

December 11, 2018 – Regular Meeting

The regular meeting of the Gardiner Town Board was held this evening at the Gardiner Town Hall at 7 PM. Present were Supervisor Majestic, Councilwoman Walls and Councilmen Dukler, Reynolds & Wiegand. There were approximately 50± audience members.

### **ANNOUNCEMENTS**

December 24, 25 & January 1, 2019 – Town Hall closed in observance of Christmas & New Year's

Supervisor Majestic announced that an additional \$10,435.15 was received from the county in sales tax. A \$1,500 grant was received for the Summer Recreation Program and \$100,000 was received from DASNY for the re-decking of the Forest Glen bridge. A meeting with M&T Bank has caused an increase in the rate of interest on all accounts.

Supervisor Majestic announced that there are still openings on the Environmental Conservation Commission and the Ethics Board. We are also looking for a new Summer Recreation Director.

### **SCENIC BY-WAY MEETING**

A Scenic By-Way meeting was held here at the Town Hall. The focus of the committee is economic development. The group will begin working with local business groups to help promote this. Other discussions at the meeting were how to move forward with finance and grants.

### **STERLING ENGINEERING – AQUIFER OVERLAY PRESENTATION**

Sterling Engineering is scheduled to make a presentation to the Town Board on January 8, 2019 regarding the Aquifer Overlay District Law.

### **PUBLIC HEARING – LOCAL LAW - 6 MONTH MORATORIUM ON PROCESSING & APPROVAL OF NEW APPLICATIONS FOR TOURISM RELATED ACCOMMODATION LAND USES**

At 7:10 PM the Town Clerk read the legal notice for a public hearing on a 6-month moratorium on Processing & Approval of New Applications for Tourism Related Accommodation Land Uses. Supervisor Majestic read the recommendations from the Ulster County Planning Board and the Town of Gardiner Planning Board. She also commented that stand-alone rentals (AirBnB) will be addressed by a separate law at a different time. Tonight is strictly for the 6-month moratorium on Processing & Approval of New Applications for Tourism Related Accommodation Land Uses.

The hearing was opened to the public for any questions and/or comments.

Lauren Tamraz – asked when a stand-alone law would be enacted. Supervisor Majestic stated they are currently looking at other town's laws for this type of legislation.

Laurie Willow – suggested allowing citizens on a committee to draft this law.

Councilwoman Walls – stated that the plan is to create the law in the same manner as the Solar Law. Done as a Board in whole with input from audience.

Hilary Adler – objects to the Heartwood project exempt for the moratorium. It is a land use moratorium and they do not show they have a right to be exempt. The code is conflicting with respect to Heartwood. Excluding them from the moratorium will benefit Heartwood.

John Bohan – referred to the Land Use Moratoria guidelines. Read from the guidelines explaining moratoria vested rights. Any reasonable person who has read this would see that

Heartwood does not fit the criteria to be exempt. This moratorium should also apply to Lazy River. A daytime waterpark will create a whole other set of noises.

Geri Torrone - stated that they have been pushing for a moratorium for approximately 2 years, before Heartwood even bought the property.

Matthew Bialecki – asked for an outline of what will be addressed under the moratorium.

Jonathan Lozier – Believes Heartwood should be included in the moratorium and asked why they are not. Supervisor Majestic read to the audience the opinion the Town received from the attorney as to why they are not included.

Karen Harvey – does not believe that the opinion is a good argument to exclude Heartwood from the moratorium.

Amy Little – stated that the issues to be addressed in the moratorium as the same as what the Heartwood project is doing. Advice from the attorney is completely wrong.

Suzanne Levirne – will Heartwood be able to obtain approval and if so will they be able to begin building. Ms Levirne supports the moratorium but spoke about nuisance parks (Lazy River) and how both Heartwood and Lazy River should be included in the moratorium. Both projects are glaring examples of what Gardiner does not want.

Laurie Willow – believes Heartwood has been seeking approval with obsolete or soon to be obsolete laws and they must be included in the moratorium.

Evan Sirof – Because of Heartwood we are now trying to enact a moratorium. They should not be excluded from it. He believes that there is no infrastructure to support these kinds of businesses like a police dept, etc. It is the Town Board's duty to protect the public from this type of project.

