634.62
Justice Fees	\$	15,958.50
Bldg. Permits	\$	2,296.00
Planning Fees	\$	250.00
Dog Licenses	\$	148.00
Zoning	\$	462.67
Phoenicia Water District Interest	\$	0.23
Vendor Fees	\$	190.00
Receipts from Highway -		
June Interest	\$	19.90
Total:	\$	25,014.44

Upcoming Town Events
The next visit from Upstate Spay & Neuter Mobile Vet Services will be in Sept. we will also be having another rabies clinic then. we offer a \$25 cat spay/neuter voucher to full time residents through Upstate Spay & Neuter. Call or stop by the Town Clerk's office for more info. 688-5004.

Sat. & Sun. Aug. 8th & 9th- The Catskill Mtn. Railroad is offering rides behind a REAL steam engine, check out thir website: www.cmrrevents.com or call 688-7400.

Saturday Aug. 8th at 7pm - Flying Cat Music will sponsor the Heather Pierson Acoustic Trio at the Empire State Railway Museum, call them at 688-7452 for more info.

Saturday Aug. 15 - MF Whitney Fire House in Phoenicia will host their annual Chicken BBQ Fundraiser at 2pm. Great Food, Live Music too

we also have clothing, shoes and textiles, stuffed animals recycling at the Town Hall to left of recycling center.. open 24/7. Benefit for Ulster County Volunteers Firefighters Association.

Second Annual Catskill Mountains Coin Shoot and Relic Hunt

The second annual *Catskill Mountains Coin Shoot and Relic Hunt* will take place in Big Indian on August 7, 8 and 9. With metal detectors and spades, treasure hunters will be searching for historical relics and other long lost items on several private properties in and around the area. Upwards of 35 detectorists, along with their family members, will converge on Big Indian and the surrounding area for the weekend in the hopes of uncovering relics that can add to the history of Big Indian/Oliverrea and possibly even find a cache of old coins. The dollars raised from the entry fee of \$75 will be used to benefit the Shandaken Museum. The event is open to all metal detectorists. An event barbeque hosted by the Fleishmanns/Pine Hill Rotary will take place at the Big Indian Park on Friday August 7th at 6PM. To sign up and for information contact John Michelotti at michelott@aol.com or Jesse Thompson at mrmetaledetector@aol.com

845 254-4020

Parks and Recreation Report
August 3, 2015

Summer, as you would expect, is a very busy time for our parks.

Parish Field

Spoke late this afternoon with Maria Todara
who would be here, were it not for a thank you party for volunteers.
She asked that I share with you their appreciation for the amazing support provided the FOV.
189 community volunteers
Extraordinary hospitality
All artists want to come back
Growing attendance for an "edgy" musical event
with all small venues absolutely packed.
The field is rapidly returning to its normal state--all tents have been disassembled.

Glenbrook Park

Baseball is alive and well.
Little League completed its season
Summer rec teams are currently competing with area towns.

Smith Park

Pursuing a suggestion from the 20-20 Pine Hill Visioning Committee
to create a half soccer field for practice and casual games.

Big Indian Park

The Classic Car show was held despite some rainy weather.
The Indian Pow Wow saw a noticeable increase in attendance.
The Fleischmanns-Pine Hill Rotary will host a picnic this Friday
for a metal detector group returning to our valley.
You'll remember they were in the area last year and donated \$1,000
to the Shandaken Museum.
August 15 there will be a celebration of the 35th Anniversary of the Park.
Shandaken Day, Saturday, August 29, will take place in Big Indian Park.


News

It has been shared with our board that the volunteer leaders who have supported the Tan Bark Trail and the Mt. Tremper Fire Tower are looking for assistance. Any one interested in helping should let me know.

Our 2nd Annual Town-wide Celebration of the Parks will be held
Sunday afternoon, September 20 at the Catamount Restaurant and Pavilion.
This, as many of you can attest, was a lot of fun last year and promises
to be even better.
Stay tuned for details.

SHANDAKEN DAY

Celebrating Allaben, Bushnellsville and Shandaken



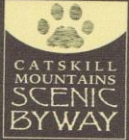


Saturday August 29
Big Indian Park · Big Indian, NY
10am-6pm

LIVE MUSIC ALL DAY
HAMLET HEROES ★ GAMES
NEW HORSESHOE PITS IN BIG INDIAN PARK!
Tube Race, Watermelon Eating Contest,
Spoon & Egg Race, Water Balloon Toss
6th annual Shandaken Cup Tug-o-war

BURGERS, HOT DOGS, STEAK SANDWICHES, ICE CREAM, SODA

Raffles and Prizes Throughout the Day!

