

**Town of Shandaken  
County of Ulster  
State of New York  
Monday, February 10, 2014**

**The Town of Shandaken Town Board conducted their Regular Monthly Meeting, as per Resolution #2-14, on Monday February 10, 2014 at 7pm, Shandaken Town Hall, Rt. 28 Shandaken, NY.**

**Call To Order  
Pledge of Allegiance  
Roll Call**

**Members Present      Vincent Bernstein, Board Member  
                                 Alfred Higley, Jr Board Member  
                                 Tim Malloy, Board Member  
                                 Faye Storms, Board Member  
                                 Robert Stanley, Supervisor**

**Recording Secretary Joyce Grant, Town Clerk**

**On a Malloy/Higley motion the Town Board unanimously approved the minutes of the December Meeting as submitted by Town Clerk.**

**Committee Reports**

**Phoenicia Water – Al Peavy – Water system is functioning much better. The Boil Water Advisory was lifted last week..But we are on a “conserve water alert”. Next meeting @ Water Plant 2/19 6:30pm**

**NY Rising – Joan Lawrence Bauer spoke about the upcoming NY Rising Communities Meeting. Feb. 18 7pm @ Town Hall. Snow date 2/26 at 7pm.**

**Parks & Recreation – Rec’d the \$5,000 grant from Cornell Cooperative Extension for Smith Park. This will allow the trail from Pine Hill to Smith Park. Mountain Valley Little League Opening Day will be at Glenbrook Park this year.. We need Volunteers. Please call me or Sandra Stanley if you can help.**

**Cancelled due to predicted snow. -- Health Insurance Info Session will be at the Boiceville Inn, Rt. 28 Boiceville on Thursday February 13. 5-8pm. Sponsored by County Legislator John Parete & Institue for Family Health. Free to Public. For more info call 845-657-8500.**

**Comments on Resolutions:**

**Lance Hoffman – Shandaken Commented on #60-14. Plowing of Church Parking Lots by the Town is illegal, the Town can be held responsible for any damage, etc.**

**People who spoke regarding Resolution 56-14:**

**Those Opposed to the Resolution: Kathy Nolan, Lance Hoffman, Mike Wentland, Heather Roberts. Brian Roberts, Brian Powers, John Glossbohn, Cameron Williams.**

**Those In Favor of Resolution:Linda Arnold, Dakin Morehouse, Peter Fluchere, David Heick, Tom Fraser, Tom Rinaldo, Walter Otto, Joan Lawrence Bower, Janet Kugliewicz, Paul LaPierre, Joe Michaels, Harry Jameson, Ryan Lennox, Matt Gillis.**

**Board Members Malloy & Storms: wording of the resolution should be changed - and because the issue is in litigation, the resolution should be tabled.**

**Board Member Bernstein asked about the URGENT funds money – should be used to purchase new vests for our Police.**



**Town of Shandaken Town Board**  
**Regular Monthly Meeting Agenda**  
**Monday, February 10, 2014**

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
  - a. NY Rising Committee – Joan Lawrence-Bauer & Doris Nieves, Co-Chairs
7. Committee Reports:
  - a. Ambulance
  - b. Police
  - c. Phoenicia Water
  - d. Pine Hill Water
  - e. Museum
  - f. Recreation
8. Public Comments on Resolutions
9. Motions:
10. Resolutions:
  51. Pay All Bills
  52. Town Board – (Res. 13-14) Appoint Tim Malloy Deputy Supervisor
  53. Town Board – (Res. 8-14) Approve Funding for Armed Service Organizations
  54. Town Board – Advertise for Town Engineering & Planning Firm (RFP)
  55. Town Board – Set Special Meeting for RFP review
    - a. Monday, March 10, 2014 @ 1pm
  56. Town Board – Support for Rail with Trail proposal
  57. Town Board – Support Byway Management Composition
  58. Town Board – Appoint Central Cats. Collaborative members
    - a. Faye Storms, Doris Bartlett & Martie Gailes (Alternate)
  59. Town Board – Appoint Assistant Dog Control Officer
    - a. Tom Rinaldo
  60. Highway – Approve plowing of Town Churches & Firehouses
  61. Planning – Appoint Planning Board Member to vacancy
    - a. Alan Shiner – Term ends Dec. 2018
  62. Police – Release of URGENT Funds (\$1,000) to Town from County
11. Open Public Comment
12. Meeting Adjournment - *IN MEMORY OF:*  
*Donald Brokema Katherine Horn*





## Town of Shandaken

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

*"The Heart of the Park...Where the Eagle Soars"*

### **Upcoming Town Board Topics & Activity**

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

## **Month of February 2014**

**Re-org meeting:** There were a couple of questions that arose at last month's Town Board meeting. We have two resolutions to revisit from last month one will be appointing Tim Malloy as Deputy Supervisor and the other is for the release of funding for the VFW and American Legion Post. Concerning the Town's attorney, the Town will maintain the attorneys as outlined in the Resolution adopted last month. On the resolution for the Social Services Officer. This was explained in detail in a memo to the then Town Board back in October of last year, this action really entailed the HEAP program and the necessity to have someone available at a standard number during weekends and Holidays during the winter months when we receive calls for heating fuel. Chief McGrath operates a ski shop in Town and is there during the entire winter on those days. The job does fall to me by default, but without compensation. The heart of the issue comes when an emergency fuel delivery cannot be made due to fuel delivery schedules or weather. The Town in the past, on occasion, has had to provide the resident with enough fuel to help them out until a delivery can be made. The resident then reimburses the Town for the fuel. On those occasions, the Police Department collects and delivers 5-10 gallons of oil to the resident. I will retain these duties without compensation as a Town Board member cannot also be a compensated employee of the Town under State law.

**RR:** We have a resolution tonight concerning the options being discussed for the Ulster and Delaware Railroad Corridor owned by Ulster County and currently leased by the Catskill Mountain Railroad. We have reworded the original resolution to try and illustrate more clearly our intent of supporting the continued operation of a cultural tourist attraction that benefits our local tourism. We are also trying to show our support for a trail network between our communities. The resolution is requesting that both of the entities involved cease their legal actions and sit down to resolve this issue. It goes further to explain the physical degradation of the corridor as it exists today from Phoenicia to Big Indian. The corridor is not contiguous in this section and as I relayed in



several conversations over the past few weeks, that is not to say that other lands adjacent to what was the U&D corridor could not be accessed to create a linear trail between these areas, but that would take a much more detailed investigation and negotiations to procure those properties. I will also remind everyone that this is a memorializing resolution and nothing more than a request to both the entities involved. Ultimately, it is a county-owned asset and the County holds final decision on the use of any of its assets.

**Engineer & Planner:** The Town has multiple large projects coming out of several areas. Most notably the NY Rising Communities committee will have at least 5-10 large projects involving infrastructure, flood resiliency and Emergency operations. We also anticipate a few more stream projects to complete this year in addition to planned recreation projects, Local Flood Hazard analysis work, continuation of storm water projects, etc. The Highway Superintendent and I have discussed this since Irene and feel this is the most efficient way for the Town to approach this activity rather than go out individually for each and every project. This Engineer/Planner will not be responsible for any portion of the Belleayre Resort review process. The Planning Board will be taking on that issue through their own process. The successful firm has to show previous dealings within the West-of-Hudson watershed and understanding of the regulations and permitting processes of all the agencies involved in working in Shandaken. We will set a special meeting to review the applicants and depending on the number of responses may choose to select a firm at that meeting or select at a subsequent meeting.

**Scenic Byway/ Catskill Collaborative:** Part of the procedure for the continuing application for Scenic Byway status requires that the Scenic Byway establish a formal board of oversight for the Byway. The proposed resolution outlines establishing the Route 28 Municipal leaders group as that entity. This also establishes the Central Catskill Collaborative members as an Advisory Board for the proposed Byway. The resolution further states that no entity shall be required to provide funding without formal support from the individual municipalities. It requires that before any vote is taken by the Board of Directors (the Route 28 Supervisors and Mayors), each member must receive approval or denial from their individual governing boards. This forces each municipality to make public any requests from the Towns and Villages along the Byway thereby keeping the Public Informed of all Byway activities and proposals. We are trying to make it absolutely clear that this Byway will in way impede our right to Home Municipal Rule. Collaborative members will work in advisory capacity with no vote by their board making the municipality beholden to any decisions made by that committee.



**Misc.:** We have resolutions tonight to hire Tom Rinaldo of Phoenicia as the Assistant Dog Control Officer and The Planning Board, following interviews, has recommended Alan Shiner of Big Indian to their Board. We wish both of these gentlemen the best of luck in their duties with the Town. There is a resolution to allow the Highway to plow the Churches and Firehouses throughout the Town. And lastly, there is a resolution to request Ulster County release URGENT funding (\$1,000) due to the Town of Shandaken Police Department.

