



Town of Shandaken Town Board
Regular Monthly Meeting Agenda
Monday September 8, 2025 – 7pm
Public Hearings start 6:30

- 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 – Jan Jaffee Wellington**
- 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: Accept Resignations: John Horn & Ethan Bernstein**
- 10. Resolutions:**
 - 108. Pay All Bills**
 - 109. LL#1-2025 Alternate Members Plan/Zoning Boards**
 - 110. LL#2-2025 Telecommunications Law**
 - 111. Advertise for Pine Hill Water Commissioner**
 - 112. Appoint Planning Bd. Member Chandra Valianti**
 - 113. Appoint Animal Shelter Volunteer – D. Paula**
 - 114. Support Investments in Pine Hill through the New York Forward Program**
 - 115. Supporting Ulster County's Replacement of the Bridge Street Bridge**
 - 116. Supporting Participation NYC Funded Flood Buyout Program 38 Main St. Phoenicia**
 - 117. Supporting Participation NYC Funded Flood Buyout Program 464 PLANK ROAD.,
PHOENICIA**
- 11. Open Public Comment**
- 12. Meeting Adjournment -IN MEMORY OF**

RESOLUTION # 108-25

OFFERED BY:

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	\$
Highway	
Phoenicia Water	
Pine Hill Water	
Phoenicia Lights	
Chichester Lights	
Pine Hill Lights	

	\$

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL
AYES NAYS

BOARD MEMBER DRAKE	_____	_____
BOARD MEMBER KNEISSL	_____	_____
BOARD MEMBER STEEN	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR DiSCLAFANI	_____	_____

RESOLUTION #109-25

OFFERED BY:

Resolution Authorizing Adoption by the Town Board of the Town of Shandaken of Local Law #1 of 2025 – Alternate Members of Planning Board and Zoning Board of Appeals

WHEREAS, an introductory Local Law entitled “Local Law No. 1 of 2025 – Alternate Members of Planning Board and Zoning Board of Appeals” was introduced before the Town Board of the Town of Shandaken on August 4th, 2025, and upon notice duly published and posted, a hearing was held on September 8, 2025 at 6:30pm before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significant of said introductory local law, and be it

RESOLVED, that the adoption of the introductory local law entitled “Local Law No. 1 of 2025 – Alternate Members of Planning Board and Zoning Board of Appeals” is hereby determined to be a Type II SEQR action; and be it further

RESOLVED, that the Town Board of the Town of Shandaken hereby adopts said “Local Law No. 1 of 2025 – Alternate Members of Planning Board and Zoning Board of Appeals”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Shandaken, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL
AYES NAYS

BOARD MEMBER DRAKE _____

BOARD MEMBER KNESSL _____

BOARD MEMBER STEEN _____

BOARD MEMBER VAN BLARCUM _____

SUPERVISOR DISCLAFANI _____

Town of Shandaken, Local Law #1 of 2025 – Alternate Members of Planning Board and Zoning Board of Appeals

Section 39-1.2

Alternate Members

- A. This section is enacted to provide a process for appointing alternate members of the Planning Board.
- B. Two alternate members of the Planning Board may be appointed by the Town Board for terms of up to two years, with the terms to expire on December 31 of the second year after the date of their initial appointment.
- C. The Chairperson of the Planning Board shall designate an alternate to substitute for a member when such member is unable to participate on an application or matter before the Board owing to a conflict of interest or when a member notifies the Chair that he or she will

be absent for two or more consecutive meetings. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Planning Board. Such designation shall be made by the Chairperson on a rotating basis commencing with the alternate first appointed by the Town Board following the effective date of this section. Each designation shall be entered into the minutes of the initial Planning Board meeting at which the substitution is made.

- D. Alternate members shall regularly attend the scheduled meetings and/or work sessions of the Planning Board to which they may be designated so as to be available for designation when required and to be familiar with the applications and/or matters pending before such Board.
- E. Alternate members shall serve without compensation.
- F. All provisions of state law relating to Planning Board member attendance, eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as provisions of any local law or ordinance relating to training and continuing education, shall also apply to alternate members.

Modification to Section 39-10 C (1) (e)

(e) Chairman shall inform members of the training and continuing education courses as required by New York State General Municipal Law for all planning board members, including alternates.

Modification to Section 39-10 C (3) (a) [3]

[3] Serving as custodian of the records of the Planning Board, including records of training and continuing education as required by New York State General Municipal Law for all planning board members, including alternates.