Supervisor Majestic – stated the Zoning Code should be reviewed annually. It has been in place for ten years and this Board is the first board to do a review.

Amy Little – a perfect example as to why these projects should be included. Laws are outdated.

Annie O'Neill – suggested getting input from another attorney.

Laurie Willow – asking the Town Board to vote on Heartwood specifically on whether to include or not prior to the vote on the entire moratorium.

Judy Bozsik – agrees with including Heartwood in the moratorium.

Lauren Tamraz – who is the Town Board supporting to not include Heartwood in the moratorium.

Tom Carano – The Planning Board did not exercise due diligence with both the Heartwood and Lazy River applications. The Planning process in Gardiner is flawed.

Supervisor Majestic – As stated earlier this board is working on the review of the zoning law. There is a lot of review needed but this Board is doing it in bite size pieces, slowly and completely so as not to cost the Town a great deal of money. Foolish for the Board to rewrite a Master Plan that has many recommendations that has never been implemented.

Matthew Bialecki – explained his perspective of the zoning code as he sees it was written.

Possibly consider expanding to include entertainment related facilities.

Perhaps the Town should do a deeper review of the zoning code.

Councilwoman Walls – stated that there seems to be a dialogue issue here between the public and the Town Board. There is a lot of presumption about each Town Board member and their perspective on the decisions they make. Invited everyone to stay and listen to the discussion to be able to understand how their decisions are made.

Hilary Adler – the public has not been that presumptuous with vested rights. This is a legal term and there is a direct correlation between the legal term and the legality of the supposed vested right. The Planning Board has not known the procedure all across the Heartwood approval

process. The moratorium will give direction for projects of this nature on the procedure and this is why Heartwood should be included.

### **CLOSE PUBLIC HEARING**

At 8:15 PM the public hearing on the 6-month moratorium on Processing & Approval of New Applications For Tourism Related Accommodation Land Uses was closed on motion of Councilwoman Walls, seconded by Councilman Wiegand and carried.

Board members discussed the 2 required modifications of the Ulster County Planning Board. Councilman Wiegand made a motion to allow for one 6-month moratorium without the recommendation to include a 6-month extension on the moratorium. This was seconded by Councilwoman Walls and carried.

Councilman Wiegand made another motion rejecting the second recommendation to allow new applicants the ability to file their applications during the moratorium. This will permit review with no action until the end of the moratorium. Supervisor Majestic & Councilman Reynolds voted nay. Since this did not pass on a super majority vote, the motion fails.

Supervisor Majestic informed the Board that this would entail a substantive change to the law which will require a whole new law with a new public hearing. Board members discussed the results of accepting this recommendation. They discussed that it can lead to a false perception on the moratorium and can result in a costly investment should the amended law not be in favor of the applicant. Although it is at their own risk, Councilman Wiegand believes it is the duty of the Town Board to protect an applicant against this happening. A new motion was made to reject the second required modification made by the Ulster County Planning Board by Councilman Wiegand, seconded by Councilwoman Walls and carried by additional aye votes from Councilmen Dukler and Reynolds. Supervisor Majestic voted nay. She believes that an applicant should be given the right to make their own decision in this.

The Board then discussed whether to include Heartwood and Lazy River in the moratorium. Councilwoman Walls, Councilman Wiegand and Supervisor Majestic all believe that to this point the applicants have followed the requirements of the law for their projects as it is written. It is not reasonable or fair to include these projects at this time in their approval process. There are certain criteria to be met according to law to allow for exclusions from moratoria. Councilman Dukler stated that laws are subject to interpretation. Questioned the criteria of substantial financial expense. He would like more information before he makes a final decision. Councilman Reynolds would like to obtain an opinion from another attorney before moving forward with including or excluding Heartwood and Lazy River.

### **ADOPTION OF LOCAL LAW FOR A 6 MONTH MORATORIUM FOR PROCESSING & APPROVAL OF NEW APPLICATIONS FOR TOURISM RELATED ACCOMMODATION LAND USES**

The Board moved forward with a vote to adopt the local law for a 6- month moratorium on Processing & Approval of New Applications for Tourism Related Accommodation Land Uses As it is written, on motion of Supervisor Majestic, seconded by Councilwoman Walls and carried by an additional aye vote from Councilman Wiegand. Councilmen Dukler and Reynolds vote nay. Law is adopted.