**Phoenicia Water:** I'd like to extend thanks to Rick Ricciardella, the Phoenicia Water Commissioner for staying on top of the recent issues within the Water District. Due to loss of flow to the springs the water system went into a drought emergency during our last two cold snaps. In the first instance earlier this month the High Street Pump Station, which has been deemed to be under the influence of surface water, had to be turned on in order to meet the water demands of the Hamlet. A boil water order was issued as a precautionary measure during the time of the High St Pump's operation and for a day or two following the shutdown of that well once water levels fell within the normal operating limits. As soon as the Phoenicia Water System was fully operational the Boil Water Order was been lifted. Currently, with the latest cold, District users are being asked to conserve water whenever possible. Rick is trying to keep the system operational without turning on the High Street pump again forcing another Boil Water Order. Please try your best to conserve water while the cold continues.

**Flood mapping:** A number of you have received letters pertaining to changes in the Flood Mapping for the Town. These letters were sent to many property owners who may have portions of their property located within the flood plain. This does not necessarily mean that your home is in the flood plain, but just to notify you of proposed changes to the flood maps. There are many homes that were not in the flood plain that now will be as portions of the streams near your home may not have been mapped before. Most notably the Stony Clove in Phoenicia was never previously mapped and the proposed maps extend the flood plain into much of the Hamlet. The Town has not adopted these maps, yet. The process to adopt these maps is lengthy and will continue over the next year. If you were not in a flood plain before, but may be under the new maps, you may be required to purchase flood insurance for your home, especially if you have a bank-held mortgage. There is a meeting slated for this Wednesday, February 5 in Woodstock to go over these changes and how it may affect you and your home. If you would like to see the proposed maps you may stop by and visit the Town Building department to check how your property is affected.

On another note, we were due rate increases as part of the Biggert-Waters Act of 2012, where the federal government was trying to change the National Flood Insurance Program so rates would be actuarial as opposed to subsidized as they are now. This Act implements rates that are sometimes 10 times higher than the current rate dependent on your location within the flood plain. The US Senate last week passed a bill which halts Biggert-Waters Act until FEMA can properly perform a feasibility study and other options in preserving the Flood Insurance Program. There is a partnering Bill in the House (HR 3370) which would also support this. I have already sent a letter to our US Congressman, Chris Gibson, asking for his support in this measure. He has responded that not only is he in support of this recognizing the impact it would have on our rural communities, but he is also co-sponsoring the House bill. Of course, it doesn't hurt to contact him or other Congressman and request their support for this measure.

**NY Rising:** Joan Bauer is here tonight to update many of you on the activities of the NY Rising committee. They will be holding a Public Outreach meeting asking residents to attend and provide input on identified projects for making our community more flood resilient. The meeting is due to take place on February 18<sup>th</sup> at 6:30 pm here at the Town Hall. All residents of Shandaken and Hardenburgh are welcome to attend.



Supervisor Report January 2014

Portion of General Tax Warrant	\$ 318,829.00
Fire District Tax Warrant (in full)	\$ 453,741.00
Pine Hill Water Dist. Tax Warrant (in full)	\$ 50,000.00
In Lieu of Taxes (Fort Shandaken)	\$ 8,518.97
U.C. Shared Services	\$ 16,630.00
Portion of Highway Tax Warrant	\$ 200,000.00
Phoenicia Water Dist.Tax Warrant	\$ 45,270.00
Police Fees	\$ 30.00
Ambulance Fees	\$ 27,267.83
Phoenicia Water Rents	\$ 1,978.59
Time Warner	\$16,647.26
Phoenicia Water Dist. Interest	\$3.41
Phoenicia Library Rent	\$300.00
Phoenicia Library Electric(reimbursement)	\$191.27
Justice Fees	\$ 13,501.00
Town Clerk Fees	\$ 87.65
Building Permit Fees	\$ 3,004.25
Dog Licenses	\$ 27.50
T/C Permits/Codes	\$ 230.00
Highway Interest	\$ 86.97
Fuel Reimbursement	\$ 24,982.57
State AID/DEC (Greenway Grant)	\$ 790.00
Total	\$1,182,117.27

TOWN OF SHANDAKEN POLICE DEPARTMENT

#64 State Route 42, P.O. Box 134  
Shandaken, New York, 12480  
845 688-9748  
Fax 845 688-5332  
Chief W.J. McGrath

January 2014 Monthly Statistical Report

Inc#	Incident Type	Number
027	Automobile Accident with an animal	1
040	Automobile Accident Personal Injury	2
045	Automobile Accident Property Damage	13
060	Animal Complaints	2
100/105	Automated Intrusion Device	7
115	Bad Check	1
130	Burglary	4
139	Check the Welfare	6
160	Criminal Mischief	1
165	Custody Dispute	3
170	Disabled Vehicle	6
180	Domestic Dispute	7
204	Fire-Brush	1
205	Fire-Structure	2
220	Found Property	1
225	Fraud	1
235	Harassment	1
250	Illegal Dumping	1
290	Larceny - Misdemeanor	4
305	Lockout	9
325	Lost Property	1
345	Medical	19
353	Mental Health	1
400	Request For Patrol	3
401	Request For Assistance	6
411	Serve Order of Protection	2
412	Security Check	9
444	Suspicious Activity	1
455	Suspicious Vehicle	1
465	Traffic Hazard	1
466	Traffic Post	1
476	Unwanted Subject	3
505	Vehicle and Traffic Complaint	7
515	Warrant Arrest	3
520	Warrant Search	1
911	E911 Abandoned Calls	6
TOTAL		138

Unit #	Odometer	Miles	Arrests/Charges/Vehicle Summons'			
83	110058	1564	Violation	9	Parking Ticket	0
84	36853	2589	Misdemeanor	7	Traffic Ticket	24
85	66869	456	Felony	2		
86	99800	1122	Warrant	1		
87	154700	780	Total Charges	19		
	Total Miles	6511	Total Arrests	10		



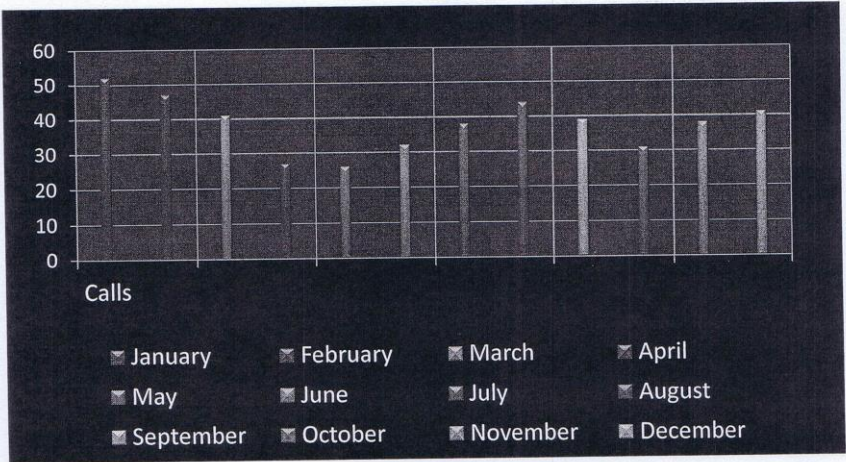
# TOWN OF SHANDAKEN AMBULANCE SERVICE



7209 STATE ROUTE 28 SHANDAKEN, NY 12480  
WWW.SHANDAKENAMBULANCE.ORG

CALL TYPE	#
TRAUMA (UNCLASSIFIED)	61
DIFFICULTY BREATHING	51
FALL	49
SYNCOPE	32
CARDIAC	31
(UNSPECIFIED) MEDICAL TRANSPORT	28
STANDBY	26
MOTOR VEHICLE ACCIDENT	25
SICK PERSON	19
HEAD INJURY	16
PSYCHIATRIC	13
OVERDOSE	9
UNABLE TO ASSEMBLE	8
CALL CANCELLED	7
STROKE	7
ABDOMINAL PAIN	6
CRITICAL (UNCLASSIFIED)	6
BLEEDING	6
PARAMEDIC ASSIST	6
SEIZURE	5
ALLERGIC REACTION	5
DIABETIC	4
MEDICAL ALARM	4
SUBSTANCE ABUSE	4
SUBSTANCE ABUSE	4
PUBLIC SERVICE	3
GOOD INTENT CALL	3
RESCUE CALL	3
STABLE (UNCLASSIFIED)	3
UNATTENDED DEATH	2
ANIMAL BITE	2
BURN	2
CHOKING	2
CARDIAC ARREST	1
WATER EMERGENCY	1
ERROR	1
ENVIRONMENTAL	1
TOTAL CALLS RECIEVED	456

