

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

**The Town of Shandaken Town Board conducted a Regular Monthly Meeting on  
Monday December 7, 2015 Shandaken Town Hall. 7209 Rt. 28 Shandaken, NY**

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Members Present**

**Robert Stanley – Supervisor**

**Tim Malloy - Board Member**

**Faye Storms – Board Member**

**Members Absent**

**Vin Bernstein – Board Member**

**Al Higley, Jr. – Board Member**

**Recording Secretary**

**Joyce Grant - Town Clerk**



**Town of Shandaken Town Board**

**Regular Monthly Meeting Agenda**

**December 7, 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*
- 8. Public Comments on Resolutions**
- 9. Motions:**
- 10. Resolutions**
  - 141. Pay All Bills**
  - 142. Resolution in Support of Local Transportation Funding**
  - 143. Renewal of Town Insurance**
  - 144. Establish Town Volunteer Cemetery Program**
  - 145. Designate Shandaken Day as CMSB Event**
  - 146. Resolution to Auction Obsolete Vehicle & Equipment**
  - 147. Bond – Phoenicia Water District**
  - 148. Establish Town Board Annual Year End Meeting**
  - 149. Establish Town Board Annual Re-Organizational Meeting**
- 11. Open Public Comment**
- 12. Meeting Adjournment**

**- IN MEMORY OF: Neil Goodrich, Harriet Rauchut and the souls lost at Pearl Harbor**

**Committee Reports:**

**PHOENICIA WATER** – Rick Ricciardella - Bridge Street Water Line Repair should be finished this week. There was a leak on South Street over Thanksgiving, and was repaired.

**Pine Hill Water** – There has been talk about needing to raise the water rates, and will address this issue after first of year.

**SHANDAKEN MUSEUM** – Richard Bennett - **WE HAD 32 VISITORS LAST MONTH AND NUMEROUS REQUESTS FOR GENEALOGY INFORMATION THAT KEPT OUR DIRECTOR BUSY. VETERANS LIST IS ALMOST COMPLETED, ONE MORE CEMETERY TO PHOTOGRAPH THAT HAS FOUR VETERANS BURIED THERE, AND I NEED PERMISSION TO CROSS PRIVATE PROPERTY TO PHOTOGRAPH. BRIAN GRANT DISCOVERED ANOTHER GRAVE RIGHT ALONG THE EDGE OF WOODLAND VALLEY ROAD, A CIVIL WAR VETERAN.**

**I WOULD LIKE TO THANK DON SIMMS FROM THE AMERICAN LEGION FOR PROVIDING A LIST OF MEMBERS AND ALSO TO PAUL CATRONE AND RON HALLINAN FROM THE VFW FOR THEIR ASSISTANCE. THERE IS A LIST OF VETERANS IN THE MUSEUM, AND AS SOON AS THE PHOTOGRAPHS OF THE REMAINING GRAVE SITES ARE TAKEN, A LIST IN LOOSE LEAF FORM WILL BE GIVEN TO THE PHOENICIA LIBRARY.**

**OUR VETERANS DISPLAY IS OPEN TO ALL, AND WE ENCOURAGE EVERYONE TO COME VISIT US.**

**DIANE GALUSHA, EDUCATION COORDINATOR OF THE CATSKILL WATERSHED CORPORATION WILL BE LISTING THE MUSEUM AS A HISTORIC SITE TO VISIT ON THEIR HEADWATERS DISTRICT TOUR.**

**ONE OF OUR BOARD MEMBERS HAS A CONTACT PERSON FOR AN ARCHEOLIGIST THAT HAS RESEARCHED THE AREA FOR INDIAN BURIAL GROUNDS. STAY TUNED**

**WE WILL HAVE IN THE NEAR FUTURE A BOOK ON D.F. HASBROOK AN ARTIST THAT LIVED ON BIRCH CREEK ROAD IN PINE HILL AND ANYONE INTERESTED MAY PURCHASE IT. AT THIS TIME, WE HAVE COMMITTED TO TWELVE BOOKS.**

**SKIING WILL BE OUR NEXT THEME FOR THE WINTER MONTHS. SIMPSONS, BELLEAYRE AND HIGHMOUNT AND THE HOTELS WHERE THEY STAYED.**

**RECREATION-** Volunteers are needed for this Saturday, December 12 at 9am to help repair the dugout roofs at Glenbrook Park Baseball Field. Please call Aaron Bennett for more info 845-254-8010. Next meeting for Recreation Committee is Wed. Dec. 17<sup>th</sup>, 3pm at Town Hall – All Welcome.

