

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

The Town of Shandaken Town Board conducted a Regular Monthly Meeting on Monday September 9, 2019. Shandaken Town Hall. 7209 Rt. 28 Shandaken, NY

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

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

Recording Secretary **Joyce Grant - Town Clerk**

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



**Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday, September 9, 2019**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of previous T/B Meeting minutes**
- 5. Supervisor's Financial Report**
- 6. Communications**
- 7. Committee Reports:**
 - a. Ambulance*
 - b. Building/Zoning*
 - c. Police*
 - d. Phoenicia Water*
 - e. Pine Hill Water*
 - f. Museum*
 - g. Recreation*
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions:**
 - 107. Pay All Bills**
 - 108. Town Board – Accept Bids for Shandaken Septic District**
 - 109. Highway – Authorize DOT Supplemental Agreement**
 - a. Release of Right-of-Way Acquisition Funds*
 - b. Peck Hollow Bridge Project*
 - 110. SAFARI – Adopt Final Town Flood Mitigation Plan**
 - 111. Police – Renew URGENT Contract**
 - 112. Town Board – No Campaign Signs prior to Columbus Day**
 - a. Monday, October 14, 2019*
 - 113. Town Board – Liquor License Notification Waiver**

a. Titos Banditos, LLC., Pine Hill

11. Open Public Comment

12. Meeting Adjournment - IN MEMORY OF:

Etta Hanigan

*Neil Jocelyn
Eleanor Sweet*

Victoria Morra

*William "Billy" Neal
Aksel Thiim*

Motion by Disclafani/VanBlarcum – the Town Board voted unanimously to send the 3 town, disabled vehicles to ‘Auction International’ to get rid of them and hopefully recover some money.

Short Term Rental Committee will meet on Monday Sept. 16th

Museum- 90 Visitors last month. 30th Anniversary celebration at museum Sat. 9/14/19 11am-3pm
Recreation – Still seeking Volunteer positions for: Director & 2 Park Managers.

Phoenicia Water – All systems running fine. No leaks.

Building Zoning – 200 Calls, 28 Permits, 72 Inspections, 6 COA, 9 COC, 1 stopwork, 5 Appearance tickets

Discussion was held by Attorney’s Young & Sommers & Lamont Engineers on the status and plans for bidding on the Shandaken Septic District Project.

8:03, Town Board closed the regular meeting on on VanBlarcum/Storms motion & Convened to Executive Session with Young, Sommers & Lamont Engineer. A legal matter with the Shandaken Septic District was discussed.

Public Comment: Luke Roels had statements pertaining to the Chuck Perez property in Big Indian.

Meeting adjourned at 8:43 on a VanBlarcum/Storms motion.

RESOLUTION #107-19

OFFERED BY: DISCLAFANI

RESOLUTION TO PAY ALL BILLS

WHEREAS, The Department of Audit and Control require Town Boards to sign and inspect all vouchers coming into the town for payment, to number and total amounts from each fund.

THEREFORE BE IT RESOLVED, that the Town Board authorize the following vouchers paid:

General	\$ 158,939.19
Highway	103,974.73
Phoenicia Water	9,071.79
Pine Hill Water	3,247.98
Phoenicia Lights	970.02
Chichester Lights	150.02
Pine Hill Lights	577.28

	\$ 276,931.01

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM

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

TABLED

RESOLUTION #108-19

ACCEPT BIDS FOR SHANDAKEN SEPTIC DISTRICT

WHEREAS, THE TOWN BOARD OF THE TOWN OF SHANDAKEN ("TOWN BOARD") PREVIOUSLY ENTERED INTO AN AGREEMENT WITH THE CATSKILL WATERSHED CORPORATION ("CWC") TO PARTICIPATE IN THE COMMUNITY WASTEWATER MANAGEMENT PROGRAM ("PROGRAM"), WHICH PROVIDES FOR THE PLANNING, DESIGN AND CONSTRUCTION OF COMMUNITY SEPTIC SYSTEMS AND/OR THE CREATION OF SEPTIC MAINTENANCE DISTRICTS IN THE NYC WATERSHED WEST OF THE HUDSON RIVER; AND