**Town Of Shandaken Ambulance - Calls By Month 2013**

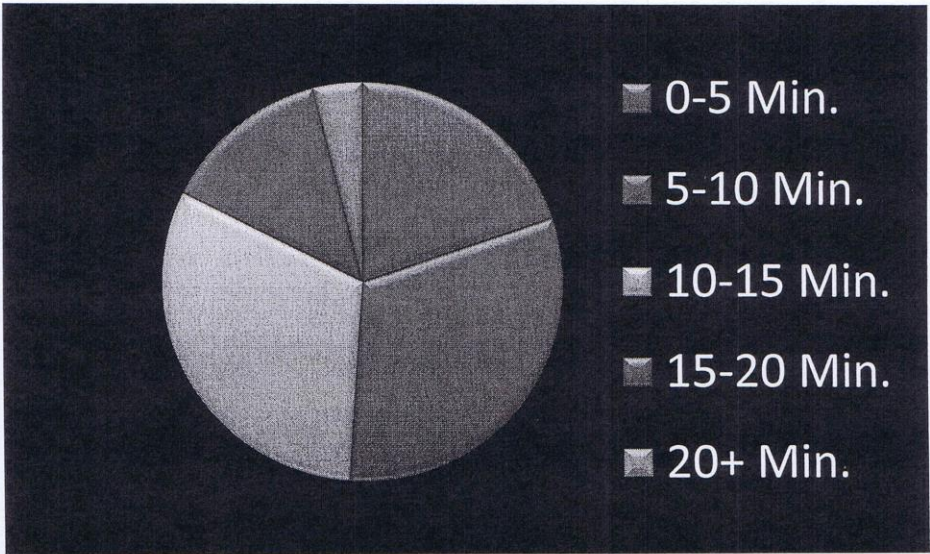


**TOTAL MILEAGE BY UNIT – 2013**

UNIT NUMBER	BEGINNING MILEAGE	ENDING MILEAGE	TOTAL
7850	54868	69060	14202
7851	60004	63052	3048
625	19656	31812	12156
626	81632	90306	8674

**Town Of Shandaken Ambulance - Average Response Time 2013**

**\*Numbers Based on Time of Dispatch to First Arriving Ambulance Unit\***





# TOWN OF SHANDAKEN AMBULANCE SERVICE



7209 STATE ROUTE 28 SHANDAKEN, NY 12480  
WWW.SHANDAKENAMBULANCE.ORG

## January 2014 Report

Total Calls received- 46

Mutual aid given- 2 ( 1- Town of Woodstock, 1- Town of Lexington )

Mutual aid received- 1 (Three simultaneous calls in the District)

With January historically being our busiest month our Ambulance Service has been working at a feverish pace, particularly on the weekends. Roughly half of our calls to service during this time of year are to the ski center, and half of those calls are for young people with head injuries.

If there is one piece of equipment that is an absolute necessity while skiing or snowboarding (well, less the skis or board) it is a helmet. As much as some incidents on the mountain are unavoidable, and knowing "Your Responsibility Code" is the first step in preventable skiing and snowboarding injuries, a properly worn, fitted, and acceptable industry standard compliant helmet will add much needed protection to your noggin' as (most) people have some rather important things in their skull. Current acceptable industry standards are ASTM F2040, Snell, or Common European Norm standards.

Another less known fact is that once a helmet is subject to a strike or force it should be replaced. Much like a child passenger safety seat a helmet that has done its job protecting you should be retired. The first step in preventable injury is education and a great website to visit is the National Ski Areas Association's "Lids on Kids" website at [www.lidsonkids.org](http://www.lidsonkids.org) – there you will find a wealth of information on helmet selection, fitment, and even some fun activities targeting the younger audience. As always any local ski shop, ski patroller, or instructor can be a valuable resource for information as well and are always there to help.

UNIT NUMBER	MILEAGE	TOTAL
7850	70753	1693
7851	63478	426
625	32854	1042
626	91292	986

Stay safe out there!

A handwritten signature in black ink, appearing to read "Richard W. Muellerleile".

Richard W. Muellerleile  
Chief, Town of Shandaken Ambulance Service





SCRIPT: Joan Lawrence-Bauer, Co-Chair  
Shandaken/Hardenburgh NYRCR Planning Committee

MEDIA: Shandaken YouTube Channel

TARGET: Visitors to Town Web Site

SCOPE: Promote NY Rising CR PM #3 – 2/18/14 (snow date 2/26)

RUN: Immediate release through 9 p.m., 2/18/14

1. Emergency preparedness is everyone’s business.
2. Melting snow and spring rains are right around the corner.
3. What will you do and where will you and your loved ones go when the water rises? Is our community ready?
4. Hello neighbors and friends.
5. I’m Joan Laurence-Bauer, a long-time resident and community activist in Shandaken and throughout the region.
6. Shandaken and our neighboring community, Hardenburgh, are teaming up to find ways we can make our towns more resilient in the face of natural disasters, and to build back better after the major storms of the last several years.
7. I hope by now you’ve heard of the NY Rising Communities Reconstruction Program. It can be the key to Shandaken and Hardenburgh receiving a total of \$6 million to make our communities stronger than ever!
8. In each NY Rising community across New York State, a group of community members and local stakeholders have been identifying ways to get the greatest bang for the buck (pause) \$6 million of them - \$3 million each for Shandaken and our neighbors in Hardenburgh!

9. I am serving as one of those stakeholders on your local planning committee, along with many others who meet at least weekly to identify potential projects for this rare funding opportunity.
10. We have asked for public input – both at the two public meetings already held on this matter, as well as through our weekly meetings, through paper and online surveys, and interviews.
11. Maybe you’ve seen surveyors and scientists walking around the town. They’re part of the consulting team that is helping us to find ways to stem rising flood waters and the threat and damage it causes.
12. But water isn’t the only thing that is rising these days. So are great ideas, and that’s where we need your help.
13. Shandaken and Hardenburgh’s 3<sup>rd</sup> public meeting may be the most important one we’ve held so far, because we’ll be reviewing *specific project ideas* that have surfaced to the top of the list many of you have helped to shape.
14. The public meeting is scheduled for Tuesday, February 18 at 7 p.m. at the Shandaken Town Hall at 7209 Rt. 28, with a snow date of February 26 at the same place and time.
15. We need you, your family, and your neighbors to attend.
16. You need to be part of the solution. With everyone’s help, we’ll all RISE UP!
17. Please join us on February 18<sup>th</sup>. Thank you.



On Thursday, February 6, 2014 10:14 AM, Phil Winchell <winch269@yahoo.com> wrote:  
02/06/2014

Town Council Members  
Shandaken Town Hall  
7209 Rt. 28, Shandaken NY 12480

Dear Council Member,

A Shandaken business, in operation for 31 years, is under attack by Ulster County officials who have spent hundreds of thousands of taxpayer dollars trying to break a lease two years before it is due to expire. The Catskill Mountain Railroad has delivered 10,000 people a year to the Town of Shandaken and 14,500 a year to Ulster County, creating a tourist dollar spin off of at least \$1.3 million, 19 jobs, and \$44,000 in Ulster County sales taxes. This has been done on the backs of a 100% volunteer workforce who donate all of their time to run and repair the railroad.

Though the railroad has won its court battles and posted bonds for future performance, the attack continues. County officials want to tear up the tracks for all but 5 miles of the railroad and replace them with a hiking trail. While they say they will leave the tracks in the Phoenicia area, they know it is not economically feasible to run a railroad with just 5 miles of track that does not connect to the incredible scenery of the Ashokan Reservoir, which the county wants to reserve only for trail users. If the rails are pulled up in the rest of the county, Shandaken loses its railroad too. The county has said they'll find other operators after they put CMRR out of business. But no other operator willing to do this has been identified, because there are none, unless the County is willing to subsidize them to the tune of \$250,000 per year, similar to the D&URR.

Numerous studies have shown that the best option for the future is a "rail WITH trail" option that keeps the railroad in place and running; and adds a trail component adjacent to the rails. If you have not seen those studies, you owe it to yourself, and to Shandaken taxpayers, to review them.

At the next town board meeting, you will be asked to vote on a resolution that supports the rail with trail option, and to stop bleeding the CMRR to death through unnecessary litigation. As a supporter of the Catskill Mountain Railroad, I believe that the proposed Rail WITH Trail proposal is the one which will be best for the economy of the town of Shandaken and ultimately Ulster County. I believe we can do both rail with trail in the Ulster and Delaware rail corridor and urge you to vote in favor of this resolution when it comes up.

