

January 14, 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, Councilwoman Walls, Councilmen Carucci, Dukler & Wiegand. There were approximately 40± audience members.

ANNOUNCEMENTS

01/20/20 – The Town Hall will be closed in observance of Martin Luther King Day

02/01/20 – Gardiner Library Craft Sale at the Gardiner Library from 10AM to 2 PM

02/29/20 – Gardiner Fire Dept. Chili Cook-off to be held at the Gardiner Firehouse

CORRESPONDENCE

Supervisor Majestic received the annual report from Historian AJ Schenkman. Board members were given a copy of the report. Mr. Schenkman has been congratulated for his work done here in the Town of Gardiner by the State Education Department, who also received a copy of the report.

A letter was received from the NYS DEC awarding the \$100,000 grant for the I&I Study to our Town for our sewer department. Supervisor Majestic responded to the DEC letting them know we will be using the money.

TILLSON LAKE DAM

Palisades Interstate Park Commission has responded to the letter of intent sent last month to them from the Town of Gardiner with respect to partnering with them on the maintenance of the Tillson Lake dam.

CLOVE ROAD BRIDGE REPLACEMENT

Supervisor Majestic has reached out to County Executive Pat Ryan requesting assistance with engineering on the Clove Road Bridge replacement. A meeting has been scheduled for January 29 between the Supervisor, Superintendent Brian Stiscia, Thomas Harvey from CPL Associates and county officials to discuss this request.

EV CHARGING STATION

The original plan for the EV Charging Station electric was to come from the Library but it now appears that is not an option. Central Hudson will set up a new service that will come from the pole to the exact location of the charging station.

UNSAFE BUILDING REPORT

Building Inspector Andy Lewis was present to discuss an unsafe building located on Dusinger Rd. Portions of the building is very dilapidated and must be removed. Mr. Lewis is looking for a motion from the Town Board authorizing him to send a notice to the property owner ordering the removal of the porches and removal of the debris strewn about the property. If there should be no response to this order the Town has the authority to remove any unsafe structures or portion of, with expenses to be assessed against the property owner. On motion of Supervisor Majestic, seconded by Councilman Wiegand and carried, the Town Board supports Mr. Lewis in his recommendation to order the removal of the porches and debris.

CLIMATE ACTION PLAN

Mark Varian, member of the Climate Smart task force, was present to conduct a slide presentation in regard to a climate action plan and greenhouse gases for the Town of Gardiner.

The presentation covered the energy used throughout the Town owned buildings from the sewer treatment plant to the Town Hall. Also included was the highway department building and vehicle fleet. A baseline for the plan was based on three years 2015-2017. Gardiner's greenhouse gas emissions were discussed. Climate Smart has a set goal of reducing the emissions by 20% by the year 2022. Community Choice Aggregation was also addressed on the report. Climate Smart believes that an energy audit of the Town's facilities may reduce the emissions in the future. There is a cost but there is state funding available. The next big project is a Community Greenhouse Gas Inventory. Both the inventory and the plan are living documents that will be reviewed and updated annually. Supervisor Majestic thanked the Climate Smart task force for their volunteer work.

COMMUNITY CHOICE AGGREGATE (CCA) LOCAL LAW

Councilman Carucci explained the purpose of the law which allows for the opportunity for the residents of Gardiner to obtain renewable energy. Mr. Carucci stated that the next step is to adopt the law. Supervisor Majestic would like to review the notes from the attorney at the February 4 meeting before moving forward.

PARKS AND RECREATION PLAN

Councilman Carucci is the new liaison with the Parks & Recreation Committee. Michael Albright, chairman of the committee was present to discuss the 2020 plan. Repairs are repairs needed on the basketball court and the entrances to the bathrooms. The plan indicated that the committee would like to expand the skate park. A group that uses the park regularly has been doing fund raising to expand it. The expansion would be done in part by volunteers. The baseball field needs major work. The field is swampy and the committee is looking to get proposals to bring it back to life. They would like to hold tournaments on the disc golf course. They are proposing to hold yoga under the pavilion, movie nights, senior programs in the pole barn and music nights. The committee would like to make the pole barn a 4 seasons building. Last but not least the committee would like to discuss funding and fund raising. This was discussed at great length with no real solution decided.

