

February 11, 2020 – Regular Meeting

The Gardiner Town Board met in regular session this evening at the Gardiner Town Hall at 7 PM. Present were Supervisor Majestic, Councilmen Carucci & Dukler and Councilwoman Walls. Councilman Wiegand was absent. There were approximately 12± audience members.

ANNOUNCEMENTS

02/17/20 – Town Hall will be closed in observance of President's Day.

02/29/20 – Chili Cook Off at the Gardiner Fire House from 11 AM-2 PM

03/14/20 – Corned Beef & Cabbage Dinner at the Gardiner Firehouse from 5:00 to 7:30 PM.
Sponsored by the Gardiner Day Committee

03/19/20 – Learn about Addison Gardiner, the Town's namesake. Gardiner Liquid Mercantile from 4:30 to 6:30 PM

03/21/20 – Go Green Expo sponsored by the Climate Smart Task Force. 11AM to 3 PM at the Gardiner Firehouse

2020 US CENSUS

2020 Census information should be arriving in the mail shortly. Residents are reminded that it is important to complete the information and send it back.

SEWER DISTRICT I AND I STUDY

A meeting will be held this Wednesday February 12 at 4 PM to discuss the progress of the I and I study being conducted by Pitingaro & Doetsch.

TILLSON LAKE

On Friday February 14 a meeting will be held here at the Town Hall with representatives from PIPC, Tillson Lake representatives, Supervisor Majestic, Councilwoman Walls and Brian Stiscia to discuss the plans to share the care and maintenance of the lake property.

VACANCIES

Supervisor Majestic reminded the Board that there are still vacancies on the Environmental Conservation Commission, Parks & Recreation Committee and the Board of Assessment Review

PUBLIC HEARING – LOCAL LAW ON TOURISM ACCOMODATIONS

The Town Clerk read the legal notice at 7:10 PM. Supervisor Majestic opened it to the audience for their questions and/or comments.

Scott Bittner – concern that the law does not restrict the number of campers per site.

Supervisor Majestic stated that this would be addressed individually at the time of application.

Suzanne Levirne – asked if an existing campground can add up to 10 sites. Can an approved campground be annexed to an additional piece of property adjacent to it? Town Board members explained the process of the law regarding existing campgrounds.

CLOSE PUBLIC HEARING

On motion of Councilwoman Walls, seconded by Councilman Carucci and carried, the public hearing for the local law Amending Chapters 220 and 200 of the Town of Gardiner Town Code Regulating Certain Tourism Related Accommodation Uses was closed at 7:25 PM.

Changes to the law were made. They are strictly ministerial changes recommended by the Planning Board. A motion was made by Councilwoman Walls, seconded by Councilman Carucci and carried, approving the changes.

SEQR REVIEW

Part 2 of the SEQR document was reviewed by the Town Board. There findings revealed that this law does not create an adverse environmental impact. Board members moved onto Part 3 and declared a negative declaration. The following Resolution was adopted.

Resolution 61B – Negative Declaration – Offered by Councilwoman Walls

WHEREAS, A proposed local law entitled, “A Local Law to Amend Chapter 220 and Chapter 200 of the Town Code of the Town of Gardiner Regulating Certain Tourism Related Accommodation Uses”, was introduced by the Town Board on October 24, 2019; and

WHEREAS, the Town Board declared itself Lead Agency pursuant to 6 NYCRR Part 617.6(b)(1) and determined the proposed local law would be reviewed as a Type I action under SEQRA; and

WHEREAS, the Town Board referred the proposed local law to the Ulster County Planning Board and Town of Gardiner Planning Board, and held a public hearing on the proposed local law; and

WHEREAS, thereafter, the Town Board reintroduced the local law with revisions on January 7, 2020, completed a second referral to the County and Town Planning Boards and held a second public hearing; and

WHEREAS, the Town Board has considered an additional revision to the local law in response to comments received from the Ulster County Planning Board; and

WHEREAS, the Town Board has duly considered the revised local law, the contents of the EAF for the Project and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has taken a “hard look” at the relevant areas of environmental inquiry and did not identify any potential significant adverse impacts related to the revised local law. **NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF GARDINER, ULSTER COUNTY, NEW YORK:**

THAT THE Town Board of the Town of Gardiner hereby determines that the adoption of Local Law No. 1 of 2020, as revised, will not result in any significant adverse environmental im

IT IS FURTHER RESOLVED, that that the Town Board hereby authorizes filing of the Negative Declaration for Local Law No. 1 of 2020, as revised (attached hereto and made a part hereof), according to SEQRA, 6 NYCRR Part 617;

IT IS FURTHER RESOLVED, that the Town's consultants and the Town Clerk are directed to take such further steps as might be necessary to discharge the Town Board's responsibility as lead agency for this action.

Seconded by Supervisor Majestic and carried.

ADOPTION OF LOCAL LAW AMENDING CHAPTERS 220 AND 200 OF THE TOWN OF GARDINER TOWN CODE REGULATING CERTAIN TOURISM RELATED ACCOMMODATION USES

Resolution No 62 – Adoption of Local Law – Offered by Supervisor Majestic

WHEREAS, the Town Board of the Town of Gardiner has introduced a proposed local law entitled, “A Local Law to Amend Chapter 220 and Chapter 200 of the Town Code of the Town of Gardiner Regulating Certain Tourism Related Accommodation Uses”; and

WHEREAS, the Town Board has caused the local law to be referred to the Town and County Planning Board; and

WHEREAS, the Town Board duly noticed and held a public hearing on the proposed local law on November 12, 2019; and

WHEREAS, the Town Board reviewed and considered the public comments received on the proposed local law; and

WHEREAS, the Town Board determined that the proposed local law should be revised to address certain comments that had been received; and