Sincerely,

Phil Winchell  
18 Church Street  
Phoenicia NY  
12464

**Robert A. Stanley**

Supervisor, Town of Shandaken  
Shandaken Town Hall  
PO Box 134  
Shandaken, NY 12480  
Phone: 845.688.7165  
Fax: 845.688.7392

On Sunday, February 9, 2014 7:57 PM, jamie myers <jayme877@msn.com> wrote:  
To Shandaken Town Board:

This letter is written on behalf of the Fats in the Cats Bicycle Club based out of the Catskill Region/Kingston NY. The Catskill Mountain Rail Trail Plan is an exciting opportunity not just for cyclists and other users, but more importantly for the Catskill Mountain Region. The Project will bring money to struggling towns, create new outdoor opportunities, and bring communities together. Our members live, work and recreate throughout the Hudson Valley and Catskill region and a multi-use trail in the Route 28 corridor would dramatically expand and improve the recreational potential of this area.

Please, when going through the initial planning steps in this process, be mindful of the information presented. Our understanding is that there has been some recent misinformation passed about. As far as we can tell, public opinion is in favor of a multi-use trail option, not a rail ride. Look no further than the Rosendale Trestle and the Walkway over the Hudson to see how much these types of attractions can draw people to a location. Shandaken and the surrounding communities can only see increased tourism through all seasons and an economic benefit is a near certainty.

Also remember that endorsement and funding from the NYCDEP is earmarked for a rail option only, not a rail ride. Ulster County is committed to a rail ride from Phoenicia to Boiceville, so another in the Shandaken area seems like overkill, goes against public opinion and cuts out a majority of funding available from DEP. A rail with trail option is economically unfeasible and there simply is not a demand for that type of use. Expanding the rail trail network into the Catskills dramatically increases the attractiveness of the region and will certainly increase economic opportunities for regional businesses, much of which will center around Shandaken.

Sincerely,

The Board of Fats in the Cats Bicycle Club

February 10, 2014

Supervisor Rob Stanley and Members of the Shandaken Town Board  
Shandaken Town Hall  
7209 State Route 28  
Shandaken NY 12480

**RE: Shandaken Town Board Resolution 56-14**

Dear Supervisor Stanley and Members of the Shandaken Town Board:

The Friends of the Catskill Mountain Rail Trail is a grassroots association of Ulster County residents, including residents of Shandaken, formed to help construct, promote and maintain trails in Ulster County and in particular, a unique and spectacular multiuse trail in the Ulster & Delaware Corridor. We have reviewed Shandaken Town Board Resolution #56-14 (both the original version, posted on the Town's website on January 30, 2014, and the revised version, posted February 6, 2014). We understand the Town's desire to assist the Catskill Mountain Railroad Company, Inc. and to participate constructively in Ulster County's planning in regard to sections of the U&D Corridor located in Shandaken, yet we do not believe that the current resolution is likely to achieve those goals. We therefore wish to make the following comments.

Please make an informed decision. The Town of Shandaken has not yet invited representatives from Ulster County and trail advocates to come and present to the Board and the Shandaken community. The best use of this County-owned asset has been researched and seriously considered by County planners. We want our neighbors and town officials to know the facts relevant to the U&D corridor. We want any resolution passed by the Town Board in support of rail and trail proposals to reflect the opinion of a well-informed constituency.

There are recent professional studies on economic impact and the feasibility of rail with trail. Relevant information is available on the County's website ([www.ulstercountyny.gov/planning/trail-trail-project](http://www.ulstercountyny.gov/planning/trail-trail-project)) and our website, hosted by Friends of the Catskill Mountain Rail Trail ([www.catskillmountainrailtrail.org](http://www.catskillmountainrailtrail.org)). We hope this



important information will be thoroughly considered by all residents and town officials as they decide what is best for Shandaken.

Shandaken stands to benefit more than most communities from Ulster County's plan for a tourist railroad and a trail. Portions of the 7-mile section of the corridor between Boiceville and Phoenicia have been identified in a professional planning study as one of the few feasible opportunities for side-by-side rail with trail in the entire U&D corridor. With Ulster County's commitment to bolster the railroad between Phoenicia and Boiceville, a town-wide survey expressing the Shandaken community's clear wish for accessible walking and biking experiences and access to the Esopus Creek, and studies forecasting a huge boost in tourism from a long trail, **Shandaken can realize the best of both worlds.**

Resolution #56-14 asserts, without substantiation, that the corridor west of Phoenicia is too damaged for either rail or trail. In fact, this section has been identified as a trail opportunity site in multiple planning documents (Alta, 2006; Alta, 2008; Shandaken Parks & Recreation Master Plan, 2013), and there have been multiple Shandaken residents and other potential trail users chomping at the bit for almost a decade to build just such a trail, held back only by the railroad company's opposition.

Both the original and the revised resolution are based on the continued operation of the CMRR Company Inc. in areas outside of Shandaken. There are many reasons that rail with trail along the entire narrow single track U&D corridor **will not work** -- starting with an enormous, cost-prohibitive price tag. These reasons are outlined in our attached "Frequently Asked Questions" about the U&D Rail Trail and explained thoroughly by professional planners in documents available on the Ulster County website and on the Friends of the Catskill Mountain Rail Trail website. Insisting on a side-by-side rail with trail over the entire corridor between Kingston and Phoenicia will leave us with no trail, a struggling, intermittent rail ride and no additional benefits to Shandaken.

In addition, going back nearly a decade, the New York City Department of Environmental Protection (DEP) has stated publicly that, because of numerous environmental and logistical issues, they would permit either rail or trail, but not both, on the section of the U&D Corridor crossing their lands (Alta 2006). In a landmark announcement in December 2013, DEP endorsed building an 11.5-mile trail along the reservoir. They pledged \$2.5 million for trail construction, an additional \$1 million for at least three automobile trailhead access points (with parking, bathrooms, kiosks, and other amenities); a dedicated bike/pedestrian lane on the upcoming bridge replacement over the dividing weir; help with future funding applications; and joint marketing to New York City water customers.

The DEP has specified that **this money cannot be used for train purposes – it is for trail only**. This commitment will open the north shore of the Ashokan lands to permit-free recreational access by Ulster County residents and taxpayers for the first time in generations! It will create a stellar tourist attraction that can feed visitors right to Shandaken's door. The resolution as presently worded completely ignores this development and the economic opportunities it will create for Shandaken and neighboring communities. It does so in favor of vague language supporting current operations and possible expansion of CMRR operations in the eastern section of the corridor, where New York State, through its Environmental Protection Fund, has also targeted \$2 million in funding for **trail-only development** and where \$2.3 million was recently awarded to the City of Kingston's "Kingston Connectivity Project" by NYS Regional Economic Development Council in December, 2013. There is no need to pass a resolution that sets Shandaken in opposition to more than \$7 million in recent funding commitments for portions of the U&D Corridor east of Shandaken's borders.

This resolution also appears to take the side of the CMRR Company Inc. in regard its conflict with Ulster County over the CMRR's current lease, placing the responsibility for difficulties with negotiations and an existing lawsuit squarely on the County. In fact, Ulster County did not sue the CMRR; the CMRR sued the county. Moreover, the County has made multiple efforts to negotiate a resolution of numerous significant lease issues



and arrive at a long-term solution with the CMRR, especially prior to CMRR’s filing of their lawsuit.

Ulster County is interested in turning the corridor into a real, well-used asset that generates tourist dollars and improves the quality of life for locals, and doing this within the foreseeable future. The resolution as worded puts Shandaken in opposition to Ulster County and pushes for an approach that may well leave Shandaken without a County partner for trail development and its needed economic, recreational, and health benefits. Why alienate County officials and fuel the conflicts that the proposed resolution suggests ought be resolved? We urge the Shandaken Town Board to gather facts and work with officials of both Ulster County & the CMRR Company, Inc. in order to capitalize on the opportunities that Shandaken deserves and stands to benefit from uniquely.

We appreciate this opportunity to comment on Resolution #56-14 and offer our assistance with future educational and outreach activities that Shandaken may choose to undertake on this issue.