**PUBLIC COMMENT:**

**Patricia DiGiorgio** – Broadstreet Hollow Resident asked the Town Board for help with removal of the garbage in a yard at the house on the corner of Portal East and Broadstreet Hollow. Supr. Stanley informed her that the Town Board cannot enforce that Town Law, that she would have to contact the Town Building/Zoning Officer, Warren Tutt.

Supervisor Report - Nov. 2015	
Ulster Co. Sales Tax	\$ 32,423.06
Police Fees	\$ 25.25
Pine Hill Water rents	\$ 3,000.00
Ambulance Fees	\$ 5,858.79
Cell Tower Revenue share check	\$ 198.56
T/C Interest	\$ 4,811.24
Town Clerk Fees	\$ 362.34
Vital Statistic fees	\$ 100.00
Justice Fees	\$ 17,875.25
Permits/Code Officers	\$ 125.00
Building Permit Fees	\$ 3,472.00
Dog Licenses	\$ 53.50
Phoenicia Water District Interest - Oct. 2015	\$ 0.05
Phoenicia Water Rents	\$ 9,000.00
Gas / Fuel Reimbursement	\$ 6,036.16
Highway - October Interest	\$ 11.05
Workers Comp Reimbursement	\$ 33,448.80
Total:	\$ 116,801.05





# 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 December 2015

**Ambulance:** As you may or may not have heard or read, shortly following our last Town Board meeting the US Department of Labor came by to report their findings following a two month investigation. Following inspection of records for ALL departments, they found issue with how we were paying our Ambulance Personnel. From the inception of the Ambulance as a Professional Service some 30 plus years ago the Town has paid employees base on a 12-hr on-call shift stipend. As most of these employees were local and stayed at or near home performing their regular household chores or work. When called for a dispatch, the employees were then afforded an additional pay stipend to compensate them for hours worked. The Department of Labor did not see it this way. They ordered us to immediately change our pay practice by paying at least Federal Minimum Wage, limit full-time hours to 40 hours in a week and compensate for OT when beyond 40 hours, where a few regular employees were reporting up to 72 hours or more within a week. Additionally, we were ordered to review the Ambulance Payroll retroactively for two years from the date of the start of their investigation and compensate all employees at least to the Federal Minimum wage and OT rates. Lastly, they were requiring us to implement this practice at the start of our next payroll period, which coincidentally was the very next day (Sat., Nov. 7<sup>th</sup>). Noting the major changes to scheduling and payroll to be worked out I asked for and received a reprieve for two weeks to allow us time to consider options and coordinate with the Ambulance Staff.

That being said the Town at an Emergency Meeting held Friday, November 20<sup>th</sup>, approved to change the rates and staffing to increase the Ambulance Personnel rates for Drivers to the NY State minimum wage for drivers (\$8.75/hr) and Technicians to \$1.00 above that \$9.75/hr). The Medics will remain at the existing rate as it is well above minimum wage. The new schedule and new hourly guidelines were started that Friday evening.

All said and done this carries a financial burden that was unanticipated in our Budget that was approved two nights previous to the Dept. of Labor report. The increase in labor costs could increase the annual operating budget by approximately \$60,000. Annually. To offset this Chief Muellerleile and I have spurred on further discussion with neighboring municipalities to create and enter into Official Mutual Aid Agreements which should provide some offset without having to increase staffing as we have performed these duties for decades without any compensation. We also would like to revisit the fees we charge for service. We requested Comstar, our Billing service, to review our rates vs. similar squads they serve. It appears that we are dramatically under charging for our service by nearly 4 times. We will look to provide a proposal to change these rates and look to do so early next year. As for Back Wages; I have already started calculating some of the 30 employees and, as ordered by Dept. of Labor, cut checks to these employees within three months or the Town faces a fine and will have to add interest to these wages. I will have this completed by February to make this payments. I'm estimating the Back Wages may total out around \$50-60,000, but I cannot give a solid figure as these are detailed equations that work out differently for each employee dependent upon their individual rate of pay, Hours worked and any other employment with the Town.

