

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

The Town of Shandaken Town Board conducted a Regular Monthly Meeting & Public Hearing on Wednesday November 6, 2024. Shandaken Town Hall. 7209 Rt. 28 Shandaken, NY

Call to Order
Pledge of Allegiance
Roll Call

Member Absent **Peter DiSclafani – Supervisor**

Members Present

Kevin VanBlarcum - Board Member
Kyle Steen – Board Member
Elizabeth Kneissl – Board Member
Robert Drake – Board Member

Recording Secretary **Joyce Grant - Town Clerk**

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

The Town of Shandaken Town Board will hold public hearing on Wednesday November 6th, 2024 to hear all those for or against 1- 6:15pm Local Law #5-2024 a Local Law to override the Tax Levy Limit established in General Municipal Law. 2- 6:30 pm -Public Hearing on the adoption of the Preliminary Budget to the 2025 Annual Budget. 7209 State Rt. 28, Shandaken, NY.

Public Hearing on Tentative>Preliminary Budget was tabled. Tax Levy Law was passed with no comments, except by Robert Drake: ‘we are not expected to exceed the Tax Levy, this is a precautionary measure’.



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Wednesday November 6, 2024 – 7pm

- 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. Parks & Recreation**
 - h. Housing Smart**

- i. **Conservation Advisory Council**
- j. **Comprehensive Plan**
- 8. **Public Comments on Resolutions**
- 9. **Motions:** Drake/Vanblarcum – All carried
 - (1) Motion to retract existing preliminary budget and table resolution 130
 - (2) Motion to schedule budget hearing for November 12th @ 6:30 pm
 - (3) Motion to accept the 2025 Tentative Budget as the 2025 Preliminary Budget.
 - (4) Motion to appoint Kerry Henderson to the Parks & Rec. Committee
- 10. **Resolutions:**
 - 129. **Pay All Bills**
 - 130. **Adopt 2025 Prelim. Budget as 2025 Town Budget**
 - 131. **Adopt LL#5-2024 – Exceed Tax Cap**
 - 132. **Highway – Hire Mechanic Intern**
 - 133. **Police – Hire P/T Officer**
 - 134. **Hire Municipal Worker**
 - 135. **30 Day Liquor Waiver – The Mountain Brook**
 - 136. **Ambulance – Hire P/T Paramedic**
- 11. **Open Public Comment**
 - Meeting Adjournment *-IN MEMORY OF* - Helen Sebald, Beecher Smith Jr., Lowell Smith,

Deputy Supervisor's Report - Robert Drake

Supervisor DiSclafani has a family emergency that prevents him from attending today. We wish him and his family the best.

Congratulations to Sarah Engster for becoming our next Town Justice.

Please note that the town burn ban is in effect indefinitely.

On a related note, due to how dry it has been our water districts are lower than we'd like. Please make reasonable efforts to conserve water.

The county has identified parcels for emergency radio towers / cell service but those projects are not currently the highest priority. We encourage all residents to reach out to the county and request these projects get escalated. We will be doing the same in our roles on the town board.

The conservation advisory council recently held a meeting on emergency preparation. One action from that was around "plum cases". These are communication devices to be used in a disaster. Chief Storey will be evaluating whether these may be useful for the town to purchase.

The towns NY Forward application has been submitted and we hope to hear back within November.

With the help of Heidi Emrich, we submitted a SMIP grant to hire firm to help us retain and improve our community rating system FEMA flood designation.

The Big Indian parcel that was identified as a potential town hall location belongs to the DEC. They are currently evaluating how they might disband the conservation easement and make this parcel available.

Belleayre recently announced Mountain Jam June 20-22. County and local emergency services are aware and will be preparing for the event.

Bonadio is finalizing their town audit. We have contracted with them to provide staff training, create an updated handbook of controls, and perform the towns future annual financial reporting to the state.

We have signed an agreement to get access to the Bottini parcel in Pine Hill to perform an environmental study ahead of any potential acquisition.

The planning board will be considering a draft resolution to set a “payment in lieu of parking” fee that may be used by applicants trying to meet statutory parking requirements in hamlet commercial zones. This law exists on the books but has never had a defined fee schedule.

The new members of the Phoenicia water committee met and will host their next meeting on the 18th of November at 6:30pm. A location is being identified and will then be published.

Stormwater run off for pine hill is currently a grant with CWC awaiting approval.

Thank you Gary Carr for building the town hall handicap ramp. Thank you everyone involved in upgrading the skate park at Smith Park.

Public Comments

Faye Storms asking for Phoenicia Business Association, inquired about Porta Potties & Waste Cans (bear proof).