Be it enacted by the Town Board of the Town of Gardiner as follows:

#### **Section 1. Title**

This Local Law shall be referred to as the “Local Law Imposing a Six-Month Moratorium on the Processing and Approval of New Applications for Certain Tourism-Related Accommodation Land Uses in the Town of Gardiner”.

### Section 2. Purpose and Intent

Pursuant to the statutory and common law powers vested in the Town of Gardiner (the “Town”) to regulate and control land uses and to protect the health, safety and welfare of its residents, the Town Board of the Town hereby declares a temporary six (6) month moratorium on the processing and approval of new applications for building permits, special use permits, special permits, variances, site plan approval, lot line revision, subdivision approval or other approvals or permission related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of the following in the Town: 1) Camps; 2) Low-Impact Recreation; 3) Recreational Camps and Facilities; 4) Lodging Facilities; 5) Resorts; 6) Tourist Camps; 7) Travel Trailer Parks; and 8) Glamping Facilities.

In 2008, after a lengthy period of drafting, review and deliberation, the Town adopted a comprehensive land use law (the “Zoning Law”) to regulate the location, design, construction, alteration, occupancy, and use of structures and the use of all land located within the municipal boundaries of the Town. The Zoning Law was designed to further the policies of the Town as set forth in the Town of Gardiner Comprehensive Plan (“Comprehensive Plan”) which was adopted in or about 2004. Its intent, among other things, was to regulate land uses in a manner that appropriately balanced the preservation of the unique character and beauty of the Town while at the same time fostering economic opportunities.

The Comprehensive Plan recommends that the Town review the structure of the Zoning Law and the densities in the zoning districts to ensure that they provide “sufficient incentives for creative development consistent with the plan goals”. This recommendation would apply to the periodic review of existing uses, including tourism-related uses, *and* an evaluation of new proposed land uses that were not specifically addressed or contemplated at the time the Comprehensive Plan was adopted and subsequent zoning amendments were considered.

In recent months, the Town has taken steps to initiate a comprehensive review of the tourism-related uses defined in the Zoning Law and Chapter 200 of the Town Code which regulates “tourist camps” and “travel trailer parks” specifically. The Town Board intends to review the definitions and use regulations that are currently in place and consider if these regulations need to be updated or revised to ensure that tourism-related accommodation uses are located and undertaken in a manner that will not result in a material adverse impact on the Town’s built and natural environment. As part of this review, the Town Board also intends to review and consider a new tourism-related accommodation use called “glamping” that has become prevalent in the region and greater State in recent years, but is not specifically contemplated, addressed or regulated under the Zoning Law or Town Code.

The Town Board desires to effectuate its Comprehensive Plan and address, in a careful manner, the undertaking, establishment, siting, placement, construction, enlargement and erection of the tourism-related accommodation uses within the scope of this Local Law on a comprehensive Town-wide basis, rather than on an ad hoc basis, and if deemed necessary, to adopt new land use regulations that include provisions to specifically regulate the same.

The Town Board hereby finds and determines that it needs a period of time covered by the moratorium imposed herein in order to carefully review and complete its review, and to prepare and adopt any needed amendments, which will necessarily involve scheduling and holding the required public hearing, performing the appropriate environmental review, compliance with applicable provisions of law and filing with the Secretary of State of the State of New York.

The Town Board finds that pursuant to 6 NYCRR 617.5(c)(30) the adoption of a moratorium on land development or construction is a Type II action under the New York State Environmental Quality Review Act (“SEQRA”) which has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, article 8 and is therefore not subject to review under 6 NYCRR Part 617 or Environmental Conservation Law article 8.