Great Vendor Booths
Support Many Local Organizations



www.kurtboyerdesign.com



Town of Shandaken

Ambulance Service

"Committed to Care in the Heart of the Catskills"

July 2015 Report


TOTAL CALLS RECEIVED- 39

MUTUAL AID GIVEN- 3 (1- Lexington, 1- Hunter Ambulance, 1-Olive First Aid)

MUTUAL AID RECEIVED- 0

The Ambulance that was approved is (by some stroke of miracle) completed and ready for delivery as of this writing. Final inspection showed that the vehicle is precisely what was specified by the Ambulance Service and should serve our community well for many years to come. The process of submitting the replaced ambulance and other equipment declared surplus by the Ambulance Department to an auction company will commence once our Chief of Department comes back from a well deserved vacation to visit Mickey Mouse.

The summer months are a very busy time for the Ambulance and August is no exception. With the tail end of the Festival of The Voice starting out the month, and Shandaken Day towards the end, your Squad is busy providing added value service to the Community aside from answering regular calls for service. Be sure to swing by the Shandaken Ambulance booth during Shandaken Day, see our new ambulance, and root for us when we lose the Shandaken Cup tug of war for the 5th consecutive year!



Our New Ambulance 626- Arriving soon!!!			
Vehicle	Beginning	Ending	Total
7850	86708	87132	424
7851	69777	70497	720
625	50619	52573	1954
626	104353	105016	663

WHEREAS, under Town of Shandaken Resolution #68-15 of 2015 authorizing the Town Supervisor to apply for a United States Department of Agriculture Emergency Community Water Assistance Grant (USDA-ECWAG); and

WHEREAS, the Town has received a letter from USDA – ECWAG that the Town has preliminarily been awarded said grant for the \$150,000 maximum;

THEREFORE BE IT RESOLVED that the Town of Shandaken Town Board does hereby authorizes the receipt, use and disbursement of the USDA ECWAG monies; and

BE IT FURTHER RESOLVED the Town Board does hereby authorize the Town Supervisor to execute any documents necessary for use, receipt and disbursement of USDA-ECWAG monies.

AND MOVES ITS ADOPTION

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u> X </u>	<u> </u>
BOARD MEMBER HIGLEY	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 101 - 15 **OFFERED BY: STANLEY**

RESOLUTION TO ADOPT AN AFFIRMATIVE ACTION PLAN AS REQUIRED UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM

WHEREAS, the Town of Shandaken is a sub-recipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Governor’s Office of Storm Recovery (GOSR) of the New York State Housing Trust Fund Corporation (HTFC) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and,

WHEREAS, participation in the New York State CDBG-DR Program requires the adoption and implementation of an Affirmative Action Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and other program policies; and,

WHEREAS, the purpose of this plan is to prohibit workplace employment discrimination on the basis of age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

NOW, THEREFORE, BE IT RESOLVED by the Shandaken Town Board that the Affirmative Action Plan be hereby officially adopted for implementation in the New York State CDBG-DR Program.

AND MOVES ITS ADOPTION

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u> X </u>	<u> </u>
BOARD MEMBER HIGLEY	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

RESOLUTION # 102 - 15

OFFERED BY: HIGLEY

A RESOLUTION ADOPTING THE FOLLOWING SECTION 504 POLICIES AND GRIEVANCE PROCEDURES FOR THE TOWN OF SHANDAKEN

SECTION 504 RESOLUTION/TOWN OF SHANDAKEN

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

WHEREAS, it is the policy of the Town of Shandaken not to discriminate against any individual, person, or group on the basis of disability and the intent of the Town of Shandaken to address any complaints that may arise pursuant to Section 504,

NOW, THEREFORE, BE IT RESOLVED that the Town of Shandaken does hereby adopt by resolution internal grievance procedures (the “Procedure”), affixed to this resolution, providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

BE IT FURTHER RESOLVED, that the Town of Shandaken does hereby designate the Town Supervisor as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that the Town of Shandaken will place its employees, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the Town of Shandaken’s official newspaper, posting of notices in the Town of Shandaken’s offices and facilities, placing notices in Town of Shandaken’s publications, and/or distribution of memoranda or other written communications subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the Shandaken Town Hall for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the Town’s adopted grievance procedures.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u> X </u>	<u> </u>
BOARD MEMBER HIGLEY	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