All said and done, we will have to address this over the coming year. If we bond for the Back Wages, we can spread that over a few years with a small increase in the budget to re-pay over time. Some of the wage increase will be offset by increasing revenues through efforts as prescribed above. As for the rest of the wages, I feel confident that we can find other areas where we can find funding to further offset any anticipated budget increases. I'm confident that we can whether this storm financially and will stay committed to working toward keeping the taxes as low as possible and not exceed the Tax Cap.

There is no way to counter this action as this, according to Dept. of Labor, is a legal requirement and cannot be diminished. No fines have been levied as we have worked diligently to come into compliance and no one is going to jail. Additionally, there is no blame to be waged here, this has been the practice of our squad since its inception and I, as well as the Town Board have already stated that we are committed to maintaining the High-Level, Award-winning Advanced Life Saving Ambulance Service available 24 hours a day, 7 days a week here in Shandaken. Further, I would like to extend my gratitude to the Ambulance Department personnel for working with the Town and Administration to ensure a seamless transition as occurred two weeks ago.

**Phoenicia Water:** As many of you have seen, the work on the Bridge Street Bridge Water Main is progressing. As of today, Merritt Construction, Inc. has



installed the hangers, and pipe and performing a pre-chlorination and pressure test on the line. They are planning to finish performing the necessary testing tomorrow and may have the work completed by the end of the week. Of course they may have to wait for warmer weather to finish paving around the site, but if all goes well High Street residents should be back on line by mid-month.

Tonight we have a resolution to allow us to secure the funding necessary for this work. This will be a 7 year bond for \$70,000 at a 3.75% rate. As we anticipated this in the Budget it should have no effect on the rates in Phoenixia.

**Morton Library:** As all things have gone this past month, our planned repair to the Morton Library Building in Pine Hill met with unexpected news. Upon removing the portico for repair, the contractor noticed rot extending beyond his work area. Upon further inspection by the Contractor and our Building Inspector, Warren Tutt, it was determined that work had been performed previously that may have created the issue with the Portico. Rain and moisture intrusion beset the roof beams well above the Portico in the Main Roof rafters. This in turn seeped down the beams to affect the Portico. It was determined that the roof needs to be replaced. This is not a cheap prospect as the structure is Historic and must be maintained as such. This could be an expensive and timely repair. It was best addressed on a short-term basis to impede the moisture intrusion and shore up the rotting beams for the winter and for us to seek out grants and funding to afford what may be upwards of a \$200,000 repair.

**Resolutions:** We have resolutions tonight on a wide variety of subjects:

One is supporting a request for the State to increase the amount of funding it provide to municipalities for road repairs, which is critical for us to maintain and has slowly been increasing our budgets year after year.

Following the Official Designation of Rte. 28 as the Catskill Mountains Scenic Byway, another Resolution is to Support Shandaken Day as the Town's Official Scenic Byway Event which, by doing so can provide us with approximately \$4,000 in grant money through I Love New York Tourism Funding.

We have a resolution to create Cemetery Committee to help track and record all activities or history within all of the cemeteries located throughout the Town.

Finally, we have resolutions to renew our Liability Insurance, Auction off some obsolete items from our Ambulance Department and to establish our Year-End and Re-Organizational meetings for late December and Early January.

Our next Monthly meeting is scheduled for Monday, January 4, 2016 at 6:00 pm.

**STS PLAYHOUSE PRESENTS**

Frank Capra's **It's A Wonderful Life**

December 4-20  
Fri/Sat 8pm, Sun 2pm  
\$20/\$15 Senior and Student  
**845 688 2279**  
STS Playhouse  
20 Church St. Phoenix NY

**HOLIDAY BAKE SALE**

TO BENEFIT **SAVE**  
SEASIDGEE ANNUAL VOLUNTEER SUPPORT

*Bake Sale and Bazaar*



**Saturday December 12 at Town Hall  
7269 St. Rt. - Seaside  
9am - 1pm**

**Baked Goods - Gift Baskets - Christmas Items  
Christmas Tree Raffle!**

To donate gently used Christmas items or baked goods:  
**Call Nancy Hoffman 608-7284**

