



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 All who lost their lives on 9/11/2001*

Legal Notice

1-NOTICE IS HEREBY GIVEN that the Town Board of the Town of Shandaken will hold a PUBLIC HEARING pursuant to Section 20 of the Municipal Home Rule Law of the State of New York to consider and hear public comments regarding Town Law #1 of 2025, allowing alternate members to be appointed to the Planning Board and the Zoning Board of Appeals.

Said Public Hearing is scheduled for September 8, 2025 at 6:30pm, to be held at the Town of Shandaken Town Hall 7209 Route 28, Shandaken, NY...

Public Hearing 6:30-6:45 – 2 questions. Kimberly Umhey & Hank Williams

2-NOTICE IS HEREBY GIVEN that the Town Board of the Town of Shandaken will hold a PUBLIC HEARING pursuant to Section 20 of the Municipal Home Rule Law of the State of New York to consider and hear public comments regarding Town Law #2 of 2025, amending Town Telecommunications Facilities Code §116 Article IXA.

Said Public Hearing is scheduled for September 8, 2025 at 6:45pm, to be held at the Town of Shandaken Town Hall 7209 Route 28, Shandaken, NY...

Public Hearing from 6:45 – 7:53 – Speakers were mostly in favor of cell service – but not the tower at the Phoenicia spot Verizon is presently proposing. Most comments were against location of this tower due to proximity of neighbor.

*Many participants at this hearing didn't understand that the purpose of the meeting was to comment on our law and height of tower change, not placement of a tower. County representative Dennis Doyle spoke of the need of height change - 19 extra feet for the use of Emergency Services Communication.

Other speakers included: Alan Fliegel, Bob Cross, Harry Jameson, Steven Mancinelli, Hank Williams, Jan Jaffee, Angela Galindo, Sam & Kimberley Umhey, Isaiah Martin, Jerry Forsda, Glenn Ford, Declan Feehan, Beth Waterman, Dennis Frano, Howard Widensky, Mike Ricciardella, Ernest Longhi Jr, Gail Lester.

SUPERVISOR’S NOTES – SEPTEMBER 2025

Tonight, we are working to amend 2 Town codes, most notably, the Telecommunication Law to allow for better Emergency response communications along our main traffic corridor.

We are appointing a Planning Board member and Dog shelter helper and advertising the open position of Pine Hill Water Commissioner.

We are supporting an application for Pine Hill improvements with a NY Forward Program grant.

Supporting Ulster County’s Bridge Street bridge replacement. And participation of 2 properties in the NYC Flood buy-out program.

Last month we resolved to work towards and currently, we are in the process of buying the Phoenicia School, with the idea of it being used for affordable and workforce housing mixed with market priced housing and including a community space. As stated in last month’s resolution of support, it is believed this will need to go to a District-wide referendum. This is a work in progress and all comments are welcome.

A huge thank you to John Valek and Steve Neville for re-roofing the Phoenicia Information Kiosk!

And a huge thank you to Christina Varga and Elizabeth Kneissl and the Parks and Rec folks for putting together the Parish Park Put-Put!

As always, these notes and minutes of these and all Town meetings are online at our Town website; www.shandaken.gov or YouTube channel: www.youtube.com/townofshandaken
Our next regular meeting is October 6th

Peter DiSclafani

Supervisor Report September 2025
Revenues For August, 2025

Zoning Fees	\$350.00
Ambulance Fees	\$13,812.87
Ambulance Donation	\$100.00
SBA	\$3,586.34
Town Clerk Fees/EZ Pass	\$50.00
Vital Statistics	\$160.00
Building Permit Fees	\$8,458.50
Dog Fees/Donations	\$571.00
Planning Board	\$400.00
Police Fees	\$60.00
Justice Fees	\$29,706.00
Interest on Town Accounts	\$8.07
REIS Insurance	\$213.00
MAHV	\$900.00
Big Indian Beautification	\$1,700.00
STR Receivables	\$1,583.52
Sales Tax	\$64,798.60
Phoenicia Water Rents	\$3,000.00
Pine Hill Water Rents	\$3,000.00
Glenbrook Park	\$50.00
State Aid	\$988.00
Medical Coverage- P. Miranda	\$261.82
Summer Recreation	\$50.00
Cornell Cooperative	\$6,627.50
Totals	\$140,435.22

MOTIONS – Disclafani/Vanblarcum. All carried

- 1- To accept resignations of John Horn & Ethan Bernstein
- 2- Table Resolution 110 & 117

8:45 – Town Bd went into Executive Session with Police Chief Storey. Reason for a Police information meeting. 9:20 Closed the Executive Meeting & Reopened. The regular meeting. Adjourned on a Disclafani/Vanblarcum motion at 9:25.



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

August 2025 Monthly Report

INCIDENT TYPE	NUMBER
911 Misdeal/No Voice/Abandoned	8
Accident PIAA/PDAA	14
Abandoned Vehicle	
Alarm Burglary/Panic/Robbery	3
Animal Complaint/Investigation	4
Assist EMS/Fire	17
Criminal Mischief	
Disorderly Conduct	1
Encon Violation	
Larceny	2
Community Oriented Policing Project	
Custody Dispute	
Civil	2
Disabled Vehicle	1
Dispute	11
Domestic Dispute	2
Erratic Vehicle	1
Foot Patrol	4
Fraud	2
Mental Health Law	

INCIDENT TYPE	NUMBER
Harassment	5
Local Law	
Lock Out	5
Lost/Missing Person	4
Noise Complaint	2
Property Retrieval/Lost/Found	1
Public Service/Special Detail	3
Open Door	
Property Check	339
Road Hazard	2
School Check	4
Shots Fired	
Suspicious Activity	6
Traffic Stop	21
Trespass	
Vehicle and Traffic Complaint	3
Welfare Check	12
Field Interview	
Warrant	1
Total	141