Sincerely,  
Kevin Smith  
Kathy Nolan

Co-Chairs  
Friends of the Catskill Mountain Rail Trail  
[FOCMRT@gmail.com](mailto:FOCMRT@gmail.com)

- Attachments:
- Ulster County’s U&D Corridor Rail Trail: Frequently Asked Questions
  - Catskill Mountain Rail Trail: Economic Impacts (Highlights)
  - Press Release: ... Historic Agreement with New York City to Develop Rail Trail along the Ashokan Reservoir

**Town of Shandaken**  
**Parks and Recreation Board**

February 10, 2014

Dear Supervisor Stanley:

Shandaken Parks and Recreation Board would like to express its support for Resolution 56-14.

In 2012, The Parks and Recreation Board conducted a town-wide survey by mail to gauge our residents' priorities concerning recreational activities and facilities. The survey process generated 280 responses, a 12% return. 67% of respondents ranked improving walking/hiking trails as very important.

As the Town Board is well aware, Shandaken has extensive State-owned lands. Including the Big Indian Wilderness, West Kill Wilderness, Slide Mountain Wilderness, Mt. Tobia Wild Forest and Shandaken Wild Forest. All Wilderness and Wild Forest properties have foot trails, lean-tos, and parking lots. However, many of these trails are physically challenging for the very young and for seniors.

The rail ride offers a unique venue for exploring the natural beauty of our region for those who may not be able to participate in more strenuous hikes. The presence of the Catskill Mountain Railroad's Esopus line is included as an asset in the Town of Shandaken Parks and Recreation Comprehensive Plan. The Phoenicia Station is the home to the Empire State Railway museum, housing a small gift shop, model train displays, and historic photos and artifacts from the Ulster and Delaware Railroad.

The development of rails *with* trails serves all of our population. Resolution 56-14 seeks to foster and extend an important recreational opportunity--tourist rail rides in the town--while enhancing hiking options.

The Parks and Recreation Board's conclusion is that the Town needs to retain both of these critically important assets, namely, the railroad as well as its potential trail network. We view the extension of rail service and the addition of a trail to the rail as complimentary. This option builds upon the variety of recreational opportunities for the full spectrum of residents and visitors to our town.

Sincerely,  
  
Martie Gailles, Chair  
Parks & Recreation Board



# Catskill Mountain Rail Trail

## Frequently Asked Questions

**Q: What is the Catskill Mountain Rail Trail (CMRT)?**

**A:** A proposed scenic and recreational trail along the former Ulster and Delaware (U&D) rail corridor from Kingston along the Ashokan Reservoir to Belleayre ski center. It will ultimately link the Walkway over the Hudson to the Catskill Park, through a rail-trail hub in Kingston.

**Project objectives:**

Create a beautiful and safe linear park

- Open to the public during all four seasons
- For walkers, bicyclists, and all who seek to achieve a healthy lifestyle
- For recreation and as an alternative transportation route
- Accessible to persons with disabilities and the elderly

Connect Kingston neighborhoods, via a car-free route, to key destinations within city limits and to the Catskill Park and Ashokan Reservoir

Expand tourism in Ulster County and the Hudson Valley region

Create regional linkage and economic activity in communities along:

- the Catskill Mountain Rail Trail
- the Hurley/ O&W Rail Trail
- the Wallkill Valley Rail Trail
- the Walkway over the Hudson

**Q: Why promote and build the CMRT?**

**A:** For recreational, economic, and health benefits as well as alternative transportation options and land use protection.

**Recreational benefits:** The rail trail will offer free, safe, year-round opportunities for walkers, runners, cyclists, roller-bladers, snowshoers, cross-country skiers, dog owners, equestrians, etc, of all ages, skill levels and abilities, to experience the scenic beauty of Catskill Park and northern Ulster County. In June, 2013, the New York-New Jersey Trail Conference released a study carried

- In 1979, Ulster County purchased 38.6 miles of the corridor – from the City of Kingston to Delaware County line.

**Q: Isn't there a tourist railroad operating on the U&D rail corridor?**

**A:** YES, along approximately 8 of the 40 miles

- Ulster County signed a 25-year lease with Catskill Mountain Railroad Company (CMRRC) inc. in 1991 for tourism railroad operations.
- CMRRC inc. is a for-profit, part-time, tourist railroad that operates on a 6 mile segment of the track between Phoenicia and Boiceville, and a 2 mile segment in Kingston.
- The remaining 32 miles of the rail corridor between Kingston and the Delaware County line have been out of commission for decades.
- According to a 2013 letter from the county comptroller, CMRRC inc. has not upheld their portion of the lease.

**Q: Will the tourist railroad be able to continue its operations?**

**A:** YES

In a segmented approach, with the railroad continuing their current operations on the 6-7 mile segment between Phoenicia and Boiceville, where the Catskill Mountain Railroad has three quarters of its current annual ridership.

**Q: Why not build "rail-with-trail" from Kingston to the Ashokan Reservoir?**

**A:** Ulster County Planning Department performed an engineering study that showed that the corridor is too narrow to house both rail and trail in many places and in others would require the trail to cover difficult and steep terrain. This study was independently reviewed by the National Parks Department and New York Parks and Trails.

Rail-with-trail poses prohibitive issues:

- Dramatically increases cost of project by requiring extensive engineering, clearing and construction
- Creates conflicts with adjacent homes and businesses, since in many areas the trail would need to be widened into their land
- Poses significant safety and liability issues as it causes the trail to cross the rail in places and forces the trail onto streets in others
- Undermines the quality of the trail & decreases the recreational uses and attractiveness of trail, especially for people with disabilities.
- Jeopardizes needed funding and agreements with outside stakeholders (e.g., NYC DEP)



## Catskill Mountain Rail Trail

### *Economic Impacts*

From the Study conducted by Camoin Assoc., June 2013

Here's what the experts say: the Catskill Mountain Rail Trail will deliver...

- **140-thousand users every year**
- 23% will be new visitors from outside Ulster County – that's almost **32-thousand new consumers** every year
- Direct new spending of more than \$2 million
- Plus another 1.1 million dollars of indirect or "spill-over" spending
- 44 new jobs, with \$1.1 million in new wages
- Total new spending in excess of \$3.1 million.
- Total new tax revenue to Ulster County of \$111,844.

But this is only part of the story. The true picture may well be much bigger than this. Here's why:

The Study was prepared by Camoin Associates, Saratoga, NY. They have a superb reputation, and they pride themselves on **using conservative estimates**. For instance, Camoin was chosen to do the economic feasibility study for the Walkway Over the Hudson. Their "Walkway" study cautiously predicted annual usage for the walkway trail to be in the vicinity of 250, 000. The actual figures were approximately 1 Million in its opening year, and now holding steady at approximately 750,000 yearly visitors – **three times** Camoin's conservative estimate.

- Total Ulster County tax revenue benefit ---\$111,844.
- Property values and sales are expected to be positively impacted.

Like good schools, rail trails, with their potential for safe, affordable family recreation attract home buyers. Senior citizens, families with young children, persons with disabilities, teenagers, and citizens interested in alternative transportation all have reasons to find the gentle grades, safety, and accessibility of the CMRT appealing.

Studies show that public trails and parks have a positive impact on the property values of near-by homes. A study on the Massachusetts Minuteman bikeway showed that homes along the bikeway sold an average of three weeks faster and came closer to asking price. In Ohio another study found that homeowners were willing to pay \$9,000 extra to be located one thousand feet closer to the trail. A study about housing preferences found that baby boomers cited **access to walking or jogging trails as the most important factor** when considering retirement locations.

- With the opening of the CMRT local tourism can expect to get a big boost. Even in cases where the trail is not the primary impetus for a visit, it provides another major attraction and heightens the appeal of a trip to the Hudson Valley and Catskill Park. Our hiking trails are wonderful, but they are not for everyone. Many of our visitors would like an outdoor experience, but don't have the stamina or experience to tackle our more strenuous mountain hikes. It is well documented that extra "things to do" translate to longer stays, more return visits and more dollars spent in the local economies.
- Demand for outdoor event venues is rapidly growing. The CMRT can host major and minor events each year, becoming a State and nation-wide draw...especially with its proximity to major northeast population centers like Boston, Albany, and New York City.

**Conservative estimates** suggest a minimum of 3 major, 6 medium and 18 minor events are likely every year.

Think, triathlons, running races, horse events, mountain biking events, charity walks, community gatherings, etc, etc.

Many event promoters and race management professionals look for trail networks of at least 40 miles that are both safe and accessible. The proposed CMRT promises all that-- and the beautiful Catskills.

- While the study does not specifically address the potential for new businesses connected to the rail trail, experience with the Walkway success and many other trails in our area, assures new businesses in retail, service, and food industries will surely follow.