### Section 3. Authority

This moratorium is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

### Section 4. Scope of Controls

- A. For a period of six (6) months from the effective date of this Local Law, no board, officer or agency of the Town shall accept, process, consider or approve any new applications for building permits, special use permits, special permits, variances, site plan approval, lot line revision, subdivision approval or other approvals or permission related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of the following:
  - (i) Camps
  - (ii) Low-Impact Recreation
  - (iii) Lodging Facilities
  - (iv) Recreational Camps and Facilities
  - (v) Resorts
  - (vi) Tourist Camps
  - (vii) Travel Trailer Parks
  - (viii) Glamping Facilities
- B. The review, processing and approval of any applications for building permits, special use permits, special permits, variances, site plan approval, lot line revision, subdivision approval, or other approvals or permission related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of the uses, activities and operations set forth in Section 4(i) – (viii) of this Local Law, that are pending as of the date this local law is introduced (November 13, 2018), shall be permitted to proceed and are hereby exempt from this moratorium.
- C. This moratorium shall not apply to Certificates of Occupancy for any and all construction pursuant to building permits issued prior to or in accordance with the provisions of this Local Law or the issuance of any building permit for the renovation or repair of any lawfully existing structure otherwise covered by this local law.
- D. The Town Board reserves the right to direct the Town Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.
- E. For purposes of this local law, the following terms shall mean:
  - (i) Camp - Any area of land containing recreation facilities and which may contain cabins, tents, recreational travel vehicles, shelters, or accommodations used for what is commonly known as "overnight camp" or "day camp" purposes, or otherwise designed for seasonal or other temporary recreational and living purposes occupied by adults, children, or any combination of individuals, families, or groups.

- (ii) Low-Impact Recreation - Any recreational activities that do not involve buildings or motorized vehicles, with limited facilities such as trails, boardwalks, lean-tos, tents, gazebos, and other temporary camping facilities.
- (iii) Lodging Facility - Any hotel, motel, inn, or other establishment providing sleeping accommodations for transient guests, with or without a dining room or restaurant, excluding bed-and-breakfast establishments.
- (iv) Recreational Camps and Facilities - Seasonal recreational uses that may involve seasonal cabins and other permanent seasonal structures, including but not limited to seasonal transient lodging, information kiosks, clubhouses, pools, tennis courts, exercise facilities, basketball courts, and other recreational structures, excluding golf courses, hotels, resorts, and facilities for travel trailers, campers, and other motorized camping vehicles.
- (v) Resort - A development that includes recreational, lodging, and second-home residential uses, combined to create a vacation environment, which may or may not also include a health spa, conference facilities, equestrian facilities, hiking trails, a golf course, ski facilities, and other related commercial and recreational uses.
- (vi) Tourist Camp - Any plot of ground whereon are located or placed two or more tents or tent houses.
- (vii) Travel Trailer Park - Any plot of ground upon which two or more travel trailers occupied for dwelling or sleeping purposes are located. A travel trailer is defined as a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, and having a body width not exceeding 8.5 feet.
- (viii) Glamping Facility – A facility with camping units, that include a platform, tent, yurt, cabin, lean-to or other structures or accommodations more luxurious than those associated with traditional camping. Such amenities may include beds, electricity, and access to indoor plumbing.

#### Section 5. Hardship

- A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town Board of the Town in writing for a variance from strict compliance with this Local Law upon submission of proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special use permit, special permit, site plan, lot line revision, subdivision, or other approvals, permission, or permit during the period of the moratorium imposed by this Local Law.
- B. Procedure. Upon submission of a written application to the Town Clerk by the property owner seeking a variance from this Local Law, the Town Board shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon five (5) days' written notice in the official newspaper of the Town. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Town Board shall, within fifteen (15) days of the close of said Public Hearing, render its decision either granting or denying the application for a variance from the strict

requirements of this Local Law. If the Town Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Town Board shall grant a variance of the application of this Local Law to a particular property, then the Town Board shall grant a variance of the application of this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

#### Section 6. Term

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law.

#### Section 7. Penalties

Any person, firm or corporation that shall undertake, establish, place, develop, excavate, enlarge, construct or erect anything regulated within the "Scope of Controls" listed in Section 4 above in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall:

- A. Be guilty if an offense, punishable by a fine not exceeding two hundred and fifty dollars (\$250.00) or imprisonment for a period not to exceed 15 days, or both. Each day's continued violation shall constitute a separate offense, and
- B. Be subject to appropriate action or proceedings by the proper authorities of the Town to enjoin, correct, or abate any violation(s).