Samantha Awand Gortel – Upcoming events, status of Parks & Rec Committee

Andrew Messinger – Question on Payroll on elected officials, Employee Insurance, safety of walking by curb on Pine Hill Main Street,

Supervisor Report November 2024
Revenues

Ambulance Fees	\$5,634.26
MAHV/SBA	\$2,159.34
Vital Statistics	\$44.00
STR Receivables	\$19,393.45
Zoning	\$500.00
Planning	\$100.00
Dog License	\$40.50
Building Permit Fees	\$6,856.40
Town Clerk	\$327.50
AED Reimbursement	\$1,682.43
ZEN Monastery	\$400.00
Highway Revenue	\$3,000.00
Charter Franchise	\$16,315.53
Police Fees	\$15.00
Higley Lawsuit	\$0.00
Interest on Accounts	\$6,824.19
Turkey Trot	\$800.00
Ambulance Donation	\$630.00
Reimb. From Phoenicia Water-Guardian	\$341.58
Hudler Cemetary-Trans from Association	\$32,251.30
Gas & Diesel	\$2,093.73
Reimb. From LaMotte	\$95.90
Totals	\$99,505.11

The Monthly Report for The Shandaken Historical Museum for October 2024

The Museum participated in the Phoenicia Farmer’s Market throughout the month of October offering the public a range of items from our museum table. There continues to be great interest by the community to interact, visit and make use of the museum.

On Oct. 13th Cynthia Nikitin of the Brunel Park Sculpture Garden gave an intriguing presentation on the life and work of French photographer, sculptor, and Catskill entrepreneur Emile Brunel. The event was attended by almost two dozen people. An exhibit on the Brunel Park Sculpture Garden was also up for the month of October. It is through Cynthia Nikitin that the museum is now listed on the I Love New York Pathway Through History.

On October 25th the museum met with two archivists from the New York State Archives to receive a replica of the 1678 Nichols Treaty Esopus Indian wampum belt on loan to the museum for display during National Native American Heritage Month along with instructive publications covering our state’s early interactions with indigenous tribes. The New York State Archives is part of the Office of Cultural Education, an office of the New York State Education Department.

The Town of Shandaken helped to purchase two new dehumidifiers for the Museum. We are working to improve overall heating and dehumidifying issues in the building. We are looking into decarbonizing strategies and possible EV parking in coordination with some of our upcoming grant proposals.

Grants for several new exhibits are being prepared and submitted for next year including a NY Forward Grant in collaboration with Jan Jaffe and the Wellington Hotel in Pine Hill, NY. The plan is to start applying for grants that would help fund interactive exhibits to enhance the quality and depth of our exhibitions attracting more visitors and tourists to Pine Hill and to the Museum. The Museum plans to offer events and promotions coordinated with local entities like the Wellington Hotel, the Pine Hill Community Center, the Morton Memorial Library, the Pine Hill Rail Trail, the Belleayre Mountain Ski Resort, the Phoenicia Business Association and the Emerson Hotel. Through better marketing and event programming, the museum plans to attract visiting tourists through regional media ads and robust social media engagement.

There were over 35 visitors in October to the Museum from all over including a family visiting from Malaysia. Many of the Museum visitors are regional history buffs doing research. They often left donations and grateful messages.

Respectfully submitted,
Joseph Prieboy - Director - The Town of Shandaken Historical Museum



SHANDAKEN POLICE DEPARTMENT

Post Office Box 134
Shandaken, New York 12480
845-688-9902 . 845-688-9748(b) . 845-688-5332(f)
CHIEF OF POLICE CHAD STOREY chief@shandakenpolice.org

October 2024 Monthly Report

INCIDENT TYPE	NUMBER	INCIDENT TYPE	NUMBER
911 Misdia/No Voice/Abandoned	6	Harassment	1
Accident PIAA/PDAA	9	Local Law	
Abandoned Vehicle	1	Lock Out	6
Alarm Burglary/Panic/Robbery	3	Lost/Missing Person	1
Animal Complaint/Investigation	1	Noise	
Assist EMS/Fire	10	Property Retrieval/Lost/Found	
Criminal Mischief		Public Service	6
Disorderly Conduct		Open Door	
Encon Violation	1	Property Check	451
Larceny	3	Road Hazard	2
Community Oriented Policing Project	5	School Check	7
Custody Dispute		Shots Fired	1
Civil		Suspicious Activity	7
Disabled Vehicle	4	Traffic Stop	25
Dispute	3	Trespass	1
Domestic Dispute		Vehicle and Traffic Complaint	7
Erratic Vehicle		Welfare Check	5
Foot Patrol	1	Field Interview	
Fraud		Warrant	
Mental Health Law	1	Total	117

