

May 14, 2019 – Regular Meeting

The regular meeting of the Gardiner Town Board was held this date at the Gardiner Town Hall at 7 PM. Present were Supervisor Majestic, Councilwoman Walls, and Councilmen Dukler & Wiegand. There were approximately 23± audience members.

TOWN BOARD APPOINTMENT

This evening the Town Board announced the appointment of Franco Carucci to the Town Board by motion of Councilman Dukler, seconded by Councilwoman Walls and carried. The town clerk administered the oath of office and Councilman Carucci took his place at the table.

COUNTY EXECUTIVE ELECT PAT RYAN

Supervisor Majestic introduced County Executive-Elect Pat Ryan who addressed the Town Board and audience speaking of his plans for the County. Mr. Ryan stated that his priority is to have a relationship with all the towns in Ulster County. One question from the audience was in regard to Tillson Lake Dam. Mr. Ryan will be keeping in touch with the Town and this evening he is going to observe our meeting. He thanked the board for their time.

ANNOUNCEMENTS

May 15 – Climate Smart Gardiner meeting.

May 15 – Ulster County Fairgrounds – official unveiling and dedication of the Ulster County Poorhouse Memorial. 6 PM

Lake Minnewaska – only half of the parking will be available this season

ZONING BOARD OF APPEALS

Supervisor Majestic has received one letter of interest in the vacancy on the ZBA. She has already met with the applicant on another matter and sees no reason to meet with him again. Councilmen Wiegand & Dukler and Councilwoman Walls are all comfortable having a one-on-one interview with the candidate.

NYPIRG LETTER

The Supervisor has circulated an e-mail to the Town Board from Eric Wood of NYPIRG asking the Town to sign on to a support statement to be delivered to Governor Cuomo in mid-June. On motion of Councilwoman Walls, seconded by Councilman Dukler and carried authorization was given to the Supervisor to sign on to the statement. Councilman Wiegand was opposed.

SEWER PLANT UPDATE

Jason Pitingaro & Darren Doetsch from the engineering firm Pitingaro & Doetsch were present this evening to discuss the Sewer District. They have responded to the DEC regarding exceeding the flow limit. They are working on grants and will prepare the flow plan for the DEC by August 1. A game plan for the sewer plant was discussed starting with an I & I study which is clearly the reason for the excess flow. Cost for this study is approximately \$60,000 to \$70,000. An Engineer Plan grant is available and all paperwork is due in by July 6, 2019.

Dusinberre Rd pump station would be next. It is filing and the levels are high due to the heavy rain. Cost to repair/replace is approximately \$100,000. Capital costs for the pump may be available through a CFA grant.

Other concerns include capability of handling increasing development, and reed/sand beds. An RFP will need to be drawn up. The approach to the sewer district problem would go something

like this: I & I study which would be covered in the 1st round of the grant; fix the I & I issues; Dusinger Rd. pump station which is only funded by the 2nd round of the grant; Expansion.

UPDATE ON TOURIST ACCOMODATION LAW

The dimensional requirements for camps are being worked on. Councilwoman Walls suggested meeting with Mark Millspaugh of Sterling Environmental to review the table. Supervisor Majestic will reach out to him to attend a meeting next month.

LEAD AGENCY - AUXILIARY APARTMENT IN THE RA DISTRICT

Resolution No. 73 – Lead Agency – SEQRA - Offered by Councilwoman Walls

WHEREAS, the Town Board is required to conduct an environmental review of this project in accordance with the State Environmental Quality Review Act and the Regulations promulgated thereunder, (collectively “SEQRA”) with respect to the proposed local law to amend the Town Zoning Law to require a special use permit for accessory apartments on small-scale development lots in the Town’s RA District (the “Action”), and

WHEREAS, the Action will be treated as a "Type I" action under SEQRA; and

WHEREAS, in accordance with requirements of SEQRA, the Town Board must cause a Full Environmental Assessment Form (“EAF”) to be prepared and declare itself Lead Agency as it is directly undertaking the proposed action and there are no other involved agencies; and

IT IS HEREBY RESOLVED, by the Town Board of the Town of Gardiner, as follows:

1. The Town Board of Gardiner hereby declares itself Lead Agency under SEQRA.
2. The Town Board of Gardiner hereby finds and determines that the adoption of the proposed local law will be treated and processed as a “Type I” action.
3. The Town Clerk, with the assistance of the Town Engineer and Attorney for the Town are hereby authorized and directed to provide notice of the Town Board’s declaration of Lead Agency to prospective Interested Agencies that have been identified along with a copy of the proposed local law and Full EAF for their review and to take such other and further actions as are necessary to effectuate the purposes of this Resolution.

Seconded by Councilman Dukler and carried.

SCHEDULE PUBLIC HEARING – AUXILIARY APARTMENT IN THE RA DISTRICT

Resolution No. 74 – Public Hearing Auxiliary Apartments in RA District

Offered by Councilwoman Walls

WHEREAS, A proposed local law entitled, “Local Law to Permit Accessory Apartments on Small-Scale Development Lots in the RA District by Special Use Permit”, was introduced by the Town Board on May 14, 2019; and

NOW, THEREFORE, BE IT RESOLVED, that said Town Board shall hold Public Hearing at the Town Hall, 2340 Rt. 44/55, Gardiner, New York, on June 11, 2019 at 7:10P.M., to hear all persons interested in the matter of the adoption of the proposed local law, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish notice of said special meeting and public hearing in the Times Herald Record, and to post copies of such notice in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby authorized and directed to refer the proposed local law and/or Notice of Public Hearing to the appropriate agencies for their review and recommendations.