#### Section 8. Validity

The invalidity of any provision of this Local Law shall not affect the validity of any other provisions of this Local Law that can be given effect without such invalid provision.

#### Section 9. Suspension and Supersession of Other Laws

All local laws in conflict with the provisions of this Local Law area hereby superseded and suspended for a period of six (6) months from the effective date of this Local law. This Local Law also supersedes, amends, and takes precedence over any inconsistent provisions of New York Town Law under the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3), §10(1)(ii)(a)(14), and §22.

In particular, this Local Law supersedes any inconsistent provisions of New York Town Law §267, §267-a, §267-b, §274-a, §274-b, §276 and §277 for the purpose of vesting the Town Board of the Town of Gardiner with the authority to accept, hear, process and determine applications for variances from this Local Law.

#### Section 10. Effective Date

This Local Law shall take effect immediately when it is filed in the Officer of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

### **CLOSE PUBLIC HEARING – LOCAL LAW COLD WAR VETERAN'S EXEMPTION**

This public hearing was opened on November 13. At this point the Town Board voted to close the public hearing on motion of Councilman Wiegand, seconded by Councilman Dukler and carried.

### **ADOPTION OF LOCAL LAW TO AMEND THE COLD WAR VETERAN'S EXEMPTION**

On motion of Councilwoman Walls, seconded by Supervisor Majestic and carried, the local law to amend the cold war veteran's exemption was adopted.

- A) Section 194-24B of the Town Code of the Town of Gardiner is amended to read as follows:

In addition to the exemption provided by Subsection A, where the Cold War veteran received a compensation rating from the United States Department of Veterans Affairs or from the

United States Department of Defense because of a service-connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War veteran disability rating, provided, however, that such exemption shall not exceed \$50,000, or the product of \$50,000 multiplied by the latest state equalization rate for the Town of Gardiner, whichever is less. This law shall take effect immediately upon filing same with the New York State Secretary of State.

### **PRESENTATION –GARDINER SENIORS**

Gardiner resident Stephen Weir made a power point presentation to the Town Board entitled Seniors Enrich Gardiner. This was generated by feedback from residents on a study done by the Gardiner Senior Resources Committee. The presentation included results from comparable towns on senior contributions to their communities. Survey results have shown that the biggest concern of Gardiner seniors is affordable housing. Recommendations developed from the study are as follows: Establish a committee of seniors, town officials and others who may be interested in addressing senior issues. Develop a senior center, attract a developer to build senior housing, develop a low cost or no cost transportation service and install benches along the rail trail. Grants are available through the Office of the Aging. Councilman Wiegand is excited to get started. Supervisor Majestic will send out an e-blast about the proposed plans and needs. Mr. Weir stated that funding is needed at the Town level so they may be able to update a brochure that can be sent out to approximately 1400 55+ residents.

### **RE-ZONING OF LAND ROUTE 44-55**

A parcel of land on Route 44/55 owned by David Roehrs is zoned RA. Mr. Roehrs has owned this property for 40 years which has been commercially zoned property. In recent years the zoning on this property was changed to residential which Mr. Roehrs was unaware. This parcel is surrounded by commercial property. This is a lone residential parcel in the middle of the commercial zone. At this time, he is requesting the Town Board re-zone this parcel to its previous status – commercial. A project is being considered for this property. Wild Well Drilling is proposing a building that will house an office and a garage for his well drilling trucks. At this point the Town Board is referring the application to the Planning Board for site plan approval. At the same time the Town Board will need to address this change in a local law. On motion of Councilwoman Walls, seconded by Councilman Wiegand and carried, the Town Board refers this to the Planning Board.