ULSTER COUNTY EXECUTIVE MIKE HEIN ANNOUNCES HISTORIC AGREEMENT WITH NEW YORK CITY TO DEVELOP RAIL TRAIL ALONG ASHOKAN RESERVOIR

Posted on: December 12th, 2013  
Contact: News@co.ulster.ny.us  
(845) 340-3800

Along with unprecedented access to Ashokan Reservoir Lands, the County Executive secured a commitment of \$2.5 million from NYC DEP to make the Ulster County Rail Trail Project a reality.

Kingston, NY – Ulster County Executive Mike Hein announced a landmark agreement in principle between Ulster County and the New York City Department of Environmental Protection supporting the development of the *Ulster County Rail Trail Project* along the northern shores of the Ashokan Reservoir. The County Executive was joined by NYC DEP Commissioner Carter Strickland for the announcement which establishes a framework between Ulster County and DEP to facilitate and fund the conversion of a portion of the County-owned Ulster & Delaware Railroad (U&D) corridor into a multi-use recreational rail trail open for public use year round without permits or fees. Additionally, this concept is designed to concentrate and strengthen the historic railroad experience west of the Ashokan. The agreement covers the 11.54 miles of corridor that crosses NYC DEP lands from Basin Road in West Hurley and westward to Boiceville in the Town of Olive.

"The people of Ulster County deserve the best of both worlds. A world class inter-connected Rail Trail System from the breathtaking Ashokan Reservoir to the wildly popular *Walkway over the Hudson* and beyond as well as a well maintained historic tourism railroad attraction west of the Ashokan. Today the people of Ulster County take a major step towards the best of both worlds," said County Executive Hein. "Today's agreement with the NYC DEP lays the groundwork to allow everyone unimpeded access to the breathtaking views along the entire north shore of the Ashokan Reservoir from the trail, without permit or fee for the first time since the reservoir was constructed more than a century ago, and ensures that this incredible recreational resource can be enjoyed by future generations," noted County Executive Hein. "Ulster County is committed to expanding and connecting the current rail trail network throughout the County. NYC's commitment to trail development along the Ashokan Reservoir is a key advancement towards this goal, which will provide an unprecedented boost to the \$475 million tourism sector of Ulster County's economy."

"There is certainly a complex interaction between the people of Ulster County and the government of New York City. On the one hand, our proximity to one of the greatest cities in the world provides the people of Ulster County tremendous resources; but on the other, there are longstanding, pointed and very public disagreements, including the FAD and Consent Order, in which we will continue to aggressively advocate for change," continued County Executive Hein. "I am pleased that even though we continue to differ on certain issues, Ulster County and the NYC DEP have found important common ground on this project which will benefit both the people of Ulster County as well as all New Yorkers for generations to come."

The agreement in principle will form the basis of a formal inter-municipal agreement regarding the development of the *Ulster County Rail Trail Project* as outlined in the following provisions:

- NYC DEP will contribute \$2.5 million towards the County's planning, design and construction of the *Ulster County Rail Trail Project* along NYC DEP lands along the Ashokan Reservoir and support additional grant funding as the project advances.
- Both parties support the conversion of the Ulster & Delaware corridor along NYC DEP lands into a public recreational trail extending from Basin Road in West Hurley to Boiceville, and recognize the significant economic, environmental, public health, and quality of life benefits to the residents and businesses of Ulster County and New York City.
- In addition to the \$2.5 million commitment, which DEP advises can only be used to build the trail, NYC DEP will design, construct, maintain and operate multiple public access points, or trailheads, along the trail with parking and trail support facilities.
- Ulster County will design, construct and maintain the rail trail.
- There will be a joint marketing effort to promote the trail to Ulster County residents as well as residents and visitors to the New York City metropolitan area.



In addition to the major provisions outlined in the agreement, NYC DEP will also improve non-motorized access to the Reservoir area by providing space for pedestrian and bicycle use of the dividing weir bridge at the Ashokan Reservoir in the upcoming reconstruction project. The entire rail trail will also be available for community organizations to use for events like charity walks and runs.

"As a railroad enthusiast and former Senior Legislative member of the Railroad Advisory Board it has become clear to me that the County Executive's segmented plan is in the best interest of the people of Ulster County, as well as the long term success of historic railroad tourism in Ulster County and is the perfect way for rail trails and railroads to co-exist... and so I enthusiastically support this plan as well as today's announcement," stated Ulster County Legislator Wayne Harris.

The *Ulster County Rail Trail Project* as proposed by County Executive Mike Hein in his 2013 Executive Budget calls for the conversion of a portion of the County-owned U&D corridor into a multi-use recreational trail, allowing for walking, running, biking, cross country skiing, snow shoeing and other non-motorized uses, as well as dogs on leashes. The County Executive's proposal also included the continuation and enhancement of tourism railroad operations along the U&D west of the Ashokan Reservoir, highlighting that railroad and trail uses are to be accommodated in a *segmented* manner to maximize public use and benefit of the County's corridor. The proposed plan would convert the single-track U&D corridor from Kingston to Boiceville to a recreational trail, including the lands along the Ashokan Reservoir. The County Executive's vision for the *Ulster County Rail Trail Project* previously attracted a \$2 million New York State Environmental Protection Fund grant, which was included by Governor Andrew Cuomo in the 2013-2014 New York State Budget.

RESOLUTION # 51-14

OFFERED BY: BERNSTEIN

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	\$ 93,357.69
Highway	113,437.67
Phoenicia Water	9,736.09
Pine Hill Water	2,369.86



Phoenicia Lights	1,091.10
Chichester Lights	149.39
Pine Hill Lights	610.12

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY  
**ROLL CALL: 5 AYES**

**RESOLUTION # 52-14 (13-14)** **OFFERED BY: STANLEY**  
**DEPUTY SUPERVISOR**

**WHEREAS**, under § 42 of the Town Law, the Town Board may create the post of Deputy Supervisor;  
**THEREFORE BE IT RESOLVED**, that the Town Board approve the appointment of **Tim Malloy** to act as Deputy Supervisor, in the absence of the supervisor, without compensation, for the year 2014.

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY  
**ROLL CALL: 4 AYES, 1 RECUSE (MALLOY)**

**RESOLUTION # 53-14 (8-14)** **OFFERED BY: MALLOY**  
**AMERICAN LEGION AND VETERANS OF FOREIGN WARS**

**WHEREAS**, the annual budget approved by the Town Board provides monies for Patriotic Observances and Veteran's Organizations; and  
**WHEREAS**, it has been the procedure to pay this money to the **American Legion and Veterans of Foreign Wars**, for said purposes; therefore be it  
**RESOLVED**, that the sum of \$1,250.00 each be and hereby is appropriated for Rent of Rooms and Patriotic Observances for each of the organizations for the year 2014.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY  
**ROLL CALL: 3 AYES, 2 RECUSE (BERNSTEIN, MALLOY) Members of Post #950**

**RESOLUTION # 54-14** **OFFERED BY HIGLEY**  
**RESOLUTION ADVERTISING FOR TOWN ENGINEERING AND PLANNING FIRMS**

**WHEREAS**, the Town of Shandaken is in need of assistance in developing and reviewing multiple plans and data in several areas including, but not limited to: FEMA funded projects, NY Rising projects, storm-water projects, water system upgrades for two municipal districts, and assisting the Town Planning and Recreation Boards in their planning activities when requested;  
**THEREFORE BE IT RESOLVED** that the Town of Shandaken advertise for an Engineering and Planning firm to assist the Town in these endeavors and make submissions to the Town containing all necessary information outlined in the Request For Proposal (RFP) attached to this resolution; and  
**BE IT FURTHER RESOLVED**, that any bid proposals be received no later than 12pm on Monday, March 10, 2014 in the Town of Shandaken Town Clerk’s Office, 7209 Rte 28, Shandaken, NY 12480. Bids should be clearly marked “E&P BID Proposal” on the outside of the sealed bid proposal. The Town will hold a Special Town Board meeting on Monday, March 10, 2014 at 1pm in the Shandaken Town Hall (7209 Rte. 28,



Shandaken, NY 12480) to review the proposals and will notify the successful firm when selected. The Town of Shandaken reserves the right to reject any and all bids.

## **AND MOVES ITS ADOPTION**

### **ROLL CALL: 4 AYES, 1 NAY (BERNSTEIN)**

#### **Project Description and Preliminary Scope of Work**

The Town of Shandaken is soliciting proposals from qualified engineering and planning firms for assistance in the following:

##### **Project Description**

Assist the Town of Shandaken in multiple existing and forthcoming projects and future unidentified projects involving planning, engineering and construction components.

##### **Completion Date**

Work will be evaluated annually and reappointment will be at the discretion of the Town.