SUMMONS ISSUED	15
ARRESTS	3

Property Checks 451
Total w/property checks 568



October 2024 Report

TOTAL CALLS RECEIVED- 31
MUTUAL AID GIVEN- 1 (Town of Olive)
MUTUAL AID RECEIVED- 0
TOTAL OCTOBER REPORTS- 31 Reports
TOTAL TRANSPORTS- 20
TOTAL NO TRANSPORT/ STANDBY/ RELOCATIONS – 11

October and the beginning of November have been incredibly busy for the Ambulance staff and administration. Every two years the New York State Department of Health requires the Ambulance Service to recertify as a Certified Ambulance Service in the State of New York. This results in exhaustive amounts of paperwork, and updating all of our operating policies and rosters on file with the Department of Health. On top of this, there is an on site inspection every two years by the Department of Health. Most of the time they stagger these on site visits opposite to the year the Ambulance recertifies, this time they did not. So as imagined it has been all hands on deck as we prepare for the site visit, and we’re sure we’ll do great as we have for years past.

We would also like to welcome a new addition to our Squad following his appointment tonight. Joseph Carmody comes to us from Saugerties as a part time Paramedic. Joe also works at Diaz Ambulance, and is a Volunteer Firefighter at the Saugerties Fire Department. He’s a good catch!!!!

Please exercise EXTREME CAUTION in regards to anything that can create a spark or flame outdoors. This includes discarding smoking materials, wood stove resedue, etc. in the Town of Shandaken. We are still in a burn ban that was effective October 24th.

Stay safe out there!

Richard Muellerleile, EMT-P
Chief of Department, Town of Shandaken Ambulance Service

RESOLUTION # 129-24 OFFERED BY: VANBLARCUM

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	\$ 305,990.21
Highway	175,912.73
Phoenicia Water	10,759.91
Pine Hill Water	5,906.23
Phoenicia Lights	614.48
Chichester Lights	103.60
Pine Hill Lights	385.30
Pine Hill Sign	32.29
Shandaken Septic	1,947.94
Hudler Cemetery	100.00
Heritage	1,507.72

	\$ 503,260.41

AND MOVES ITS ADOPTION

Seconded by: KNEISSL

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	<u> X </u>	<u> </u>
BOARD MEMBER KNEISSL	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR DiSCLAFANI	ABSENT	<u> </u>

RESOLUTION #130-24 **TABLED – UNTIL NOV. 12 – 6:30**

RESOLUTION ADOPTING 2025 PRELIMINARY BUDGET AS 2025 TOWN BUDGET

WHEREAS, the Town of Shandaken has prepared a 2025 Preliminary Budget for review;

THEREFORE, BE IT RESOLVED the Town Board of the Town of Shandaken following a Public Hearing held at 6:30 pm on Wednesday, November 6, 2024 hereby adopts the 2025 Preliminary Budget as amended as the 2025 Town Budget for the Town of Shandaken.

RESOLUTION #131-24

OFFERED BY: KNEISSL

Adopting Town of Shandaken Local Law #5 – 2024

A local law to override the tax levy limit established in General Municipal Law § 3-c

Whereas, the Town of Shandaken foresees the necessity to exceed the Tax Levy Limit established in General Municipal Law § 3-C; and

Whereas, the Town of Shandaken Town Board held a Public Hearing on Tuesday, Wednesday November 6, 2024 at the Shandaken Town Hall to hear all those in favor and against the adoption of said law in accordance with General Municipal Law; and

Therefore Be It Resolved that the Town of Shandaken Town Board does hereby adopt Local Law #5 of 2024 in order to allow the Town to exceed the Tax Levy Limit imposed for the 2025 Fiscal Year Budget for the Town of Shandaken.

AND MOVES ITS ADOPTION

Seconded by: DRAKE

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	<u> X </u>	<u> </u>
BOARD MEMBER KNEISSL	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR DiSCLAFANI	ABSENT	<u> </u>

RESOLUTION #132-24

OFFERED BY DRAKE

WHEREAS, the Town Highway Superintendent, Highway secretary and David Rosen of Boces have come together to identify one qualified student, residing in Big Indian NY of The Onteora School District, who is on the path to completing his certification for Mechanics.

THEREFORE BE IT RESOLVED, that the Town of Shandaken Town Board does hereby authorize the Town Supervisor to approve the **paid** internship of **Nolan J VanBlarcom**, of Big Indian, to be under the leadership of Highway superintendent Eric Hofmeister, at a paid rate of 17.00 per hour, weekly.

