

February 4, 2020 – Workshop Meeting

The Gardiner Town Board met at the Gardiner Town Hall at 7 PM for the February workshop meeting. Supervisor Majestic, Councilmen Carucci & Dukler and Councilwoman Walls were present. Councilman Wiegand was absent. There were approximately 22± audience members.

### **ANNOUNCEMENTS**

February 17 – The Town Hall will be closed in observance of Presidents Day.

### **HEARTWOOD LAWSUIT**

The Town received a call from the attorney yesterday informing us that the Article 78 filed against the Town with regard to the Heartwood project has been ruled in our favor on all counts. This is good news for the Town. Unfortunately, it has cost \$45,871.17 in legal fees to date.

### **MICHAEL KRUGLINSKI**

Former Democratic Chairman Michael Kruglinski has passed away. Mike also served on the Board of Assessment Review. Mr. Kruglinski was a kind and gentle man and his loss to our community is huge. Thoughts and prayers go out to his family.

### **VACANCIES**

There are still vacancies on the Environmental Conservation Commission, Board of Assessment Review and the Parks & Recreation Committee. There has been 1 person interested in serving on the Parks & Rec Committee.

### **OPEN SPACE COMMISSION LIAISON**

Jean McGrane, Chairperson of the Open Space Commission is looking for a liaison with the Town Board. Ms McGrane feels it would benefit the Town Board if someone attend the meetings. Councilwoman Walls volunteered to be the liaison.

### **VISTA ROAD EXTENSION**

Resolution No.61A – Offered by Councilman Dukler

Offered by Councilman Dukler

**RESOLVED**, pursuant to Section 188.15 of the Municipal Code (Subdivision Regulations) and in accordance with Town Law, the Town Board of the Town of Gardiner does hereby approve and accept a performance bond or other surety specified below to cover the cost of required improvements in the above matter.

Form of Surety: Check

Amount of Surety: \$75,000

Road Name: Vista Road Stub Rd.

**FURTHER RESOLVED**, the Supervisor is hereby authorized and directed to sign on behalf of the Town Board of the Town of Gardiner a Highway Construction Agreement between Henry Myers & Erika Rose and the Town of Gardiner dated February 4, 2020 wherein the developer agrees to complete the required improvements and the Town agrees to accept the offer of dedication following acceptable completion of the improvements.

Seconded by Councilwoman Walls and carried.

**PARKS AND RECREATION PLAN**

Parks & Recreation Committee member Andy Lewis presented the Town Board with an infrastructure plan and a trails project plan for the landfill property. Each section of the plan was reviewed. Board members questioned why they were getting this now and not at budget time. Mr. Lewis will produce a plan for the 2021 budget season in the fall. But for this year a few projects they would like to see completed are the skate park expansion – the committee is unsure if fencing is needed around the skate park. The parking lot is a big concern for safety to the skaters. Mr. Lewis stated it would take approximately \$6,000 to complete the proposed updates. Half of the funding will from the Gardiner Skate Crew who has been doing some fund raising and the other half from the Town of Gardiner; making improvements at the playground. The Tuthilltown Distillery has offered to donate and install an ADA compliant playground; install benches at the basketball court and repair other amenities such as the bathroom entrance and fencing.

The other major project is the trail at the former landfill property. A cost breakdown of the project was given to Board members. The parking area is the most expensive. Town Board members asked where the funding was coming from.

Councilman Carucci asked if there is insurance coverage for those who volunteer on park projects. Supervisor Majestic will contact our insurance agent.

Councilwoman Walls stated that the cost would be higher due to unintended consequences. Ms Walls wondered what the residents of the Town felt about the plan.

Supervisor Majestic suggested doing a press release on the plan and have a public meeting to discuss the park plans. Councilwoman Walls agreed and suggested that they have 2 sessions just on Parks & Rec.

Councilman Dukler feels that we need to repair and preserve what we already have. He suggested that the committee comeback with input of a total plan by May.

Mr. Lewis feels like they are talking about 2 different things. He is talking about the specific plan in front of them, while the Town Board is talking about the Master Plan.

Councilman Carucci was a bit frustrated and asked the Board to give approval to the plan and direction on the trail project. A motion was made by Supervisor Majestic, seconded by Councilman Carucci and carried, approving the full park plan.

**COMMUNITY CHOICE AGGREGATE LOCAL LAW**

Councilman Carucci would like to schedule a public hearing for March 10 at 7 PM on the Local Law to establish a Community Choice Aggregation Program. Supervisor Majestic briefly explained the purpose of the law. Board members agreed the law is ready for a public hearing and on motion of Councilman Carucci, seconded by Councilwoman Walls and carried, a public hearing was scheduled on the date and time requested.

**SHORT TERM RENTAL (STR) LAW**

Supervisor Majestic reviewed the answers received from the attorney from last weeks questions. Board members each had a copy of the Town of Marbletown STR law to refer to during discussion. Discussion included definition for a primary residence, owner or non-owner occupied and fees/penalties/offenses. Board members agreed that a schedule of offenses will need to be established. Board members considered applying a Town bed tax in addition to the County bed tax. This will need to be discussed with the attorney. Concerns and questions from

the audience included the definition of primary residence, the number of guests' vs bedrooms, not enough restrictions and the number of eligible properties in the Town. Supervisor Majestic will research this with a local realtor.

Councilman Dukler expressed his concerns on enforcement and those that are not registered with the County that should be.

**PROPOSED TOURISM ACCOMODATION LAW**

Supervisor Majestic reviewed the Planning Board recommendations to the Town Board regarding this law. All changes appear to be ministerial and on a motion of Councilwoman Walls, seconded by Councilman Carucci and carried, all Planning Board changes are adopted into the law.

**PRIVILEGE OF THE FLOOR**

Suzanne Levirne – suggested the Town create a map of all the STR's in the Town and make it public along with a list of the rentals.

Nancy Cass – a former member of the Parks & Recreation Committee. Ms Cass read a statement specific to the dog park. Is asking that the dog park care and maintenance be given back to the Parks & Rec Committee.

**EXECUTIVE SESSION**

On motion of Councilman Dukler, seconded by Councilman Carucci and carried, the Town Board entered into executive session at 8:40 PM for the purposes of discussing a Collective Bargaining Agreement.

**RETURN FROM EXECUTIVE SESSION**

On motion of Councilman Dukler, seconded by Councilman Carucci and carried, the Town Board returned to regular session at 8:45 PM.

**COLLECTIVE BARGAINING AGREEMENT**

On motion of Councilman Dukler, seconded by Councilman Carucci and carried, the Town Board adopted the Collective Bargaining Agreement - Memorandum of Agreement for the Highway Department from January 1, 2020 to December 31, 2022.

**ADJOURNMENT**

On motion of Councilman Dukler, seconded by Councilman Carucci and carried, the meeting was adjourned at 8:50 PM.

Respectfully submitted,

Michelle L. Mosher  
Town Clerk