Section 116-67 A

A. Alternate Members

1. This section is enacted to provide a process for appointing alternate members of the Zoning Board of Appeals.
2. Two alternate members of the Zoning Board of Appeals may be appointed by the Town Board for terms of up to two years, with the terms to expire on December 31 of the second year after the date of their initial appointment.
3. The Chairperson of the Zoning Board of Appeals shall designate an alternate to substitute for a member when such member is unable to participate on an application or matter before the Board owing to a conflict of interest or when a member notifies the Chair that he or she will be absent for two or more consecutive meetings. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Zoning Board of Appeals. Such designation shall be made by the Chairperson on a rotating basis commencing with the alternate first appointed by the Town Board following the effective date of this section. Each designation shall be entered into the minutes of the initial Zoning Board meeting at which the substitution is made.
4. Alternate members shall regularly attend the scheduled meetings and/or work sessions of the Zoning Board of Appeals to which they may be designated so as to be available for designation when required and to be familiar with the applications and/or matters pending before such Board.
5. Alternate members shall serve without compensation.
6. All provisions of state law relating to Zoning Board of Appeals member attendance, eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as provisions of any local law or ordinance relating to training and continuing education, shall also apply to alternate members.

Resolution Authorizing Adoption by the Town Board of the Town of Shandaken of Local Law #2 of 2025 – Amending the Town Code Section 116 Regarding Telecommunication Facilities

WHEREAS, an introductory Local Law entitled “Local Law No. 2 of 2025 – Amending the Town Code Section 116 Regarding Telecommunication Facilities” was introduced before the Town Board of the Town of Shandaken on August 4th, 2025, and upon notice duly published and posted, a hearing was held on September 8, 2025, at 6:45pm before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significant of said introductory local law; and

WHEREAS, the criteria for issuing a special permit for telecommunication facilities regarding visual impacts remains unchanged; now, therefore be it

RESOLVED, that the adoption of the introductory local law entitled “Local Law No. 2 of 2025 – Amending the Town Code Section 116 Regarding Telecommunication Facilities” is hereby determined to be an unlisted action under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, that the Town Board having reviewed the Short Environmental Form (SEAF) for proposed local law, considered the environmental factors under SEQRA , and noting the requirements and criteria contained in Section 116-62 for the issuance of a Special Permit for telecommunication facilities, finds that this Local Law will not have a significant impact on the environment and hereby adopts a negative declaration as required under SEQRA; and be it further

RESOLVED, that the Town Board of the Town of Shandaken hereby adopts said “Local Law No. 2 of 2025 – Amending the Town Code Section 116 Regarding Telecommunication Facilities”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Shandaken, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

AND MOVES ITS ADOPTION

Seconded by:

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

Town of Shandaken, Local Law #2 of 2025 – Amending the Town Code Section 116 Regarding
Telecommunication Facilities

Section 116-14 (3)

(3) The maximum height for telecommunication towers permitted under this article, including any antennas or other devices extending above the tower, measured from the original ground level at the base of the tower, shall be up to 199 feet.

Section 116-62.4

(H) REMOVED

(I) Minimum setbacks. The minimum distance between the base of a tower-based wireless telecommunications facility and any adjoining property line or street right-of-way line shall equal 100% of the proposed height of the tower-based wireless telecommunications facility, unless the applicant shows to the satisfaction of the Town Board that the proposed tower-based wireless telecommunications facility has been designed in such a manner that a lesser setback will have no negative effects on public safety.

Resolution #111-25

Offered By:

Advertise for Pine Hill Water Commissioner

Whereas, the Town Board; under § 20, Notes of Decision 9 of the Town Law, the Town Board shall appoint all employees of the Town; and

Whereas, the Town has accepted the resignation of Ethan Bernstein & will need to advertise to fill his position.

Therefore Be It Resolved that the Town of Shandaken will advertise for the position immediately – (To allow training time before Ethan leaves the position), with interviews to be conducted and applications to be received by Wednesday September 17, 2025 by 2pm at the Town Clerk’s office.

**Be It Further resolved, The Town board will hold a special meeting on -----
-- to select a Pine Hill Water Commissioner.**

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL
AYES NAYS

BOARD MEMBER DRAKE	_____	_____
BOARD MEMBER KNESSL	_____	_____
BOARD MEMBER STEEN	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR DiSCLAFANI	_____	_____

APPOINT PLANNING BOARD MEMBER CHANDRA VALIANTI

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

AND WHEREAS planning board member John Horn resigned before the end of his term set to expire December 31st, 2029

THEREFORE, BE IT RESOLVED that **Chandra Valianti** is appointed to the Shandaken Planning Board to fulfill the remainder of said term,

and BE IT ALSO RESOLVED, each Board Member is required each year to attend four hours of applicable training for their Office and record such at the town Clerk’s Office

