

April 9, 2019 – Regular Meeting

The regular meeting of the Gardiner Town Board was held at the Town Hall at 7 PM. Present were Supervisor Majestic, Councilwoman Walls and Councilmen Dukler & Wiegand. There were approximately 8± audience members.

ANNOUNCEMENTS

April 1 – Commercial C & D will no longer be accepted at the transfer station.

April 10 – a representative from Senator Metzger’s office will be at the Library to meet with any residents.

April 23 – The Planning Board will hold it’s meeting on this date, the 4th Tuesday of the month.

April 27 – Annual Gardiner Clean Sweep. Orange bags are available at the Town Hall. There will also be a shredder vehicle at the Town Hall from 9 AM to 1 PM. Please limit you shredding material to 3 boxes or bags.

April 30 – Special Election in Ulster Count for County Executive. Voting is from 6 AM to 9 PM

April 1st – April 30 – The US Fish & Wildlife Service will be conducting a controlled burn at the Shawangunk Grasslands within this time frame.

SUMMER RECREATION

Applications for Summer Employment and Campers are available on the website.

TOWN VACANCIES

Several Town boards have vacancies at this time. They are the Town Board, Planning Board, Zoning Board of Appeals, Environmental Conservation Commission and the Open Space Commission.

PLANNING BOARD APPOINTMENTS

The Town Board interviewed 6 candidates last week and have decided to appoint, on motion of Supervisor Majestic, seconded by Councilman Wiegand and carried, Marc Moran to fill the remaining term left by the resignation of Joe Hayes. His term will expire on April 1, 2025. A second motion made by Councilwoman Walls, seconded by Supervisor Majestic and carried, Ralph Varano was appointed to a 7-yr. term to expire April 1, 2026. On a third motion by Councilman Dukler, seconded by Councilman Wiegand and carried, Rebecca Fullam was appointed as the alternate.

FEDERAL LABOR STANDARDS ACT – UNION EMPLOYEES

Supervisor Majestic is looking for a motion to include calculations for overtime paid in the bonuses that union workers get. Councilwoman Walls made the motion, with a second from Councilman Dukler. Motion carries.

MASS GATHERING PERMIT – CRAFT MARKET WALK

Resolution No. 62 – Offered by Councilwoman Walls

Whereas, the Town of Gardiner has adopted certain rules and regulations governing outdoor musical entertainment, amusement and assemblies in order to provide for public order and the protection of safety, health and well-being of persons and property within the Town known as Chapter 107 of the Municipal Code, and

Whereas, LACE Photo Media LLC has proposed to hold an event known as “Craft Market Walk” on Saturday June 1, 2019 on property know as Gardiner Library, Yard Owl Craft Brewery and Station Square which is reasonably expected to attract more than 1000 persons, and

Whereas, the applicant has provided the Town Board with information concerning the purpose of the event, the hours of operation, the provision of adequate off-street parking, the provision of toilet facilities, and copies of notices sent and letters received from area police agencies, fire departments and rescue squads, and

Whereas, the Town Board is satisfied that adequate provisions have been made by the applicant and that planned event will not disturb the public order and safety, then

Resolved, the Town Board of the Town of Gardiner hereby grants a Mass Gathering Permit for an outdoor assembly known as “Craft Market Walk” to be held on Saturday June 1, 2019, between the hours of 11:00 P.M. and 5:00 P.M. on property known as the Gardiner Library, Yard Owl Craft Brewery and Station Square in the Town of Gardiner in accordance with the application presented to the Town.

Seconded by Supervisor Majestic and carried.

284 AGREEMENT 2019

Resolution No. 63 – Offered by Councilman Wiegand

Resolved, pursuant to Section 284 of the Highway Law, the Town Board of the Town of Gardiner hereby endorses and approves an agreement for the Expenditure of Highway Moneys dated April 9, 2019

Said agreement shall be signed by the majority of the members of the Town Board, with one copy to be filed with the Town Clerk; and

Further Resolved, that the Supervisor is hereby authorized to disburse moneys from the Highway Fund in accordance with said agreement.

Seconded by Councilman Dukler and carried.

CLOVE ROAD BRIDGE

Resolution No. 64 – Offered by Councilman Wiegand

WHEREAS, a Project for the Clove Road Bridge Repair and Replacement in the Town of Gardiner, Ulster County, PIN 8762.37 (the Project) is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, a sum not to exceed \$250,000 in Program Funding is available to progress the project.

WHEREAS, the Town of Gardiner desires to advance the Project by making a commitment of 100% of the State share of the costs of the preliminary engineering, right-of-way incidentals, right-of-way acquisition, and construction work.