WHEREAS, CWC'S CONSULTANT FOR THE PROGRAM, LAMONT ENGINEERS, HAS PREPARED A PRELIMINARY ENGINEER'S REPORT FOR THE HAMLET OF SHANDAKEN IN THE TOWN OF SHANDAKEN, EVALUATING VARIOUS ALTERNATIVE METHODS FOR MANAGING THE WASTEWATER NEEDS OF THE HAMLET; AND

WHEREAS THE TOWN OF SHANDAKEN PURSUANT TO RESOLUTION 106-19, SOLICITED FOR BIDS TO RETAIN THE SERVICES OF CONTRACTORS TO COMMENCE THE REPAIR, REPLACEMENT AND MAINTENANCE OF ON-SITE SEPTIC SYSTEMS WITHIN THE DISTRICT TO SERVE THE RESIDENTS WITHIN THE HAMLET OF SHANDAKEN IN ACCORDANCE WITH DESIGN PLANS PREPARED BY CWC'S CONSULTANT UNDER THE PROGRAM.

THEREFORE, BE IT RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF SHANDAKEN ACCEPT THE FOLLOWING BIDS FOR SHANDAKEN SEPTIC DISTRICT.

RESOLUTION # 109-19

OFFERED BY VANBLARCUM

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE COSTS OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS

WHEREAS, a project for the Bridge Replacement of Peck Hollow Road over Peck Hollow Stream in the Town of Shandaken, Ulster County (BIN 2270000) identified as P.I.N. 8761.61 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Town of Shandaken will design, let and construct the Project: and

WHEREAS, the Town of Shandaken desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

NOW, THEREFORE, the Town of Shandaken Town Board, duly convened does hereby

RESOLVE, that the Shandaken Town Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Shandaken Town Board hereby authorizes the Town of Shandaken to pay in the first instance 100% of the cost of right-of-way acquisition work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of \$25,000 is hereby appropriated from and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town Board of Shandaken shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof; and it is further

RESOLVED, that the Town of Shandaken hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and the construction phase of the Project shall be completed within thirty-six (36) months; and it is further

RESOLVED, that the Supervisor of the Town of Shandaken be and is hereby authorized to execute on behalf of the Town of Shandaken all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of Shandaken's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that in addition to the Town Supervisor the following municipal titles: Highway Superintendent, Town Engineer, Town Comptroller/Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Town of Shandaken, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement, such as Supplemental Agreement #1, in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

AND MOVE ITS ADOPTION

Seconded by: VANBLARCUM

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

RESOLUTION # 110-19

OFFERED BY STANLEY

ADOPTING TOWN OF SHANDAKEN FLOOD MITIGATION PLAN

WHEREAS the Town of Shandaken is subject to flooding that can damage property, close businesses, disrupt traffic, and present a public health and safety hazard; and

WHEREAS in July of 2013 the Town Board of Shandaken adopted the Town of Shandaken Flood Mitigation and Emergency Response Plan following FEMA guidelines for such plans; and

WHEREAS the Town is required to review the Plan annually and update the Plan every five years; and

WHEREAS funding was secured from the Ashokan Watershed Stream Management Program (AWSMP) and Tetra Tech, Inc had been hired to assist the Town in this effort; and

WHEREAS several Federal programs require that the Town has a current flood mitigation plan to qualify for their benefits;

WHEREAS the SAFARI Committee and Tetra Tech, Inc. personnel have completed their work on the plan following a Public Hearing held earlier this year.

NOW, THEREFORE BE IT RESOLVED, the Town of Shandaken Town Board does hereby accept the Final Version of the Town of Shandaken Flood Mitigation and Damage Prevention Plan including any supplemental language which may be supplied by FEMA following their formal review of the plan.