AND MOVES ITS ADOPTION

Seconded by: STEEN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	<u> X </u>	<u> </u>
BOARD MEMBER KNEISSL	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR DISCLAFANI	ABSENT	

RESOLUTION # 133-24

OFFERED BY: STEEN

TOWN POLICE DEPARTMENT – HIRE OFFICER

Whereas, The Town of Shandaken, is a Town of the second class; and

Whereas, there is a Town Police Department; and

Whereas, An Officer have been recommended by the Police Commissioners to be hired Part-Time;

Therefore Be It Resolved, that pursuant to the Town Law of the State of New York § 20 (1) (b), the Town Board hereby appoints the following individual as Part –Time Police Officer to receive compensation as indicated (for officers completing training/academy, individual remains responsible for associated costs of said training and education):

JORDAN BERRYANN \$ 15. per hr.
Contingent upon completion of background investigation, Completion of Academy
Training

And that said police officers shall have all powers conferred upon police officers by the general laws of the State of New York including but not limited to and such powers, not inconsistent with law, as are hereinafter set forth; and that said police officers shall have all powers designated in § 2.20 of the Criminal Procedure Law of the State of New York and shall have the following special duties:

1. To enforce all local laws, ordinances and regulations of the Town of Shandaken.
2. To enforce the Vehicle and Traffic Law of the State of New York to the extent that police officers may be so permitted by the general laws of the State of New York.
3. To enforce such Penal Statutes as police officers are permitted to enforce pursuant to the general laws of the State of New York, and in furtherance of said special duties police

officers are hereby authorized the use, of a Town Vehicle to be known as a police officer's vehicle which may be equipped with emergency lights in accordance with applicable sections of the Vehicle and Traffic Law, and may use the State and County radio to the extent permitted by the general laws of the State of New York, and may carry fire arms while on duty in compliance with the general laws of the State of New York pertaining to Police Officers generally.

AND MOVES ITS ADOPTION
Seconded by: VANBLARCUM

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	__X__	_____
BOARD MEMBER KNEISSL	__X__	_____
BOARD MEMBER STEEN	__X__	_____
BOARD MEMBER VAN BLARCUM	__X__	_____
SUPERVISOR DiSCLAFANI	ABSENT	_____

RESOLUTION # 134-24 **OFFERED BY: VANBLARCUM**
HIRE MUNICIPAL WORKER

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

THEREFORE, BE IT RESOLVED that **Kimberly Neal** is appointed as the Municipal Worker for the Town of Shandaken at \$16.00 per hour, no more than 6 hrs per week , while dispensing duties of said office. Term to expire 12/31/2024.

AND MOVES ITS ADOPTION
Seconded by: KNEISSL

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	__X__	_____
BOARD MEMBER KNEISSL	__X__	_____
BOARD MEMBER STEEN	__X__	_____
BOARD MEMBER VAN BLARCUM	__X__	_____
SUPERVISOR DiSCLAFANI	ABSENT	_____

RESOLUTION #135-24 **OFFERED BY: KNEISSL**

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

WHEREAS, DARK SKY HOSPITALITY, DBA THE MOUNTAIN BROOK has applied for a liquor license, and

WHEREAS, DARK SKY HOSPITALITY 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 DARK SKY HOSPITALITY and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Shandaken does hereby grant the request of the, and does hereby waive the thirty (30) day Liquor License notice requirement to DARK SKY HOSPITALITY, DBA THE MOUNTAIN BROOK 540 State Rt. 42, Shandaken NY.

AND MOVES ITS ADOPTION

Seconded by: DRAKE

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	<u> X </u>	<u> </u>
BOARD MEMBER KNEISSL	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR DiSCLAFANI	ABSENT	<u> </u>

RESOLUTION #136-24

OFFERED BY: DRAKE

AMBULANCE PARAMEDIC

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

THEREFORE BE IT RESOLVED that the following personnel be appointed to the Shandaken Town Ambulance at the following rates: JOSEPH CARMODY III Part-Time at \$24.62 per hour.

AND MOVES ITS ADOPTION

Seconded by: STEEN

	ROLL CALL	
	AYES	NAYS
BOARD MEMBER DRAKE	<u> X </u>	<u> </u>
BOARD MEMBER KNEISSL	<u> X </u>	<u> </u>
BOARD MEMBER STEEN	<u> X </u>	<u> </u>
BOARD MEMBER VAN BLARCUM	<u> X </u>	<u> </u>
SUPERVISOR DiSCLAFANI	ABSENT	<u> </u>

Meeting adjourned at 8:12 pm on a Drake/Steen motion.

Joyce Grant – Town Clerk