BACKGROUND: Section 504 of the Rehabilitation Act of 1973 (the “Act”) as amended prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funded by HUD, administered by the Governor’s Office of Storm Recovery (GOSR), and under which the Town of Shandaken has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to

discrimination. The Americans with Disabilities Act of 1990 (ADA) established provisions for assuring equality of opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

SECTION 504 POLICY/COMPLIANCE: Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of the Town of Shandaken not to discriminate on the basis of disability. Towards that end, the Town of Shandaken has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined at Shandaken's Town Hall. The Town Supervisor for the Town of Shandaken has been designated to coordinate the efforts of the Town with respect to Section 504 compliance. This information can also be accessed on the Internet at the following address: http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504. The Shandaken Town Hall is located at 7209 NY Route 28, Shandaken, New York. The Section 504 Coordinator can be reached at (845) 688-7165.

GRIEVANCE PROCEDURE: Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the Town of Shandaken outlined below.

- **Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.**
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the Town of Shandaken relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Town Board of Shandaken within 15 days of receiving the Section 504 Coordinator's decision. The Board of Supervisors shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

The Town of Shandaken will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for the Town of Shandaken to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

RESOLUTION # 103-15

OFFERED BY: STORMS

BUILDING DEPARTMENT SECRETARY

WHEREAS, under §20 of the Town Law it is the duty of the Town Board to appoint all employees of the Town;

THEREFORE BE IT RESOLVED, that **Anne Ricciardella**, be appointed as Building Department Secretary at 35 hr. per week, with an hourly rate of \$10.30, not to exceed \$19,129 for the Fiscal Year 2015 and serve at the pleasure of the Planning Board, Zoning Board of Appeals, Municipal Code Officer and be accountable to the Town Board while dispensing duties of said office,

AND MOVE ITS ADOPTION

Seconded by

Resolution 106-15 **Offered By: MALLOY**

**Set Special Meeting Date to Award Highway Bid
Slope Stabilization**

WHEREAS bids were received for the Slope Stabilization Project for Silver Hollow, on August 3, 2015 at the monthly Town Board Meeting.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board set the following date to award bid for Slope Stabilization Project.

Monday August 17th at 1pm

AND MOVE ITS ADOPTION

Seconded by STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u> X </u>	<u> </u>
BOARD MEMBER HIGLEY	<u> X </u>	<u> </u>
BOARD MEMBER MALLOY	<u> X </u>	<u> </u>
BOARD MEMBER STORMS	<u> X </u>	<u> </u>
SUPERVISOR STANLEY	<u> X </u>	<u> </u>

Resolution 107-15 **Offered By: STANLEY**

**Resolution to Amend Local law Chapter 69.8 & 69.9
Dog License Fees & Impound Fees.**

Whereas, Local Law Chapter 69-8, Section2 states: “Such fees shall be reviewed by the Town Board from time to time and may be changed by a resolution of the Town Board”

Therefore be it resolved, that the fees for licensing of dogs and impoundment fees be amended as follows:

69.8 Licensing of Dogs

 C. Fees for licensing of dogs

 1. Fees

 a. The fee for a spayed or neutered dog shall be \$8.00 plus a surcharge of \$1. for the purpose of carrying out animal population control.

 b. The fee for unspayed or unneutered shall be \$14.00 plus a surcharge of \$3. for the purpose of carrying out animal population control

 c. A replacement tag fee of \$3.00 shall be charged to offset the costs associated with the provision and replacement of identification tags.

 d. Owners who are 65 of age and older, shall be charged \$1.50 plus \$1. Surcharge for dog license, for spayed/neutered or unspayed/unneutered dogs.

 e. Dogs who have been microchipped with active account, the fee for spayed/neutered shall \$6.00 plus \$1. Surcharge. The fee for unspayed/unneutered shall be \$12 plus surcharge of \$3.

Be It Further Resolved. 69.9 Seizure & Impoundment

 B. The owner may redeem the dog by producing a license for such dog and by paying a redemption fee to the Town Clerk of \$20 retrieval fee plus subsequent daily impounding fees as follows: \$10 each day for the first 5 days, and \$20 per day for the next 4 days. (or 6th through 10th day)..

AND MOVE ITS ADOPTION

Seconded by HIGLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	<u> X </u>	<u> </u>

BOARD MEMBER HIGLEY X

BOARD MEMBER MALLOY X

BOARD MEMBER STORMS X

SUPERVISOR STANLEY X

All business pertinent having been discussed, the Town Board adjourned at 8:42 on a Malloy/Higley motion.

Signed this 4th day of August, 2015

Joyce Grant, Town Clerk