SUMMONS ISSUED	10
ARRESTS	5

Property Checks 339
Total w/property checks 480



Town of Shandaken
Ambulance Service
"Committed to Care in the Heart of the Catskills"

August 2025 Report

TOTAL CALLS RECEIVED- 50

MUTUAL AID GIVEN- 5 -Town of Olive, 1- Town of Woodstock, 1- Greene County, 4- Lexington

MUTUAL AID RECEIVED- 1 (Multiple Calls in District)

TOTAL TRANSPORTS- 27

TOTAL NO TRANSPORT/ STANDBY/ RELOCATIONS – 23

Another incredibly busy August for the Ambulance Service especially on the weekends. When parking in the hamlets -particularly during events – please be mindful of keeping streets navigable for emergency vehicles. On more than a few occasions the area of Church St. between Main and Tremper in the Village of Phoenicia have been impassable by an Ambulance on weekends due to precariously parked cars. Please be sure to leave adequate space so we can help you!

I'm fairly certain that many Townspeople are aware of a mountain rescue incident that occurred August 29th near Giant Ledge where a quartet of individuals decided it would be a fantastic idea to take psilocybin (psychedelic) mushrooms and go for a hike in the LARGEST WILDERNESS AREA IN THE CATSKILL PRESERVE. One individual became so disoriented they had to be escorted down with two rangers on each side. On top of it they lost their keys during the "trip" and rangers had to go find them the next day.

Common sense is not a hard concept to grasp, but occurrences like this make me think it is all but lost.

Phoenicia Water Committee
Board Report
September 8, 2025

The Committee met on September 2nd at Simpson Gazebo in Phoenicia.

We discussed the need for the Committee to expand beyond its three current members and now request that interested individuals attend our next meeting on October 7 at 9:00 at Phoenicia Library. The Committee would also like Superintendent Ricciardella to attend meetings, which are the first Tuesday of each Month.

The Committee’s understanding is that the water plant is still limping along with one under-functioning infiltration pump and a smaller back up pump—the norm being two infiltration pumps. One pump died and a replacement was ordered by the Town and is expected to arrive later this month. Phil Garaffa, who has done work on Phoenicia’s Water system for many years, said that gauges for the main infiltration pumps are in the main Water Plant on the back wall. These gauges measure in gallons, usually pumping in 100 gallons per minute. As of September 2nd, the remaining pump was pumping in about 40 gallons per minute. Please note: the pump that died went from pumping in 28 gallons per, to completely breaking within a week.

The Committee is grateful to Robert Drake and Elizabeth Kneissl for visiting the water plant and providing updates after the first infiltration pump failed. Please update us when there is an appointment date with Hunt Engineering to assess issues at the Water Plant and to create an plan? Our understanding is that Hunt can map out and document the entire system. We hope they can help create our SOP, and perhaps an Emergency Response Plan?

The Committee requests that Supervisor DiSclafani ask the County if they will fund any implementation of the SLR Engineering plan to complete for the High Street loop. Further, the Committee asks Supervisor DiSclafani to ask the County what technical assistance they are able to provide in procuring and reporting on State funding for Phoenicia’s drinking water system. It is clear that in addition to the immediate need for a 2nd infiltration pump, there are major infrastructure updates needed, and these updates are needed now.

Submitted respectfully on behalf of Committee Chair Kerry Henderson.

8:45 on a Disclafani/Drake motion the Town Bd opened an Executive Session on an Police Department employee matter, with Chad Storey. Informational meeting only. No action taken.
9:25 Disclafani/Drake motion to close the Executive Session.
9:27 Adjourned the Regular meeting on Disclafani/Drake motion. Carried.

RESOLUTION # 108-25 **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	\$ 308,447.65	
Highway	174,881.64	
Phoenicia Water	19,519.28	
Pine Hill Water	3,319.35	
Phoenicia Lights	816.57	
Chichester Lights	117.47	
Pine Hill Lights	487.24	Bi Weekly
Pine Hill lights Sign	3.82	
Arpa Money Market	10,790.00	
Escrow & Planning	6,310.25	

	\$ 524,693.27	

AND MOVES ITS ADOPTION
Seconded by: KNEISSL
ROLL CALL 5 AYES

RESOLUTION #109-25 **OFFERED BY: KNEISSL**

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 SEQRA 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: DISCLAFANI

ROLL CALL 5 AYES

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 #110-225

*** TABLED ***

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.

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.

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 Wed, Sept. 17th at 2pm, to select a Pine Hill Water Commissioner.

AND MOVES ITS ADOPTION
Seconded by: DRAKE
ROLL CALL 5 AYES

RESOLUTION #112-25

OFFERED BY DRAKE

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: STEEN
ROLL CALL 5 AYES

RESOLUTION #113-25

OFFERED BY STEEN

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: VANBLARCUM
ROLL CALL 5 AYES

RESOLUTION #114-25

OFFERED BY VANBLARCUM

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.

Seconded By KNEISL

ROLL CALL 5 AYES

RESOLUTION #115-25 **OFFERED BY KNEISL**

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 with 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: DISCLAFANI
ROLL CALL 5 AYES

Resolution # 116-25 **Offered By 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: DRAKE

ROLL CALL 5 AYES

RESOLUTION #117-25 * TABLED *

**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.

Meeting adjourned on a Disclafani/Drake motion at 9:27

Signed this 10th day of September, 2025

Joyce Grant, Town Clerk