WHEREAS, the Town Board re-introduced the proposed local law with revisions, scheduled another public hearing and referred the revised local law to the Town and County Planning Boards; and

WHEREAS, the Town Board reviewed and considered the revised local law and conducted another public hearing at a duly noticed public meeting held on February 11, 2020; and

WHEREAS, the proposed local law was on file for inspection at the Clerk's office prior to the hearings and during the public review process; and

WHEREAS, the Town Board of the Town of Gardiner has determined that the adoption of the proposed Local Law No. 1 of 2020, as revised, will not result in any significant adverse environmental impacts; and

WHEREAS, the Town Board has adopted a Negative Declaration under SEQRA and directed the Town's consultant file the same; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GARDINER, ULSTER COUNTY, NEW YORK:

THAT THE Town Board hereby determines that proposed Local Law No. 1 of 2020, as revised (attached hereto and made a part hereof), is hereby adopted; and **IT IS FURTHER**

RESOLVED, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution.

Seconded by Councilwoman Walls and carried.

TRANSFER STATION FEE SCHEDULE.

At last weeks meeting a change to the fee schedule under Scrap Metals was approved incorrectly. The Scrap Metal fees should read non-freon \$15 and freon \$25. They were inadvertently switch. A motion was made by Councilman Dukler, seconded by Councilwoman Walls and carried, correcting the error.

SHORT TERM RENTAL (STR) DISCUSSION

Board members reviewed the changes received from the attorney. They discussed primary residence as owner occupied only, registration of the property, housing stock, exterior lighting, host response time and reason for revocation of permits. Host response time should have a definition. Language on revocation of permits can be derived in part from the Town of Cornwall law.

Supervisor Majestic will contact the attorney to create a draft law. Audience members again expressed their concern with owner occupancy, enforcement, inspections of the STR's and host requirements.

HEALTH INSURANCE

On motion of Councilman Carucci, seconded by Councilman Dukler an carried, the 2020 Health Insurance Plan was adopted.

CLAIMS – DECEMBER 2019 PARTIAL

Claims for the month of December 2019 were approved on motion of Councilman Dukler, seconded by Councilwoman Walls and carried. They are listed on Abstract 12 B as follows: General Fund voucher# 643-652 \$14,390.51; Highway Fund voucher # 310-313 \$805.49.

BUDGET TRANSFERS

Resolution 63 – Transfer in General Fund – Offered by Councilman Carucci
Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$1803.08.00 from Acct No. 00.01.1320.401 CE Payroll Service to Acct No. 00.01.1420.401, \$274.00 CE Codification, from Acct No. 00.01.1320.401 CE Payroll Service to Acct 00.01.1420.401 CE General Attorney Service, from Acct No. 00.01.1320.401 CE Payroll Service to Acct No 00.01.1420.460 Ce Outside Professional Service, 4952.38 from Acct No. 00.01.1320.401 CE Payroll Service to Acct No. 00.01.1420.464 SAM Grant, \$100.00 from Acct No. 00.01.1320.401 CE Payroll Service to Acct No. 00.01.1670.421 CE Office Supplies and \$1039.46 from Acct No. 00.07.8020.103 PB Clerk to Acct No. 00.07.8020.404 CE Engineering/Outside Professional Service.
Seconded by Councilman Dukler and carried.

Resolution 64 – 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 \$18.18 from Acct No. 00.01.1620.414 CE Heat & Oil to Acct No. 00.01.1620.401 CE Misc, \$151.70 from Acct No. 00.02.3620.401 CE Misc. Expenses to Acct 00.02.3620.42 CE Mileage and \$160.00 from Acct No. 00.07.8160.410 Haulage to Acct No. 00.07.8160.413 CE Port a Potty.
Seconded by Councilman Carucci and carried.

SUPERVISORS MONTHLY REPORT – DECEMBER 2019

On motion of Councilman Dukler, seconded by Councilman Carucci and carried, the December 2019 partial supervisor report was approved as presented.

CLAIMS – JANUARY 2020

Claims for the month of January 2020 were approved on motion of Councilwoman Walls, seconded by Councilman Carucci and carried. They are listed on Abstract 1B as follows: General Fund voucher# 12-25 \$3320.46; Highway Fund voucher # 1-20 \$16089.17; Sewer Fund voucher #1 \$120.00.

BUDGET TRANSFERS

Resolution 65 – Transfer in Highway Fund – Offered by Councilman Dukler
Resolved, pursuant to Section 112, Town Law, the 2020 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$36,257.93 from Acct No. 01.09.9730.615 CE Replace 1997 International to Acct No. 01.9730.687 CE 2021 Mack.
Seconded by Councilwoman Walls and carried.

Resolution 66 – Transfer in General Fund – Offered by Councilwoman Walls

Resolved, pursuant to Section 112, Town Law, the 2020 Annual Budget, General Fund is hereby amended to provide for the transfer of \$34,580.00 from Acct No. 00.01.1410.102 PS P/T Deputy Clerk to Acct No. 00.01.1410.103 PS F/T Deputy Clerk.

Seconded by Councilman Carucci and carried.

SUPERVISOR MONTHLY REPORT

On motion of Councilwoman Walls, seconded by Councilman Carucci and carried, the January Supervisor report was approved as presented.

PRIVILEGE OF THE FLOOR

Andy Collen – commented on the obnoxious lighting that is at a home very close to his property that is on sunset to sunrise.

Scott Bittner – commented that the campground is a perpetual violator of the Town Code.

ADJOURNMENT

On motion of Councilman Dukler, seconded by Councilman Carucci and carried, the meeting was adjourned at 9:10 PM.

Respectfully submitted,

Michelle L. Mosher
Town Clerk