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL
AYES NAYS

BOARD MEMBER DRAKE _____

BOARD MEMBER KNESSL _____

BOARD MEMBER STEEN _____

BOARD MEMBER VAN BLARCUM _____

SUPERVISOR DISCLAFANI _____

RESOLUTION #113-25

OFFERED BY

RESOLUTION TO APPOINT DOG KENNEL VOLUNTEER

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 **Dolores Paula**, be appointed Dog Kennel Volunteer to assist in care of any of our shelter dogs. Under the direction of the Dog Control Officer. At no compensation.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL
AYES NAYS

BOARD MEMBER DRAKE _____

BOARD MEMBER KNEISSL _____

BOARD MEMBER STEEN _____

BOARD MEMBER VAN BLARCUM _____

SUPERVISOR DiSCLAFANI _____

RESOLUTION #114-25

OFFERED BY

Resolution Supporting Submission of a Proposal to the Mid-Hudson Regional Economic Development Council to Select the Town of Shandaken for \$4.5 Million of Strategic Investments in Pine Hill through the New York State New York Forward Program

WHEREAS, the Town Board of the Town of Shandaken supports the NY Forward Program's "comprehensive approach to boosting local economies by transforming communities into vibrant neighborhoods where the next generation of New Yorkers will want to live, work and raise a family;"

WHEREAS, The Town of Shandaken wishes to maintain and build upon its high quality of life and preserve the historic nature of its hamlets while revitalizing the commercial and recreation spaces in its downtown areas for resident and visitor use, increasing the supply and affordability of its housing stock, and making development compatible with its environmental roles and responsibilities.

WHEREAS, Shandaken has developed a long-term vision, goals, strategies and projects for Pine Hill, its New York Forward target area, with significant community engagement over several years;

WHEREAS, proposed project sponsors offer a variety of business improvements, park and recreation enhancements, affordable housing and downtown upgrades to its historic district;

NOW THEREFORE, the Town Board approves and strongly endorses the proposal requesting that the Mid-Hudson Regional Economic Development Corporation select the Town of Shandaken New York Forward Target Area, Pine Hill, for participation in the NY Forward Program and affirms a high level of public and community support for these investments.

ROLL CALL
AYES NAYS

BOARD MEMBER DRAKE	_____	_____
BOARD MEMBER KNESSL	_____	_____
BOARD MEMBER STEEN	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR DiSCLAFANI	_____	_____

RESOLUTION #115-25

OFFERED BY

Resolution Supporting Ulster County’s Replacement of the Bridge Street Bridge

Whereby the town has made flood mitigation a critical mission activity for many years with a focus on flood studies, flood buyouts, bridge improvements, floodplain manager training, and FEMA Community Rating System (CRS) evaluation,

And whereby the replacement of Bridge Street will allow for further flood mitigation efforts that can substantially improve Phoenicia in the face of climate change,

And whereby the Bridge Street Bridge is critical to the economic vitality of Phoenicia and, as the only commercial center across an almost 20 mile stretch of the Catskills Scenic Byway and serves as a primary economic driver for the entire Catskills region,

And whereby the water lines installed across the Bridge Street Bridge are critical to the well-functioning of the Phoenicia water district,

And whereby Plank Road, Route 214, and the Main Street bridge are modeled as being inaccessible in the one hundred year flood and therefore a bridge able to withstand the 100 year flood is critical for the residents of Phoenicia to be able to evacuate in a flood,

And whereby the primary air medivac point is within Phoenicia as well as the primary ambulance building, and a bridge able to withstand the 100 year flood is critical to emergency services serving area,

Therefore be it resolved, the town of Shandaken Town Board does hereby request and support the county’s replacement of the Bridge Street Bridge,

And be further resolved, commits to assisting this project however it can in regard to grant writing, community communication, and road work.

And be it further resolved that the town board most supports bridge alternative three as this design provides the most flood benefits, which, combined with other projects, potentially allows the Phoenicia Main Street / Businesses District to be entirely removed from the flood plain, and requests that Ulster County DOT prioritize this design in its consideration.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL	
AYES	NAYS

BOARD MEMBER DRAKE	_____	_____
BOARD MEMBER KNESSL	_____	_____
BOARD MEMBER STEEN	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR DISCLAFANI	_____	_____

**Supporting Participation in the New York City Funded Flood Buyout Program for
38 Main Street, Phoenicia, NY 12464**

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

Whereas, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

Whereas, the Town of Shandaken has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town, and the LFA recommends that certain properties that are subject to repetitive flood damage should be considered for flood buyout, and

Whereas, a significant portion of the 2.07-acre property at **38 Main Street, Phoenicia, NY 12464 (Section-Block-Lot 14.13-3-14)**, is within the bounds of the floodplain enhancement scenario recommended for consideration in the Local Flood Analysis for the Hamlets of Phoenicia and Mt. Tremper (adopted in 2016), and