Next was the trail project plan proposed for the former landfill located on property at the end Steve's Lane. Mr. Albright explained that the project would be broken down into 3 phases. Phase 1 would be the completion and maintenance of the parking area. Again, there was a lengthy discussion and Board members requested a plan in writing. Something will be put together for next month's meeting. Councilmen Dukler and Wiegand think that the trail project is a well thought out plan.

SHORT TERM RENTAL (STR) LAW

Tonight, the Board was prepared to discuss owner occupied rentals.

Councilman Carucci's concern is there is not enough resources for enforcement. He suggests that the Town provide 2 versions of a permit. Each would contain the provisions pertinent to the rental use of the property. He would also suggest a cap on the number of permits. Mr. Carucci would like to allow for a 3-4-month rental period.

Councilman Wiegand stated his criteria for a permit is to ensure quality of life for the neighbors, protect the rural character of the Town, protect the assessed value of neighboring properties and protecting property rights. There are 2 approaches - whole house rental and owner-occupied rental. He is inclined to support the lower end allowing whole house rental 30 days per year.

Councilman Dukler believes that the Town should embrace the whole house rental with conditions. He suggests it could work with self-reporting and self-regulation with the right amount of enforcement. Mr. Dukler would like to see a cap on the number of rentals allowed and would support 60 days for non-owner-occupied rentals.

Councilwoman Walls suggested offering amnesty to all non-owner-occupied rentals for a 3-year period which would give them time to come into compliance. Ms Walls is concerned with the housing stock, the changing nature of neighborhoods and the community. She is unsure of the number of allowable days but would support only owner occupied after the 3-year amnesty. There is economic value but it must be done in an organized way.

Supervisor Majestic supports the Ulster County Planning Boards recommendation of allowing STR's for less than half the year citing property owner rights but keeping in mind the character of the neighborhood. Ms Majestic is concerned with buying properties solely for the purpose of an STR property. That makes these property commercial ventures. She would support 60-90 days. She suggests holding a meeting just to discuss this issue. Questions and statements from the audience included how many homes in Gardiner are 2nd homes and how many are Air BnB's, why does it have to be "one size fits all". Air BnB's bring good to the Town of Gardiner and the Town should consider a bed tax.

TRANSFER STATION FEE INCREASE

Resolution No. 46 – Transfer station fee increase – Offered by Councilman Dukler

Offered by _____

WHEREAS, the Town of Gardiner operates a Transfer Station for the use of Town residents; and
WHEREAS, the days and hours of operation of said Transfer Station should be modified to reflect the current usage of same as well as the needs of the community; and

WHEREAS, the procedure for securing coupons and permits to utilize the Transfer Station should be modified; and

WHEREAS, the costs of administering the Transfer Station have increased; and

WHEREAS, Town of Gardiner Code Section 116-1 allows the Town Board by resolution to amend fees and charges, subject to public notice in the official newspaper of record 10 days prior to adoption of said resolution; and

WHEREAS, it is the determination of the Town Board that said fees shall be increased.

NOW, THEREFORE, BE IT RESOLVED that the hours of operation and procedures for utilizing the Transfer Station and the fees to be charged are modified as follows:

A. Hours Of Operation

Wednesday8:00 AM to 3:45 PM

Friday..... 8:00 AM to 3:45 PM

Saturday 8:00 AM to 3:45 PM

B. Coupons and Checks

1. Coupons shall be sold by the Transfer Station Attendant during hours of operation only by check or by the Town Clerk during Town Office hours by check or cash. Cash is no longer accepted at the transfer station.
2. Transfer Station Permits shall be sold by the Town Clerk during Town Office hours by check or cash.
3. The Town Clerk is directed to order, stock, and maintain sufficient supplies of Coupon Books and Permits.
4. The Town Clerk is directed to maintain and reconcile all Transfer Station Coupon and Permit sales.
5. The Town Clerk shall maintain and reconcile all financial records regarding Transfer Station Permits and Coupons.