NOW, THEREFORE, the Gardiner Town Board, duly convened does hereby

RESOLVED, that the Gardiner Town Board approves the above-subject project; and it is hereby further

RESOLVED, that the Gardiner Town Board hereby authorizes the Town of Gardiner to pay in the first instance 100% of the cost of preliminary engineering, right-of-way incidentals, right0of-way acquisition, and construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$250,000 is hereby appropriated from the Unappropriated Unreserved Highway Fund Balance and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the full state share costs of the project exceeds the amount appropriated above, the Gardiner Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Supervisor of the Town of Gardiner thereof, and it is further

RESOLVED, that the Supervisor of the Town of Gardiner be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the Town of Gardiner with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement in connection with the Project between the Town of Gardiner and the State of New York; and it is further

RESOLVED, this Resolution shall take effect immediately.

Seconded by Councilman Dukler

TOURISM LAW UPDATE

Supervisor Majestic stated that she is waiting on the timeline from the attorney. At this point there is no update.

SHORT TERM RENTAL LAW

Councilwoman Walls created a law using guidance from other short-term laws. Points discussed included regulating vacant land, creating a tribunal to solve conflicts with neighbors, length of time for a permit, owner or non-owner occupied, shared driveways. Supervisor Majestic suggested allowing for non-owner-occupied rental twice a year. Councilman Wiegand feels that this may be a revenue opportunity for the Town. Believes that a tribunal would be difficult to put together. The draft law will be posted on the website.

COMPREHENSIVE/MASTER PLAN

The Comprehensive Plan was written in 2004. Several items listed in the 2004 Master Plan were never implemented. Councilwoman Walls created a chart/worksheet for Board members sometime ago. It was set up in 4 columns just as the Master Plan is divided. Ms Walls suggested identifying several items to work on and assigning an item to Town Board members and volunteers. The Town Board needs to prioritize what's important to them.

SUPERVISOR MONTHLY REPORT – DECEMBER 2018

The Supervisor report for the month of December 2018 was approved as presented on motion of Councilman Dukler, seconded by Councilwoman Walls and carried.

CLAIMS – 2018

The partial claims for December 2018 were approved on motion of Councilman Dukler, seconded by Councilman Wiegand and carried. They are listed on Abstract #12D as follows:
General Fund voucher #596 \$2600.00

SUPERVISOR MONTHLY REPORT

The Supervisor Report for the month of March was approved as presented on motion of Councilwoman Walls, seconded by Councilman Dukler and carried.

CLAIMS

Claims for the month of March were approved on motion of Councilman Wiegand, seconded by Councilman Dukler and carried. They are listed on Abstract #3 as follows: General Fund voucher # 87-127 \$ 14,115.27; Highway Fund voucher # 57-76 \$ 19,663.76; Sewer Fund voucher # 9-12 \$5,100.36.

BUDGET TRANSFER & SUPPLEMENTAL APPROPRIATIONS

Resolution No. 65 – Supplemental Appropriation in General Fund – Offered by Councilwoman Walls

Resolved, pursuant to Section 112 Town Law, the 2019 Annual Budget, General Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$2,700.00 in Acct No. 00.01.1620.413 CE General Repairs.

Further Resolved, said moneys to be taken from the Reserve Repair Town Hall #31 Fund Unreserved Fund Balance.

Seconded by Councilman Dukler and carried.

Resolution No. 66 – Supplemental Appropriation in General Fund – Offered by Councilwoman Walls

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$750.00 in Acct No. 00.07.8160.417 CE Internet Transfer Station and \$240.00 in Acct No. 00.06.8160.401CE Misc.

Further Resolved, said moneys to be taken from the General Fund Unexpended.

Seconded by Councilman Dukler and carried.

Resolution 67 – Transfer in General Fund – Offered by Councilwoman Walls

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$102.00 from Acct No. 00.01.1330.103 Tax Collector Clerk to Acct No. 00.01.1330.421 Tax Collector Supplies and \$96.00 from Acct No.

00.06.7110.413 CE Repair Park to Acct No. 00.06.7110.450 CE Pavilion Project

Seconded by Councilman Dukler and carried.

Resolution 68 – Transfer in Highway Fund – Offered by Councilwoman Walls

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$338.00 from Acct No. 0104.5142.100 PS OT Snow to Acct No. 01.04.5110.117 PS Scofield.

Seconded by Councilman Dukler and carried.

Resolution 69 – Transfer in Sewer Fund – Offered by Councilwoman Walls

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, Sewer Fund is hereby amended to provide for the transfer of \$1,856.00 from Acct No. 03.07.8110.469 CE Outside Pro. Service to Acct No. 03.07.8110.468 CE Repairs.

Seconded by Councilman Dukler and carried.

PRIVILEGE OF THE FLOOR

Scott Bittner – When will a new Town Board member be appointed.

Supervisor Majestic stated that a press release has been published for a new member. Anyone interested must apply prior to May 7.

Scott Mosher – asked who was in charge of the Craft Walk.

Mary Meyer – read a statement loud regarding the dog park a copy of which was handed to the Town Clerk.

ADJOURNMENT

On motion of Councilman Wiegand, seconded by Councilwoman Walls and carried, the meeting was adjourned at 8:40 PM.

Respectfully submitted,

Michelle L. Mosher
Town Clerk