BE IT FURTHER RESOLVED, that the Shandaken Town Board requests that such plan be submitted to FEMA for inclusion of the Town’s application into the Community Rating System (CRS) in order to help reduce flood insurance rates for property owners within the Town of Shandaken.

AND MOVE ITS ADOPTION

Seconded by: STORMS

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

BOARD MEMBER VANBLARCUM_X_____

SUPERVISOR STANLEY ___X___

RESOLUTION # 111-19

OFFERED BY: STORMS

**RESOLUTION TO RENEW AGREEMENT WITH
ULSTER REGIONAL GANG ENFORCEMENT NARCOTICS TEAM
(U.R.G.E.N.T.)**

WHEREAS, various town and village police departments in the County of Ulster together with the Ulster County Sheriff’s Office, as Member Agencies, seek to operate and act collectively as a task force team pursuant to Federal policies and guidelines, such task force known as the Ulster Regional Gang Enforcement Narcotics Team (URGENT); and

WHEREAS, the mission of URGENT is to achieve maximum coordination and cooperation through utilizing combined resources of Member Agencies, to primarily investigate gang members and affiliates involved in criminal enterprises, as well as investigate narcotic related offenses and the possession and sale of illegal firearms in Ulster County; and

WHEREAS, membership in the URGENT task force will benefit the Town of Shandaken in that it will provide a specialized unit to combat gang violence and narcotic trafficking within the Town and Ulster County; and

WHEREAS, the Town Board has reviewed the inter-municipal Cooperative Agreement (Ulster Regional Gang Enforcement Narcotics Team) proposed by the Ulster County District Attorney and Ulster County Sheriff, a copy of which is annexed hereto and made part of this resolution; and

WHEREAS, the Police Chief of the Town of Shandaken has also reviewed the annexed inter-municipal Cooperative Agreement and has recommended that the Town Board approve the agreement.

THEREFORE, BE IT RESOLVED the Town Board of the Town of Shandaken hereby approves the annexed agreement and membership in the task force; and

BE IT FURTHER RESOLVED the Town Supervisor of the Town of Shandaken is authorized to execute the annexed agreement on behalf of the Town.

AND MOVE ITS ADOPTION

Seconded by: ALBA

**ROLL CALL
AYES NAYS**

BOARD MEMBER ALBA ___X___ _____

BOARD MEMBER DISCLAFANI ___X___ _____

BOARD MEMBER STORMS ___X___ _____

BOARD MEMBER VANBLARCUM_X_____

SUPERVISOR STANLEY ___X___ _____

RESOLUTION #112-19

OFFERED BY: ALBA

**RESOLUTION REQUESTING NO CAMPAIGN SIGNAGE
UNTIL AFTER COLUMBUS DAY (October 14, 2019)**

WHEREAS, the Town of Shandaken recognizes the importance of preserving its natural beauty and viewscapes throughout the Town and

WHEREAS, Columbus Day weekend is recognized as a highly desirable time for visitors to travel to our area and enjoy the pristine beauty of Shandaken.

THEREFORE, the Town Board of Shandaken requests that campaign signs for the General Election regardless of party affiliation or contest, not be displayed until after Columbus Day, Monday October 14, 2019

AND MOVES ITS ADOPTION

Seconded by: VANBLARCUM

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

RESOLUTION #113-19

OFFERED BY: DISCLAFANI

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

WHEREAS, TITO BANDITO’S LLC, 302 Main St. Pine Hill, NY 12465, has applied for a liquor license, and

WHEREAS, Tito Bandito’s has requested that the Town waive the 30 day notification required by the New York State Liquor Authority in an effort to expedite the granting of a liquor license to **Tito Bandito’s** and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Shandaken does hereby grant the request of the **Tito Bandito’s**, and does hereby waive the thirty (30) day Liquor License notice requirement to **Tito Bandito’s 302 Main Street Pine Hill NY 12465**.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

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

Signed this 10th day of September, 2019

Joyce Grant – Town Clerk