Whereas, the property at **38 Main Street, Phoenicia, NY 12464** is recommended for acquisition and relocation in the LFA, and the Town has been approached by **Alfred Peavy of 38 Main Corp.**, the owner of the property, who is requesting to participate in the NYCFFBO program under the Hydraulic study category, and

Whereas, the property suffered damages in previous floods, including Tropical Storm Irene, August 28, 2011, and

Whereas, the Town of Shandaken will choose the option for ownership of the property and understands this property will be managed as open space in accordance with a re-use plan prepared by the Town. Minimal management of the property will be performed, such as maintaining boundary lines, posting signs, and annually inspecting the property, with all activities subject to and consistent with the restrictions in flood-prone areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program, Page 5 (1) a., i., ii., iii., iv.; and v; and

Now, Therefore Be It Resolved, The Town of Shandaken Town Board approves **Alfred Peavy, 38 Main Corp.**, property owner of **38 Main Street, Phoenicia, NY 12464** to apply for the NYCFFBO program to permanently remove this flood hazard risk, allowing the DEP to begin assisting in the real estate process.

Be It Further Resolved, The Town of Shandaken Town Board agrees to take title to the property and manage it as open space in accordance with a re-use plan and above-acknowledged management conditions.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL
AYES NAYS

BOARD MEMBER DRAKE _____

BOARD MEMBER KNEISSL _____
BOARD MEMBER STEEN _____
BOARD MEMBER VAN BLARCUM _____
SUPERVISOR DiSCLAFANI _____

RESOLUTION # 117-25

OFFERED BY

**SUPPORTING PARTICIPATION IN THE NEW YORK CITY FUNDED FLOOD BUYOUT PROGRAM FOR
464 PLANK ROAD., PHOENICIA, NY 12464**

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

WHEREAS, at the request of local communities, funding from the NYC Department of Environmental Protection (DEP) is being made available to help property owners who qualify for the NYC Funded Flood Buyout Program (NYCFFBO) based on eligibility criteria in five categories – 1) Hydraulic study properties (recommended by engineering analysis), 2) CWC Flood Hazard Mitigation Implementation Program, 3) Community-approved Stream Management Project, 4) Erosion Hazard, and 5) Inundation Hazard, and

WHEREAS, the Town of Shandaken has conducted a Local Flood Analysis (LFA) including a hydraulic analysis of flooding in the Town, and the LFA recommends that certain properties that are subject to repetitive flood damage should be considered for flood buyout, and

WHEREAS, the entirety of the 5.64-acre property at **464 PLANK ROAD, PHOENICIA, NY 12464 (Section-Block-Lot 25.1-2-25)**, is within the bounds of the National Flood Insurance Program’s Regulatory Floodway, and therefore susceptible to damaging floods, and ineligible for locally-funded mitigation programs, and

WHEREAS, the flood-vulnerable structures at **464 PLANK ROAD, PHOENICIA, NY 12464** are recommended to be removed from the floodway in the LFA, “where there is owner interest and programmatic funding available”, and

WHEREAS, the Town has been approached by **James J. Amenta Jr.**, the owner of the property, who is requesting to participate in the NYCFFBO program under the Hydraulic study category, and

WHEREAS, the property suffered damages in previous floods, including Tropical Storm Irene, on August 28, 2011, and “The Christmas Flood,” on December 25, 2020, and

WHEREAS, the Town of Shandaken will choose the option for ownership of the property and understands this property will be managed as open space in accordance with a re-use plan prepared by the Town. Minimal management of the property will be performed, such as maintaining boundary lines, posting signs, and annually inspecting the property, with all activities subject to and consistent with the restrictions in flood-prone areas identified in the Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program, Page 5 (1) a., i., ii., iii., iv.; and v; and

NOW, THEREFORE **BE IT RESOLVED**, The Town of Shandaken Town Board approves **James J. Amenta Jr, 464 Plank Road, Phoenicia NY 12464, SBL 25.1-2-25** to apply for the NYCFFBO program to permanently remove this flood hazard risk, allowing the DEP to begin assisting in the real estate process.

BE IT FURTHER RESOLVED, The Town of Shandaken Town Board agrees to take title to the property and manage it as open space in accordance with a re-use plan and above-acknowledged management conditions.

AND MOVES ITS ADOPTION

Seconded by:

ROLL CALL	
AYES	NAYS

BOARD MEMBER DRAKE	_____	_____
BOARD MEMBER KNEISSL	_____	_____
BOARD MEMBER STEEN	_____	_____
BOARD MEMBER VAN BLARCUM	_____	_____
SUPERVISOR DiSCLAFANI	_____	_____