C. Schedule Of Fees

ITEM	New Fees
Permit Fees	
Resident	30.00
Non-Resident	NA
Resident over 65 Years Old	No Charge
Lost Permit/Second Permit	5.00
Household Refuse	
Up to 35 gallon bag	5.00
Per 55 gallon bag	10.00
Household/Commercial	
Per Pound	
Mixed Debris per cubic yd	50.00
Construction - Demo Debris	
Per 35 gallon bag	10.00
Per cubic yard	50.00
Railroad/Pressure Treated	
Landscape Ties	5.00
Porcelain Toilet/Sinks	5.00
Fiberglass Tub/Shower/Sink	15.00
Furniture	
Stuffed Furniture-Chair/Sofa	10.00
Sleeper Sofa	30.00
Wood/Plastic Furniture	10.00
(office/lawn/dining/kitchen	
Wood/Plastic Furniture	
desks/dressers.hutches	15.00
Mattress/Box Spring/Twin-each	10.00
Box/Box Spring/King-each	20.00
Box/Box Spring/all others	15.00
Rugs under 4' x 8'	10.00
Rugs over 4' x 8'	15.00
Carpet Padding under 4' X 8'	10.00
Carpet Padding over 4' X 8'	15.00
Television/up to 20" screen	10.00
Television Console	20.00

Commercial Brush & Leaves

Appliances

Vacuum Cleaner	5.00
Metal Appliances	5.00
(under 2' X 2' X 2' in size)	5.00
Stove/ Refrigerators/Freezers	
/Dishwasher/Waterheater.	40.00
Water tanks/ A/C Units	40.00

Tires

Auto/Light Truck/Motorcycle	5.00
(less than 17" without rim)	
Auto/Light Truck/Motorcycle	10.00
(less than 17" with rim)	
Light Truck 17" to 20" w/o rim	5.00
Light Truck 17" to 20" w/ rim	10.00
Truck Tires (w/o rim)	25.00

Seconded by Councilwoman Walls and carried.

AUDIT OF JUSTICE COURT RECORDS

Resolution No. 47 – Audit of Justice Records – Offered by Councilman Wiegand
Resolved, that the records of the Justice Court, were reviewed on January 7, 2020 by Councilman Wiegand; and

Resolved, that Councilman Wiegand concluded that all records are satisfactory; then
Hereby Be It Further Resolved that the Town Board of the Town of Gardiner concurs with Councilman Wiegand’s review and audit of these records.

Seconded by Councilwoman Walls and carried.

Councilman Wiegand commented that the justice records were in excellent shape.

ASSOCIATION OF TOWNS

The Association of Towns annual meeting is being held in NYC from February 16 to February 19. Councilwoman Walls is planning on attending the meeting. The Town has received a resolution of designation allowing for voting at the business meeting from the Association of Towns. A motion was made by Supervisor Majestic, seconded by Councilman Wiegand and carried, designating Councilwoman Walls as a voting delegate for the Town of Gardiner. A second motion was made by Councilwoman Walls, seconded by Councilman Dukler and carried, designating Councilman Dukler as the alternate.

PROPERTY & CASUALTY INSURANCE RENEWAL

Supervisor Majestic sent a copy of the schedule of values to Board members. Supervisor Majestic is requesting approval to sign the documents to renew the insurance for 2020. Motion by Councilman Dukler, seconded by Councilman Wiegand and carried.

PRIVILEGE OF THE FLOOR

Andy Lewis – as a member of the Parks & Recreation Committee Mr. Lewis expressed the frustration that the committee is feeling. They are all volunteers who care about the community but feel they get no support from the Board to go forward.

SUPERVISOR’S MONTHLY REPORT

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

CLAIMS – DECEMBER 2019 PARTIAL

Claims for the month of December 2019 were approved on motion of Councilman Dukler, seconded by Councilman Wiegand and carried. They are listed on Abstract 12 A as follows: General Fund voucher# 600-642 \$29,253.27; Highway Fund voucher # 274-309 \$42,632.61; Sewer Fund voucher #52-57 \$9,780.22.

BUDGET TRANSFERS

Resolution No. 48– Transfer 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 the transfer of \$320.00 from Acct No. 01.08.9089.800 Uniforms to Acct No. 01.08.9089.801 Osha Boots.
Seconded by Councilman Wiegand and carried.

Resolution No. 49– Transfer in Highway Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$350.00 from Acct No. 00.04.5132.413 Garage Repairs to Acct No. 01.04.5132.411 Garage Phone.
Seconded by Councilman Dukler and carried.