### **HIGHWAY BID AWARD – 2019 ROAD MATERIALS**

At last weeks meeting a bid opening was conducted for the 2019 highway road material. Six bids were received. Superintendent Stiscia reviewed the bids and awards as follows: Sand: lowest bid was from Ulster Sand & Gravel- material unacceptable, awarded to Ellenville Sand & Gravel; Stone Dust: Grosso Materials, Washed stone: Callanan Industries; Various Stone: Ulster Farms for ¾ & 1 ½ Stone, Callanan Industries for 3A-1 ¼ and fine/light stone fill, Grosso Material for crusher shale, Item #4, Surge Stone 2”-6” Oversize 6”, 3/8, ¼, 5/8 stone and Tailings; Bank Run Shale: lowest bidder Grosso Materials-materials unacceptable, awarded to Mehlon Trucking with 2018 pricing honored; Top Soil: Ulster Farms & Material.

**PORTABLE TOILET FOR MAJESTIC PARK**

The Parks & Recreation committee has received 3 quotes for a portable toilet at the park during the winter months. A motion was made by Councilman Wiegand, seconded by Councilwoman Walls and carried, to accept the proposal from A-1 Portable Toilets for a cost of \$120/month.

**MINUTES**

Minutes of October 9, November 11 and November 13 were approved as written on motion of Councilman Wiegand, seconded by Councilman Dukler and carried.

**SUPERVISORS MONTHLY REPORT**

On motion of Councilman Dukler, seconded by Councilman Wiegand and carried, the November Supervisor report was accepted as presented.

**CLAIMS**

Claims were approved for payment on motion of Councilman Dukler, seconded by Councilman Wiegand and carried. They are listed on Abstract #11 as follows: General Fund voucher #491-535 \$97,226.60; Highway Fund voucher #260-300 \$77,440.25; Sewer Fund voucher #47-50 \$1,758.00.

**BUDGET TRANSFER & SUPPLEMENTAL APPROPRIATIONS**

Resolution 110 – Transfer in General Fund – Offered by Councilman Wiegand  
Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, General Fund is hereby amended to provide for the transfer of \$4,343.00 from Acct No. 00.06.7310.107 Summer Rec Staff to Acct No. 00.06.7110.450 CE Pavilion Construction, \$1,578.00 from Acct No. 00.06.7310.106 PS Assistant to Acct No. 00.06.7110.450 CE Pavilion Construction, \$1,64.50 from Acct No. 00.06.7310.101 PS Camp Director to Acct No. CE Pavilion Construction, \$266.00 from Acct No. 00.06.7310.108 PS Bus Drivers to Acct No. 00.06.7110.450 CE Pavilion Construction and \$548.40 from Acct No. 00.06.7310.410 CE Buses to Acct No. 00.06.7110.450 CE Pavilion Construction  
Seconded by Councilman Dukler and carried.

Resolution 111 – Transfer in General Fund – Offered by Councilwoman Walls  
Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, General Fund is hereby amended to provide for the transfer of \$400.00 from Acct No. 00.07.8160.201 CE Capital Equip. to Acct No. 00.07.8160.401 CE Misc Landfill, \$175.00 from Acct No. 00.07.860.201 CE Capital Equip to Acct No. 00.07.8160.413 CE Porta Potty, \$300.00 from Acct No. 00.02.3620.201 CE Capital Equip to Acct No. 00.2.3620.421 CE Office Supplies, \$300.00 from Acct No. 00.01.1620.412 CE Electric to Acct No. 00.04.5182.401 CE Street Lighting, \$300.00 from Acct No. 0.02.3620.412 CE Capital Equip to Acct No. 00.02.3620.101 PS Inspector and \$56.00 from Acct No. 00.02.3620.401 CE Misc Expense to Acct No. 00.02.3620.101 PS Inspector.  
Seconded by Councilman Dukler and carried.

Resolution 112 – Transfer in General Fund – Offered by Councilman Wiegand  
Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, General Fund is hereby amended to provide for the transfer of \$1,000.00 from Acct No. 00.02.3620.105 Inspector Noise Complaint to Acct No. 00.02.3620.468 Noise Complaint, \$150.00 from Acct No. 00.01.1110.422

CE Program Support to Acct No. 00.01.1110.421 CE Office Supplies, \$400.00 from Acct No. 00.01.1420.470 CE Labor Relations to Acct No. 00.01.1420.403 Vital Statistics, \$500.00 from December 11, 2018 – Regular Meeting Page 10

Acct No. 00.01.1670.423 CE Postage to Acct No. 00.01.1670.204 Eq Leasing and \$300.00 from Acct No. 00.01.1670.421 CE Office Supplies to Acct No. 00.01.1670.204 Eq Leasing. Seconded by Councilman Dukler and carried.