American Legion Auxiliary  
 1569 T93  
 (Phoenicia, New York)  
  
**Annual Children's  
 Christmas Party**  
 Saturday Dec. 12th, 2015  
 10:00 am  
 At St. Francis de Sales Parish Hall  
 Main Street, Phoenicia, NY  
 (Call for details)  
 Reservations Requested By: November 10<sup>th</sup>, 2015  
 515-892-0525 (x) 2 ext 2  
 515-892-0525 (x) 2  
 Children age 12 - Twelve (12)  
 \*A \$4.00 donation will be requested by the school  
 -Don't miss out on all the fun and  
 the wonderful Singings  
 2  
 St. A. John's Phoenicia

**Gingerbread House  
Decorating**

Morven Museum (also 0001) Library  
22 Elm Street, Pine Hill  
603-254-4222

**Holiday  
Fun  
For  
All  
Ages**

**Saturday, December 12<sup>th</sup>  
5pm**

**Bring Your Imagination and  
Your Holiday Spirit  
We'll Supply the Rest**

\*Reservations at the Library for  
Tuesday December 12<sup>th</sup> are up to  
11:00 am only

 **Craft Fair** 

**Saturday December 12<sup>th</sup> 2015**

**12:00 am – 4:00 pm**

*Free Admission / Open to Public  
Handmade-Crafts, Local Vendors*

**Phoenicia Fish & Game Association**  
5407 State Route 28, Phoenicia, NY 12457

**Vendors Tables: \$20  
House a Table by: Get It!**



**For Questions and Reservations**  
**Sonja Osterander**  
**Tamir Shah**

**845-657-6291**  
**914-388-1061**



ANNUAL  
*Phoenixia Library  
Holiday Open House*

SATURDAY, DECEMBER 18  
12:00 PM - 2:00 PM

*Come join us for  
cookies, cider, music—and loads of fun!*



PHOENIXIA LIBRARY  
400 W. WILSON

**27th Annual  
Community Holiday  
Dinner**

Please join us Saturday  
December 19, 2015

6:00pm - 10:00pm seating  
20000 4th Street West  
St. Michael's Marquette  
Event sponsored by: St. Michael's  
St. Francis 28 & 31st  
St. John 22th & Broadway

Free admission  
St. Michael's and St. Francis will provide  
free food and drink. Complimentary  
desserts and coffee will be served  
and there will be a live musical  
entertainment program.

*St. Michael's • St. Francis • St. John • St. Peter's*

 **Miss Kitty's first annual  
Shandaken Toys For Tots**

We will be collecting unwrapped & unopened new Toys for boys & girls, ages infant to 10 yr., & donating to them in need during the Holiday Season.

**Starting Nov. 1st through Dec. 31.**

Donations can be dropped off at:

**Miss Kitty's Hair Salon, Rt. 28 - Phoenicia, Pa.**

All donations will stay under the ownership of Shandaken, and will bring a smile to a needy child.



Please help us make a difference and help make  
a Christmas a little brighter this year.

**PRAYER LEATHER WORKSHOP**  
 Stories, Coffee and Cake  
 Saturday Dec. 12th 1:00 - 4:00pm  
 Shandaken Historical Museum  
 26 Academy St, Pine Hill

Make a prayer leather with the  
 Big Indian Native American  
 Cultural Center for a small fee of  
 \$ 5.00/join us for some coffee and  
 cake, share some stories and  
 more.  
 Info: thecfm@aol.com



## SHANDAKEN DECEMBER EVENTS





November 2015 Report

TOTAL CALLS RECEIVED- 34  
MUTUAL AID GIVEN- 2 (Olive First Aid)  
MUTUAL AID RECEIVED- 0

For lack of a better term, the past month has been hell for the rank-and-file of the town of Shandaken ambulance service. This sentiment is not because Of a particularly busy system, or because of a few tough calls, or even what would be in normal circumstances the start of our Belleayre coverage, it is because of uncertainty. Every one of us in this room understands the impact of the Town of Shandaken ambulance upon the health and well - being of the 3,035 people we are sworn protect, the visitors that drive our economy, and those in need even beyond the Town Boundries.