Resolution No. 50– Transfer in Highway Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$7,500.00 from Acct No. 01.04.5110.400 CE Contract Expense to Acct No. 01.04.5142.100 PS O/T Snow.
Seconded by Councilman Dukler and carried.

CLAIMS – JANUARY 2020 PARTIAL

Claims for the month of January 2020 was approved for payment on motion of Councilman Dukler, seconded by Councilman Wiegand. They are listed on Abstract # 1A as follows: General Fund voucher # 1-11 \$73,270.48.

BUDGET TRANSFERS

Resolution 51 – Transfer in General Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$234.00 from Acct No. 01.04.5110.460 CE Outside Service to Acct No. 01.04.5110.121 PS Soltish, \$274.00 from Acct No. 01.08.9060.800 CE Health Insurance to Acct 01.08.9030.800 FICA and \$58.00 from Acct No. 01.08.9060.800 CE Health Insurance to Acct No. 01.08.9055.800 CE Disability.
Seconded by Councilman Dukler and carried.

Resolution 52 – Transfer in General Fund – Offered by Councilman Wiegand

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$988.20 from Acct No. 01.04.5110.102 PS Aube to Acct No. 01.04.5110.121 PS Soltish, \$528.49 from Acct No. 01.04.5110.108 PS Rd. Overtime to Acct 01.04.5110.121 PS Soltish, \$1500.00 from Acct No. 01.04.5110.113 PS P/T Regular to Acct No. 01.04.5110.117 PS Scofield, \$314.89 from Acct No. 01.04.5110.111 PS Working Foreman to Acct No. 01.04.5110.117 PS Scofield and \$143.51 from Acct No. 01.0048.5110.111 PS Working Foreman to Acct No. 01.04.5110.121 PS Soltish.

Seconded by Councilman Dukler and carried.

Resolution 53 – Transfer in General Fund – Offered by Councilman Wiegand

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$2118.20 from Acct No. 01.04.5110.120 PS Geddy Walker to Acct No. 01.04.5110.101 PS Power, \$1758.4049 from Acct No. 01.04.5110.120 PS Geddy Walker to Acct 01.04.5110.110 PS DePiero, \$1758.40 from Acct No. 01.04.5110.120 PS Geddy Walker to Acct No. 01.04.5110.114 PS Monteleone, \$422.36 from Acct No. 01.04.5110.120 PS Geddy Walker to Acct No. 01.04.5110.118 PS Fletcher and \$1458.40 from Acct No. 01.0048.5110.102 PS Aube to Acct No. 01.04.5110.119 PS Lishinsky.

Seconded by Councilman Dukler and carried.

Resolution 54 – Transfer in General Fund – Offered by Councilman Wiegand

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$125.12 from Acct No. 00.01.1110.421 CE Office supplies to Acct No. 00.01.1355.201 CE Capital Equipment \$150.00 from Acct No. 00.01.1410.424 CE Code Books to Acct 00.01.410.425 CE Dog Tags, \$37.11 from Acct No. 00.01.1620.413 CE Repairs to Acct No. 00.01.1410.425 CE Dog Tags, \$166.00 from Acct No. 00.01.1620.413 CE Repairs to Acct No. 00.01.1410.421 CE Office Supplies, \$110.00 from Acct No. 00.01.1420.470 to Acct No. CE Labor Relations to Acct No. 00.01.1420.403 CE Vital Statistics and 41277.5 from Acct No. 00.0.1620.106 CE Ground Maintenance to Acct No. 00.01.1410.1 2 PS P/T Clerk.

Seconded by Councilman Dukler and carried.

Resolution 55 – Transfer in General Fund – Offered by Councilman Wiegand

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$74.60 from Acct No. 00.01.1920.400 CE Dues to Acct No. 00.01.1680.499 CE IT Repairs, \$30.40 from Acct No. 00.01.1920.400 CE Dues to Acct 00.01.1910.400 CE Insurance, \$183.69 from Acct No. 00.01.1620.414 CE Heat & Oil to Acct No. 00.01.1910.400 Ce Insurance, \$240.00 from Acct No. 00.01.1010.403 CE Councilman Conference to Acct No. 00.01.13552.01 CE Capital Equipment and \$57.60 from Acct No. 00.08.9060.800 CE Health Insurance to Acct No. 00.08.9060.800 CE Disability.