Resolution 113 – Transfer in General Fund – Offered by Councilwoman Walls  
Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, General Fund is hereby amended to provide for the transfer of \$178.00 from Acct No. 00.01.1620.412 CE Building Electric. to Acct No. 00.0405182.401 CE Street Lighting and \$100.00 from Acct No. 00.07.160.467 Chipping to Acct No. 00.07.8160.467 CE Transfer Station Electric. Seconded by Councilman Wiegand and carried.

Resolution No. 114 – Supplemental Appropriation (Encumbered Money) in General Fund – Offered by Councilman Dukler  
Resolved, pursuant to Section 122, Town Law, the 2018 Annual Budget, General Fund, is hereby amended to provide for a supplemental appropriation of \$969.00 in Acct No. 00.06.7110.450 Pavilion Construction.  
Further Resolved, said moneys to be taken from the Tax Stabilization Fund #12.  
Seconded by Councilwoman Walls and carried.

Resolution No. 115 – Supplemental Appropriation (Encumbered Money) in General Fund – Offered by Councilman Dukler  
Resolved, pursuant to Section 122, Town Law, the 2018 Annual Budget, General Fund, is hereby amended to provide for a supplemental appropriation of \$125,000.00 in Acct No. 00.06.7110.450 Pavilion Construction.  
Further Resolved, said moneys to be taken from the Tax Stabilization Fund #12.  
Seconded by Councilwoman Walls and carried.

Resolution 116 – Transfer in Highway Fund – Offered by Councilman Dukler  
Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$372.00 from Acct No. 01.04.5110.113 PS PT Regular to Acct No. 01.04.5110.117 PS Scofield, \$2,416.00 from Acct No. 01.04.5110.113 PS PT Regular to Acct No. 01.04.5110.121 PS Soltish, \$1,000.00 from Acct No. 01.04.5142.100 PS Snow OT to Acct No. 01.04.5142.117 PS Scofield, \$3,717.00 from Acct No. 00.04.5142 PS Snow OT to Acct No. 01.04.5142.121 PS Soltish, \$1,222.90 from Acct No. 00.01.1110.103 Court Clerk to Acct No. 00.01.1110.104 and \$1,242.00 from Acct No. 00.02.3620.103 PS PT Clerk to Acct No. 00.01.1410.102 PS PT Clerk.  
Seconded by Councilwoman Walls and carried.

Resolution 117 – Transfer in Highway Fund – Offered by Councilman Wiegand  
Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$400.00 from Acct No. 01.04.5110.400 CE Contract Expenses to Acct No. 01.08.9089.801 Dept 9089 OSHA Boots.  
Seconded by Councilman Dukler and carried.

Resolution 118 – Transfer in Sewer Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, Sewer Fund is hereby amended to provide for the transfer of \$150.00 from Acct No. 03.07.8110.401 CE Misc Sewer Expense to Acct No. 03.07.8110.463 CE Electric.

Seconded by Councilman Wiegand and carried.

Resolution 119 – Transfer in General Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, General Fund is hereby amended to provide for the transfer of \$500.00 from Acct No. 00.04.5132.413 CE Garage Building Repair to Acct No. 00.04.5132.411 CE Phone – Office.

Seconded by Councilman Wiegand and carried.

Resolution 120 – Transfer in Highway Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2018 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$5,770.20 from Acct No. 01.04.5120.400 CE Bridges & Culverts to Acct No 01.04.5130.431 CE Equipment Repair

Seconded by Councilman Wiegand and carried.

**PRIVILEGE OF THE FLOOR**

Tom Carano – commented about the frustration of the residents during a public hearing or discussion of projects before the Planning Board. You are not allowed to speak during the discussion if not a public hearing.

**ADJOURNMENT**

On motion of Councilwoman Walls, seconded by Councilman Dukler and carried, the meeting was adjourned at 10:00 PM

Respectfully submitted,

Michelle L. Mosher  
Town Clerk