The Ambulance Service is the only 24 hour service that the Town provides, is the only healthcare provider within the Town of Shandaken, has no reciprocal service in the area, and provides a vital and necessary link for those in need to definitive medical facilities both east and west of the town. The current situation has put our Ambulance Service on a tipping point – a precarious position that we haven't felt since 2005.

Despite that sentiment, our Ambulance Technicians have come together and shown exemplary understanding and teamwork. From losing two incredible employees, to some losing nearly half of their income secondary to their hours being slashed in half, to having their schedules completely flipped upside down – the membership of your Ambulance Service's perseverance and dedication to what they do has largely overtred a public health crisis in our Town, and we have essentially built a new Squad from scratch in a two week period.

Every single employee is fried from this – myself included – but we have successfully come into compliance with the edicts set forth by the Federal Department of Labor without jeopardizing level of care, or coverage to the townspeople that we pledged to protect.

Our service will cost more, there will be critics, and there will be many, many questions – as there should be- but understand that throughout this tumultuous time, the dedicated providers of the Town of Shandaken Ambulance Service shall be unfaltering in their pledge to protect the health and well-being of those in need, and for that they should be commended. I beg for the Town of Shandaken's support as we move forward, and please do not jeopardize the health and well being of the people we dedicate our lives to protect.

Vehicle	Beginning	Ending	Total
7850	88352	89485	1133
7851	73237	73538	301
625	55982	56843	861
626	2651	3664	1013

TOWN OF SHANDAKEN POLICE DEPARTMENT

#64 State Route 42, P.O. Box 134  
Shandaken, New York, 12480  
845 688-6748  
Fax 845 688-5332  
Chief Chad Storey

Monthly Statistical Report  
NOVEMBER 2015

Incident Type	Number
All Accidents	12
Incidents Involving Animals	6
Incidents Involving Real Property	7
Civil Incidents	3
Traffic Incidents	18
Crimes Against Public Order	7
Check Welfare	6
Community Oriented Policing Project	29
Automated Intrusion Device Calls	4
Assault and Related Offenses	10
Assist Fire Department/Ambulance	16
Criminal Mischief	2
Criminal Possession of a Weapon	
Request for Patrol	7
Suspicious Activity	2
E911 Calls Abandoned etc.	4
Fraud/Larceny/Robbery	4
Incidents Involving Warrants	
Lost/Missing Persons	
Lost/Found Property	
Unattended	1
Custody Dispute	
Narcotics	1
Water Emergency	
Warrant Related	2
Enoon	1
Total	142

Summons's Issued	11
Arrests	6

Unit #	Odometer	Miles
83	8700	3612
84	109123	3366
86	117891	2002
Patrol	Total Miles	8980

RESOLUTION #141-15

OFFERED BY MALLOY

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	\$	33,519.80
Highway		14,303.22
Phoenicia Water		8,616.59
Pine Hill Water		362.36
Phoenicia Lights		929.99
Chichester Lights		135.66
Pine Hill Lights		539.88
		-----
		\$ 58,407.50

AND MOVES ITS ADOPTION

Seconded by: STORMS

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

Resolution #142-15

OFFERED BY: STANLEY

RESOLUTION IN SUPPORT OF LOCAL TRANSPORTATION FUNDING

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York’s travelling public and its economy; and

WHEREAS, 85 percent of New York’s roads and bridges are maintained by local governments; and

WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we’ve fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

**WHEREAS**, in the early 1990’s the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems’ capital programs; and

**WHEREAS**, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

**WHEREAS**, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

**WHEREAS**, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

**NOW THEREFORE BE IT RESOLVED**, that the Town of Shandaken calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and

**BE IT FURTHER RESOLVED**, that the Town of Shandaken calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and

**BE IT FURTHER RESOLVED**, that the Town of Shandaken calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

**BE IT FURTHER RESOLVED**, that the Town of Shandaken Town Board **HEREBY** directs the Town of Shandaken Town Clerk to record Said resolution upon the official record of the Town and a Certified copy sent to all of the Town’s State representatives.