Seconded by Councilman Dukler and carried.

Resolution 56 – Transfer in General Fund – Offered by Councilman Wiegand

Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$1424.30 from Acct No. 00.01.1620.400 CE General Repairs to Acct No. 00.01.1420.60 CE General Attorney, \$49.75 from Acct No. 00.01.1620.415 CE Building & Grounds to Acct 00.01.1440.460 CE Outside Professional Service, \$59.00 from

Acct No. 00.01.1620.415 CE Buildings & Grounds to Acct No. 00.01.1440.464 CE SAM Grant \$47.00 from Acct No. 00.01.1670.204 CE Equipment Leasing to Acct No. 00.01.1670.421 CE Office Supplies and \$85.53 from Acct No. 00.01.1620.413 CE Repairs to Acct No. 00.01.1670.421 CE Office Supplies.
Seconded by Councilman Dukler and carried.

Resolution 57 – Transfer in General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$34.50 from Acct No. 00.06.7110.441 CE Rail Trail to Acct No. 00.06.7110.413 CE Repairs, \$70.50 from Acct No. 00.06.7110.412 CE Electric to Acct No. 00.06.7110.413 CE Repairs, \$105.47 from Acct No. 00.07.8160.467 CE Chipping to Acct No. 00.07.8160.401 CE Misc., \$85.00 from Acct No. 00.07.8160.467 CE Chipping to Acct No. 00.07.8160.413 CE Porta Potty and \$130.00 from Acct No. 00.06.7110.410 CE Movies to Acct No. 00.06.7110.413 CE Repairs.
Seconded by Councilman Dukler and carried.

Resolution 58 – Transfer in General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$49.00 from Acct No. 00.01.1420.470 CE Labor Relations to Acct No. 00.01.1420.460 CE General Attorney, \$291.00 from Acct No. 00.01.1440.461 CE Water Monitoring to Acct 00.01.1440.460 CE Outside Professional Service, \$549.38 from Acct No. 00.01.1670.422 CE Equipment Leasing to Acct No. 00.01.1670.421 CE Office Supplies, \$125.40 from Acct No. 00.01.1670.438 CE Legal Notices to Acct No. 00.01.1670.421 CE Office Supplies and \$80.00 from Acct No. 00.06.7110.435 CE Trash to Acct No. 00.06.7110.413 CE Repairs.
Seconded by Councilman Dukler and carried.

Resolution 59 – Transfer in General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$912.67 from Acct No. 00.01.1110.102 PS Court Officer to Acct No. 00.01.1110.103 PS Court Clerk, \$143.00 from Acct No. 00.01.1355.403 CE Conference to Acct 00.01.1355.421 CE Office Supplies, \$147.00 from Acct No. 00.01.1355.403 CE Conference to Acct No. 00.01.1355.201 CE Capital Equipment, \$339.0860 from Acct No. 00.01.1355.401 CE General Misc. to Acct No. 00.01.1355.201 CE Capital Equipment and \$76.67 from Acct No. 00.01.1355.402 CE Mileage to Acct No. 00.01.1355.201 CE Capital Equipment.
Seconded by Councilman Dukler and carried.

Resolution 60 – Transfer in General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$67.00 from Acct No. 00.01.1620.412 CE Building Electric to Acct No. 00.04.5182.401 CE Street Lighting.
Seconded by Councilman Dukler and carried.

Resolution 61 – Transfer in General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2019 Annual Budget, General Fund is hereby amended to provide for the transfer of \$3748.30 from Acct No. 03.07.8110.470 CE Tank

Replacement to Acct No. 03.07.8110.468 CE Repairs, \$300.00 from Acct No. 03.07.8110.470 Tank Replacement to Acct 03.07.8110.467 CE System Revitalization and \$10.00 from Acct No. 03.07.8110.470 CE Tank Replacement to Acct No. 03.07.8110.461 CE Lab Cost.
Seconded by Councilman Dukler and carried.

ADJOURNMENT

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

Respectfully submitted,

Michelle L. Mosher
Town Clerk