#### **Scope of Work**

Professional services required are likely to include:

- Assist Town with identified and future FEMA projects
- Assist NY Rising Committee on identified projects
- Assist Shandaken Flood Group (SAFARI) on identified Flood Mitigation Projects and Ordinances
- Assist Town Planning Board with review and possible revisions to existing Town Code
- Assist Town Planning Board with review and possible revisions to existing Comprehensive Plan
- Survey work including land elevations
- Detailed Construction plans illustrating depths, lengths and materials needed
- Detailed estimates of costs for both materials and construction

**Other:** The successful firm **must** have familiarity with HEC-RAS modeling, GIS mapping, Flood Insurance Issues (FEMA, NFIP, CRS, mapping) and previous experience with the NYS DEC, NYC DEP, Army Corps of Engineers, USDA-NRCS.

## **Submittal Content**

The proposal must be organized in sections containing the following information:

- **Description of Firm.** Describe your firm's legal structure, areas of expertise, length of time in business, number of employees, and other information that would help to characterize the firm. Provide the address of the main office (for legal purposes) and the address of the office that will manage the project.
- **Experience.** Briefly describe other projects executed by your firm that demonstrate relevant experience; however, extensive descriptions of vaguely related projects are discouraged. Also list all public sector clients for whom you have performed similar work in the past five years. Please highlight projects illustrating work within the Catskill Forest Preserve and the New York City West-of Hudson Watershed. For each project mentioned, include the name, address and phone number of a person who can be contacted regarding your performance on the project. When submitting projects for which your firm worked in an auxiliary capacity or in a joint venture or partnership, include the name and address of the lead firm as well as the name and addresses of the other firms with which you worked.
- **Personnel.** Provide a professional resume for the key people proposed to be assigned to the project (including any important sub-consultants), and describe relevant related experience. Describe key personnel's proposed roles and responsibilities on this project. Submittals must identify a proposed project manager, who would be responsible for the day-to-day management of project tasks and would be the primary point of contact with your firm. An organization chart of the project team may be appropriate but not required.
- **Costs.** Provide a schedule of the hourly rate of each person who would be working on this project and set forth a detailed description of any other costs, disbursements and expenses that would be charged to the town by the firm.



- **Project Approach.** Describe the tasks that must be accomplished to complete the project. Provide a narrative description of how the firm proposes to execute the tasks. If applicable, discuss any unique aspects of the project, alternate approaches the Town of Shandaken might wish to consider, or special considerations related to programmatic/ funding requirements. Your firm should rely on its expertise and experience with similar projects to demonstrate how it will effectively complete the project.
- **Project Schedule.** Provide a schedule of past general projects and activities indicating the duration of each activity and of the total project, including a schedule of Personnel assigned to project. The schedules should reflect actual activity durations.

Brochures or other material that may be helpful in evaluating your firm may be included in an appendix of the proposal.

## **Additional Information**

Questions regarding the project may be directed to Supervisor Robert A. Stanley at:

Town of Shandaken  
P.O. Box 134, Shandaken, New York 12480  
(845) 688 – 7165  
shandakensupervisor@yahoo.com

The following may be requested from, or viewed at, Town offices at 7209 Rte. 28, Shandaken, NY 12480,

- Town Map
- Town Zoning Maps
- Town Flood Maps (including new preliminary maps)
- Town Infrastructure Maps (including water districts)
- Town Codes
- Other pertinent material (as requested)

## **Submittal Deadline**

Seven copies of the proposal must be received no later than 12:00 p.m. on February 26, 2014 at the Town Clerk's Office, Town of Shandaken, 7209 Rte. 28, Shandaken, NY 12480. Proposals received after the deadline will not be considered.

## **Selection Process**

Proposals will be ranked based on the factors set forth below and the Town of Shandaken Town Board, in its discretion, may choose to interview several of the top ranked firms or it may reject all of the applicants. However, at its discretion, the Town of Shandaken may dispense with interviews and select a firm to perform the work. Firms will be evaluated on the basis of the following factors:

- Firm History and Capability to Perform Project
- Relevant Project Experience
- Qualifications of Project Team
- Familiarity with Area and Project
- Project Approach and Schedule
- References
- Cost Proposal
- Responsibility/capability to complete the work as required

A selection committee appointed by the Town of Shandaken will assist with firm evaluations and make recommendations to the Town Board of Shandaken who will make the final selection. The Town of Shandaken expects to evaluate proposals at a Special Town Board meeting scheduled for 1:00pm on Wednesday, February 26, 2014 and in due course, will provide written notification to the awarded firm. The Town of Shandaken reserves the right to reject any and all proposals.



## **Equal Opportunity/ Affirmative Action Employer**

All qualified applicants will receive consideration without regard to race, color, religion, creed, sex, age, or national origin.

### **RESOLUTION # 55-14**

**OFFERED BY STORMS**

#### **RESOLUTION ESTABLISHING TOWN BOARD SPECIAL MEETING**

**WHEREAS**, the Town of Shandaken needs to conduct certain Town business in a timely fashion concerning a Request For Proposals advertising for a Town Engineering and Planning firm;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board will conduct a Special Meeting at **1 pm on Monday, March 10, 2014** for the purpose of conducting business related to review and hiring of a Town Engineering and Planning firm,

#### **AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL: 4 AYES, 1 NAY (BERNSTEIN)**

### **RESOLUTION #56-14**

**OFFERED BY BERNSTEIN**

#### **RESOLUTION CONCERNING DEVELOPMENT AND USE OF THE ULSTER COUNTY OWNED ULSTER AND DELAWARE RAILROAD RIGHT-OF-WAY**

**WHEREAS**, the County of Ulster, New York State, owns 38.61 miles of the former Ulster & Delaware (U&D) railroad right-of-way extending from the City of Kingston westward to the Delaware County border at Highmount near Belleayre Mountain Ski Center, of which nearly sixteen (16) miles are located in the Town of Shandaken; and

**WHEREAS**, the Catskill Mountain Railroad (CMRR) holds a lease with Ulster County for the U & D railroad corridor that expires in 2016; and

**WHEREAS**, continuing legal battles between these entities increases costs for both a local tourist attraction and the County of Ulster, whose funds are provided by the taxpayers of Ulster County, and accomplishes nothing but exacerbates a relationship between two entities who should be working toward a common goal beneficial for all the parties involved, most notably the taxpayers and residents of the County of Ulster and Town of Shandaken; and

**WHEREAS**, the Town of Shandaken supports the existing operations of the CMRR and recognizes the economic benefits it currently provides for our local community, the Town of Shandaken Town Board desires that the existing railroad operations from Phoenicia to Boiceville be allowed to continue or be expanded in order to reach their maximum economic potential for the Town of Shandaken; and

**WHEREAS**, the Town of Shandaken also recognizes the potential economic and health benefits of a proposal for cooperative use of the corridor as rail with trail corridor thereby increasing the accessibility, use and economic benefits of the corridor; and



**WHEREAS**, trail construction could be accomplished parallel to the railroad tracks, or constructed atop the railroad tracks in areas where railroad activity is not anticipated over the next five years without removing railroad infrastructure; and

**WHEREAS**, the Delaware & Ulster Railroad (DURR), located in Arkville, Delaware County, New York State has expressed interest in re-establishing and extending its operations east into Ulster County;

**THEREFORE, BE IT RESOLVED** that the Town of Shandaken requests that all involved parties immediately cease their legal efforts and sincerely enter into discussions to work out a solution agreeable for all parties involved, including the taxpayers of the Town of Shandaken and County of Ulster; and

**BE IT FURTHER RESOLVED** that the Town of Shandaken requests that Ulster County representatives work to ensure continuing operations of current tourism railroad activities, especially from Phoenicia to Boiceville; and

**BE IT FURTHER RESOLVED** that the Town of Shandaken additionally requests that Ulster County representatives work cooperatively with the DURR to extend its operations to Big Indian, Ulster County, New York; and

**BE IT YET FURTHER RESOLVED** that a copy of this resolution be sent to the following: Honorable Governor Andrew Cuomo, United States Senators Charles Schumer and Kirsten Gillibrand, United States Representative Chris Gibson; New York State Senate Majority Leader Dean Skelos and New York State Senators James Seward, John Bonacic, William J. Larkin and Cecelia Tkaczyk; New York State Assembly Speaker Sheldon Silver and New York State Assembly Members Kevin Cahill, Claudia Tenney, Frank K. Skartados and Peter Lopez; Ulster County Legislative Chair John Parete And the Ulster County Legislature; Ulster County Executive Michael P. Hein; the Ulster County Railroad Advisory Committee; the Ulster County Trails Advisory Committee; the Town of Hurley Town Board; the Town of Olive Town Board; the Town of Ulster Town Board; the City of Kingston City Council; the Town of Middletown (Delaware County) Town Board