**AND MOVE ITS ADOPTION**

**Seconded by: MALLOY**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

**RESOLUTION #143-15** **OFFERED BY STORMS**

**RESOLUTION FOR RENEWAL OF TOWN INSURANCE**

**WHEREAS**, the Town of Shandaken has Marshall & Sterling Insurance, 103 Executive Drive, New Windsor, New York, for the Town Insurance, and

**WHEREAS**, our current policy terminates on **December 31, 2015**,

**THEREFORE BE IT RESOLVED** that the Town Board contract with Marshall & Sterling Insurance for the period (**January 1, 2016 – December 31, 2016**), **Not to exceed \$80,000.00**

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____

BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION #144-15

OFFERED BY MALLOY

RESOLUTION TO ESTABLISH TOWN VOLUNTEER CEMETERY PROGRAM

WHEREAS, the Town of Shandaken has many abandoned cemeteries; and

WHEREAS, the abandoned cemeteries are in need of maintenance, repair and cleanup; and

WHEREAS, Section 165(1) of the New York State General Municipal Law authorizes a municipal corporation to establish volunteer cemetery maintenance and cleanup programs (“THE PROGRAM”) to maintain abandoned cemeteries wholly contained within such municipal corporation; and

WHEREAS, pursuant to Section 165(3) of the New York State General Municipal Law, a municipal corporation shall not be liable for any damages sustained by any person participating in THE PROGRAM, and written notice of the liability exemption shall be provided to all participants in the THE PROGRAM;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SHANDAKEN IN REGULAR SESSION DULY CONVENED AS FOLLOWS:

The Town Board hereby authorizes and establishes a volunteer cemetery maintenance and cleanup committee. There shall be three members appointed to said committee by the Town Board. Said members shall serve as volunteers.

BE IT FURTHER RESOLVED, Appointed Members are Richard Bennett, Teresa Grant & Brian Grant, and

Pursuant to Section 165(4) of the New York State General Municipal Law, all members of said committee and any other volunteers who may participants in the THE PROGRAM shall be given written notice that the Town of Shandaken is not liable for any damages sustained as a result of participating in THE PROGRAM.

AND MOVES ITS ADOPTION

Seconded by: STANLEY

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

RESOLUTION #145-15

OFFERED BY STANLEY

RESOLUTION DESIGNATING SHANDAKEN DAY AS CATSKILL MTN. SCENIC BYWAY EVENT

WHEREAS, Shandaken Day has been a yearly event since 2004. AND is a Town-sponsored family event highlighting the area’s Native American history as well as local history, our local people (through “Hamlet Heroes” & “Pride of Shandaken”), as well as local businesses and community events.

WHEREAS, This is an all-day affair that welcomes vendors throughout the scenic byway corridor and a collaborative effort with scenic byway towns, through a “Getaway/Giveaway” Raffle which also hosts many civic groups that promote our town and its scenic assets.

WHEREAS, The event, Shandaken Day, is located in our Hamlet of Big Indian on rt. 28 – along the newly-appointed Catskill Mountains Scenic Byway.



**THEREFORE, Be It Resolved,** That the Town Board of the Town of Shandaken hereby recognize and designate Shandaken Day as the Town’s Catskill Mountain Scenic Byway Event.

**AND MOVES ITS ADOPTION**

**Seconded by: MALLOY**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

**RESOLUTION #146-15** **OFFERED BY: STORMS**

**RESOLUTION TO AUCTION OBSOLETE VEHICLE & EQUIPMENT**

**WHEREAS,** the Town of Shandaken has identified several pieces of equipment that he has deemed obsolete; and

**WHEREAS,** the Town would like to offer the vehicle & equipment up for auction through Auctions International; and

**WHEREAS,** the following vehicle and equipment have been identified as obsolete:

- \* 2006 Ford E350 Type 3 Ambulance
- \*Surplus Radio Equipment
- \*Surplus Durable Medical Supplies
- \*Miscellaneous Surplus Vehicle Equipment

**THEREFORE BE IT RESOLVED,** that the Town Board hereby authorize to place the above mentioned items up for bid through Auctions International