Seconded by Councilman Wiegand and carried.

SHORT TERM RENTAL LAW

Councilwoman Walls has completed the draft Short Tern Rental Law. Board members discussed permit length, owner occupancy, how many people in each room, number of bedrooms, fees, enforcement and response time to a complaint. Ms Walls suggested a good neighbor brochure while Councilman Wiegand suggested a welcome sheet. Supervisor Majestic will look into the County register for what is listed on properties in Gardiner.

APPOINTMENT OF DEPUTY ASSESSOR

Resolution No. 75 - Appointment of Deputy Assessor – Offered by Councilwoman Walls

WHEREAS, New York State Real Property Tax Law §310 required that the Town appoint an Assessor to assess real property for the purpose of taxation; and

WHEREAS, The Town’s Assessor may need to excuse herself for various periods of time due to personal matters therefore making it necessary to appoint a Deputy Assessor to fulfill the job responsibilities of the Assessor; and

WHEREAS, in accordance with New York State Real Property Tax Law §310 a Deputy Assessor may be appointed until such time that the Assessor is able to resume the position; and

WHEREAS, the Town would like to appoint Joy Mazzetti who had previously been the Assessor in the Town of Gardiner, as Deputy Assessor effective May 23, 2019 to be paid at an hourly rate of \$20.00 per hour by voucher for the additional work and responsibilities of the position;

NOW THEREFORE BE IT RESOLVED that the Town Board approves the appointment of Joy Mazzetti as Deputy Assessor effective May 23, 2019.

Seconded by Councilman Dukler and carried

PARKS & RECREATION

The Parks & Recreation Committee is proposing a mural to be painted on the handball wall at Majestic Park. Andy Lewis presented 5 murals to choose from and asked the Town Board to select a mural. The goal is to have it completed by May 27. Each year the mural will change. This year the mural will be painted by Lady Pink. The Supervisor thank the committee for their work at the park.

MINUTES

Minutes of March 12 were approved as presented on motion of Councilwoman Walls, seconded by Supervisor Majestic and carried.

CLAIMS

Claims for the month of April were approved on motion of Councilman Wiegand, seconded by Councilman Dukler and carried. They are listed on Abstract #4 as follows: General Fund voucher # 128-188 \$ 77,191.74; Highway Fund voucher # 77-94 \$ 16,214.35; Sewer Fund voucher # 13-15 \$2,858.27.

BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS

Resolution No. 76 – Supplemental Appropriation in General Fund – Offered by Councilman Dukler

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 \$20,000.00 in Acct No.

00.07.8020.404 CE Outside Prof. Services Heartwood Litigation and \$1,000.00 in Acct No. 00.01.1620.418 Shredder.

Further Resolved, said moneys to be taken from the General Fund Unreserved Fund Balance. Seconded by Councilman Weigand and carried.

Resolution 77 – Transfer in General Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$41.00 from Acct No. 00.01.1420.470 CE Labor Relations to Acct No. 00.01.1420.401 CE Codification, \$150.00 from Acct No. 00.01.1670.421 CE Office Supplies to Acct No. 00.01.1420.401 CE Misc Expense, \$120.00 from Acct No. 00.01.1920 400 Municipal Dues to Acct No. 00.01.19210.400 Insurance and \$270.00 from Acct No. 00.06.7110.401 CE Park Misc to Acct No. 00.06.7110.450 CE Pavilion Construction.

Seconded by Councilman Weigand and carried.

Resolution 78 – Transfer in Sewer Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, Sewer Fund is hereby amended to provide for the transfer of \$200.00 from Acct No. 03.07.8110.469 CE Outside Pro. Service to Acct No. 03.07.8110. 468 CE Repairs.

Seconded by Councilman Weigand and carried.

Resolution No. 79 – Supplemental Appropriation in Highway Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112 Town Law, the 2019 Annual Budget, Highway Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$100,000.00 in Acct No. 01.01.5112.336 Permanent Improvements.

Further Resolved, said moneys to be taken from the Highway Fund Unreserved Fund Balance. Seconded by Councilman Weigand and carried.

PRIVILEGE OF THE FLOOR

Barbara Meszaros – questioned the letter received from the Assessor increasing her assessment. Received it after the date of when she could have come in to meet with the Assessor.

Suzanne Levirne – asked the same question. Also state that 10 acres is no large enough for the minimum size for a campground.

Supervisor Majestic state she is trying to schedule a meeting with the NYS Real Property Department to come and explain it to residents.

Jack Hayes – Spoke about the Town’s Emergency Action Plan. Commented that it needed to be updated. Also commented about Tillson Lake Dam and the need to fix it.

Brian Stiscia – AirBnB properties should have an emergency plan posted when it is unoccupied.

ADJOURNMENT

On motion of Councilwoman Walls, seconded by Councilman Dukler and carried, the meeting was adjourned at 9:15 PM.

Respectfully submitted,

Michelle L. Mosher, Town Clerk