#### **AND MOVES ITS ADOPTION**

Seconded by: HIGLEY

**ROLL CALL: 3 AYES, 2 NAYS (MALLOY, STORMS)**

**RESOLUTION # 57-14**

**OFFERED BY MALLOY**

#### **RESOLUTION ESTABLISHING SCENIC BYWAY MANAGEMENT ENTITY COMPOSITION**

**WHEREAS**, the Town of Shandaken, Ulster County, in March of 2013 adopted the draft Corridor Management Plan for the Rte. 28 Catskill Mountain Scenic-By-Way; and

**WHEREAS**, the process toward the final approval of the Rte. 28 By-Way Plan by NYS can take anywhere from twenty-four to thirty-six months; and

**WHEREAS**, the process includes establishment of a formal management entity for the By-Way; and



**WHEREAS**, there is no financial or other obligation attached to this step; and

**WHEREAS**, formalization of the management responsibilities during the final NYSDOT review and approval process will facilitate the process; and

**WHEREAS**, the Supervisors and Mayors in each of the following Towns and Villages along the proposed By-Way (Olive, Shandaken, Middletown, Fleischmanns, Margaretville and Andes) have established the NYS Route 28 Municipal Leaders Group comprised of the Supervisors and Mayors of each respective municipality;

**THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Shandaken, Ulster County, New York, does hereby recognize the NYS Route 28 Municipal Leaders Group as the **Board of Directors** for the proposed Catskill Mountain Scenic By-Way under the following guidelines:

- 1) The Board of Directors shall be comprised of the current Supervisor or Mayor of each municipality along the proposed By-Way as such:
  - a. Town of Andes Supervisor
  - b. Town of Middletown Supervisor
  - c. Town of Olive Supervisor
  - d. Town of Shandaken Supervisor
  - e. Village of Fleischmanns Mayor
  - f. Village of Margaretville Mayor
- 2) The Board of Directors shall elect Officers (Chair, Vice-Chair and Secretary) annually or upon a vacancy created by election, resignation from elected office or death.
- 3) If a vote/action is required by the Board of Directors, the members shall first receive approval through formal resolution by each of their respective municipal governing (Town/Village) Boards.
- 4) If direct funding is requested/suggested from each municipality *OR* from a specific municipality for a specific project, the municipality retains their right to approve or deny funding under Home Rule Statutes of New York State and each member must receive approval for any funding through formal resolution of their respective municipal governing (Town/Village) Board.
- 5) If any municipality denies the direct funding request, direct funding shall not be committed or required from that municipality.

**BE IT FURTHER RESOLVED**, the Town Board of Shandaken also recognizes the establishment of Central Catskill Mountain Collaborative as the **Advisory Board** to the Board of Directors for the proposed Catskill Mountain Scenic By-Way under the following guidelines:

- 1) The Advisory Board shall be comprised of two (2) members of each municipality along the proposed By-Way as such:
  - a. Each municipality shall appoint one (1) municipal representative member from one of their existing formal municipal boards (Town, Planning, Zoning, Recreation, etc.).
  - b. Each municipality shall appoint one (1) at-large member (either a resident or business owner) who shall not be on any existing formal municipal board.

- c. Each municipality may elect to vote for one (1) alternate member within any of the above criteria to act in the absence of either primary advisory member.
- 2) Each municipality's advisory members shall be appointed or re-appointed annually by each of the following municipal governing boards: Town Board of Andes; Town Board of Middletown; Town Board of Olive; Town Board of Shandaken; Village Board of Fleischmanns; Village Board of Margaretville.
- 3) The Advisory Board shall elect Officers (Chair, Vice-Chair, Treasurer and Secretary) annually or upon a vacancy created by election, resignation or death. At no time shall one municipality maintain more than one member as an Officer on the Advisory Board.
- 4) The Advisory Board members shall carry votes on the Advisory Board ONLY.
- 5) The Advisory Board Chair, or designee, is required to attend the Board of Directors meetings to relay discussions within the Advisory Board.

**BE IT YET FURTHER RESOLVED**, the Town Board of Shandaken also hereby reaffirms that the Central Catskills Chamber of Commerce will continue performing the duties of *Interim Administrator* as outlined and adopted in October 2013 by this Board through Resolution 130-13

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL: 3 AYES, 2 NAYS (BERNSTEIN, HIGLEY)**

**RESOLUTION # 58-14**

**OFFERED BY STANLEY**

**RESOLUTION APPOINTING CENTRAL CATSKILL COLLABORATIVE MEMBERS**

**WHEREAS**, the Town of Shandaken is a member community of the Central Catskills Collaborative which includes the municipalities of Andes, Fleischmanns, Margaretville, Middletown, and Olive; and

**WHEREAS**, the Town is requested to annually appoint two standing members and one alternate to the Collaborative;

**THEREFORE BE IT RESOLVED** that the Town of Shandaken Town Board hereby appoints Town Board Member **Faye Storms** and **Doris Bartlett** as the standing representatives and Parks and Recreation Board Chair **Martie Gailes** as the Alternate member for the Town of Shandaken on the Catskill Collaborative Committee for the year 2014

**AND MOVES ITS ADOPTION**

Seconded by: MALLOY

**ROLL CALL: 4 AYES, 1 NAY (HIGLEY)**



**RESOLUTION # 59-14**

**OFFERED BY: HIGLEY**

**ASSISTANT DOG CONTROL OFFICER**

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

**THEREFORE BE IT RESOLVED**, that **Tom Rinaldo** be hereby appointed Assistant Dog Control Officer for the year 2014 and shall receive an annual salary not to exceed \$4,000.00 when discharging the duties of said office at the pleasure of the Board.

**AND MOVES ITS ADOPTION**

Seconded by: STORMS

**ROLL CALL: 5 AYES**

**RESOLUTION # 60-14**

**OFFERED BY: STORMS**

**HIGHWAY PLOWING OF TOWN CHURCHES & FIREHOUSES**

**WHEREAS**, the Town of Shandaken shall perform certain snow plowing and sanding services during the winter of 2013 - 2014 for and on the premises of the St Francis de Sales Church in Phoenicia, Shandaken Methodist Church in Shandaken, Phoenicia Methodist Church in Phoenicia and Shandaken Community Church in Mt. Tremper.

**WHEREAS**, the Town of Shandaken shall perform certain snow plowing and sanding services during the winter of 2013 - 2014 for and on the premises of the Mt. Tremper, Phoenicia, Shandaken, Big Indian - Oliverea and the Pine Hill Firehouses,

**THEREFORE BE IT RESOLVED**, that for and in consideration of such snow plowing and sanding services the said Churches & Firehouses shall EACH pay to the Town of Shandaken the sum of \$1.00 receipt whereof is hereby acknowledged,

**BE IT FURTHER RESOLVED**, that said churches and firehouses shall save the Town of Shandaken free of any claims, causes of action or liability for damages to persons or property arising out of the services to be performed by the Town of Shandaken, its agents, servants or employees in the performance of this agreement.

**AND MOVES ITS ADOPTION**

Seconded by: STANLEY

**ROLL CALL: 5 AYES**

**RESOLUTION # 61-14**

**OFFERED BY BERNSTEIN**

**PLANNING BOARD MEMBER**

**WHEREAS** pursuant to §20 of the Town Law it is the duty of the Town Board to appoint all Boards and Commissions

**THEREFORE BE IT RESOLVED** that **ALAN SHINER** be appointed to the Shandaken Planning Board with his term to expire in December 31, 2018.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY  
**ROLL CALL: 5 AYES**

**RESOLUTION # 62-14**

**OFFERED BY: STANLEY**

**RELEASE OF U.R.G.E.N.T. FUNDS**

**WHEREAS**, pursuant to the Ulster County Regional Enforcement Narcotics Team (U.R.G.E.N.T.) Cooperative Agreement and the Inter-Municipal Agreement for the year 2013 between the Town of Shandaken and the County of Ulster, the Town of Shandaken is eligible for a distribution of monies seized by URGENT in the amount of \$1,000;

**THEREFORE BE IT RESOLVED**, the Town Board of the Town of Shandaken has authorized the general release related to this distribution and has authorized the Supervisor of the Town of Shandaken to sign the general release required in order for funds to be released by the County of Ulster on behalf of URGENT.

**AND MOVES ITS ADOPTION**

Seconded by: HIGLEY  
**ROLL CALL: 5 AYES**

Signed this 11<sup>th</sup> Day of February, 2014

Joyce Grant – Town Clerk