**AND MOVE ITS ADOPTION**

**Seconded by: STANLEY**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____
SUPERVISOR STANLEY	___X___	_____

**RESOLUTION # 147-15** **OFFERED BY MALLOY**

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF A \$70,000 STATUTORY  
INSTALLMENT BOND OF THE TOWN OF SHANDAKEN, COUNTY OF ULSTER,  
PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE PHOENICIA WATER  
DISTRICT WATER MAIN REPAIR ON BRIDGE STREET BRIDGE**

**BE IT RESOLVED,** by the Town board of the Town of Shandaken, in the County of Ulster, as follows:

Section 1. The Town of Shandaken, County of Ulster, shall issue its serial bonds of the aggregate principal amount of SEVENTY THOUSAND AND 00/100 (\$70,000.00) DOLLARS pursuant to the Local Finance Law of New York, in order to finance the specific purpose hereinafter described.

Section 2. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is: the repair to the damaged water main on the Bridge Street Bridge in the Phoenicia Water District

Section 3. It is hereby stated that (a) the maximum cost of said purpose as estimated by the Town board is TWO HUNDRED EIGHT THOUSAND NINE HUNDRED AND 00/100 (\$208,900.00) DOLLARS, and (b) the Town has applied for and been approved to utilize, to a maximum, a ONE HUNDRED FIFTY THOUSAND AND 00/100 (\$150,000.00) DOLLARS Emergency Community Water Assistance Grant (ECWAG) provided and approved by the United States Department of Agriculture – Rural Development (USDA-RD) to be applied to a portion of the payment of the costs of said purpose, and (c) the Town Board plans to finance the Town’s balance of the costs of said purpose entirely from funds raised from the issuance of such Statutory Installment bond (notwithstanding the interim use of funds derived from Bond anticipation Notes that may be issued in contemplation of the eventual issuance of said Statutory Installment Bond), and

Section 4. It is hereby determined that said purpose is an object or purpose described in Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is more than seven (7) years.

Section 5. It is hereby determined that the purposed maturity of the obligations authorized by this resolution will be seven (7) years or less.

Section 6. Subject to the terms and contents of this resolution and the Local Finance law, and pursuant to the provisions of Sections 30.00, 50.00 and 60.00, inclusive, of said law, the power to authorize Bond Anticipation notes in anticipation of the issuance of the Statutory Installment Bond authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form and contents of said Statutory Installment Bond, and said Bond Anticipation Notes, and the power to sell and deliver said Statutory Installment Bond and any bond anticipation notes issued in anticipation of the issuance of such bonds is hereby delegated to the town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any Statutory Installment Bond issued pursuant to this resolution and any Bond Anticipation Notes issued in anticipation of the issuance of said Statutory Installment Bond, and the Town Clerk is hereby authorized to affix the corporate seal of said Town to any of said Statutory Installment Bond or any Bond Anticipation Notes and to attest such seal.

Section 7. This resolution shall be published in full by the Town Clerk of said Town together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in The Daily Freeman, a newspaper published in the City of Kingston, and having a general circulation in said Town. The validity of said Statutory Installment Bond or of any bond anticipation notes issued in anticipation of the sale of said Statutory Installment bond may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money or the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or if said obligations are authorized in violation of the constitution of New York.

Section 8. This resolution shall take effect immediately upon its adoption.

**AND MOVES ITS ADOPTION**

**Seconded by: STANLEY**

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	___X___	_____
BOARD MEMBER STORMS	___X___	_____

## OFFERED BY STANLEY

**WHEREAS**, the Town of Shandaken needs to conduct certain business before the close of the 2015 Fiscal Year;

## AND MOVES ITS ADOPTION

**ROLL CALL**  
**AYES**                      **NAYS**

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

## OFFERED BY STORMS

**WHEREAS**, the Town of Shandaken annually conducts a meeting to appoint employees and officers of the Town, establish a meeting schedule and meet contractual obligations;

## AND MOVES ITS ADOPTION

**ROLL CALL**  
**AYES**                      **NAYS**

BOARD MEMBER BERNSTEIN	ABSENT	_____
BOARD MEMBER HIGLEY	ABSENT	_____
BOARD MEMBER MALLOY	<u>  X  </u>	_____
BOARD MEMBER STORMS	<u>  X  </u>	_____
SUPERVISOR STANLEY	<u>  X  </u>	_____

\_\_\_\_\_

**Joyce Grant – Town Clerk**