

July 20, 2022 – Special Meeting

A special meeting of the Gardiner Town Board was held this evening at 7 PM for the purpose of continuing the Public Hearing on the Community Preservation Project. This meeting was held as a hybrid, in person and on Zoom. Present were Supervisor Majestic and Councilmembers Carucci, Richman, Walls and Wiegand. There were approximately 7± audience members present.

At 7:05 PM the Town Clerk read the public notice for the continuation of the public hearings for the three (3) local laws that need to be adopted to move forward with the mandatory referendum. Supervisor Majestic commented on the correspondence received on the Local Laws and then opened the hearing for any questions or comments.

Jean Ann McGrane – stated that an adopted plan is a very good tool for the Town.

CLOSE PUBLIC HEARING ON LOCAL LAW B COMMUNITY PRESERVATION FUND AND ADVISORY BOARD

On motion of Councilmember Walls, seconded by Councilmember Carucci and carried, the public hearing for Local Law B was closed at 7:11 PM

CLOSE PUBLIC HEARING ON LOCAL LAW C ADOPTION OF COMMUNITY PRESERVATION PROJECT PLAN

On motion of Councilmember Walls, seconded by Councilmember Carucci and carried, the public hearing for Local Law C was closed at 7:11 PM.

REVIEW OF AMENDMENTS TO PLAN

Board members are in receipt of a memo from DEC Land Specialist Ingrid Haeckel addressing the amendments to the Community Preservation Plan. The reports states that nearly a third of the parcels used for the scoring analysis had errors. The parcels were located in the SP zoning area. The errors have been corrected.

Councilmember Wiegand commented that the Town is moving too quickly on this and his opinion is validated by the errors identified. Mr. Wiegand feels it would be prudent to move forward but to schedule the referendum for next year.

SEQR REVIEW

Board members along with attorney Christine Chale reviewed the Part 2 questions 1-18 and narrative for the SEQR form. It was determined that this project will have no significant impact and the Board declared a Negative Declaration. The following Resolution was adopted:

Resolution No. 123 -

A special meeting of the Town Board of the Town of Gardiner, Ulster County, New York, was convened in public session via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on July 20, 2022 at 7:00 p.m., local time. A live transmission was available to the public as described in the notice of hearing attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such Executive Order.

The meeting was called to order by Supervisor Majestic, and, upon roll being called, the following members were (Note: Where members are marked Present, specify whether In Person at the Town Hall, 2340 State Route 44/55, Gardiner, New York, via Videoconference, or via Teleconference):

	Present	Absent
Supervisor Marybeth Majestic	VIA In Person	
Councilmember Warren Wiegand	VIA In Person	
Councilmember Laura Faye Walls	VIA In Person	
Councilmember Carol Richman	VIA In Person	
Councilmember Franco Carucci	VIA In Person	

The following resolution was offered by Councilmember Richman seconded by Councilmember Walls to wit;

Resolution No. 123 - Dated July 20, 2022

RESOLUTION ADOPTING A SEQRA DETERMINATION OF SIGNIFICANCE FOR LOCAL LAW NO. B (PROPOSED) OF 2022, LOCAL LAW NO. C (PROPOSED) OF 2022 AND LOCAL LAW D OF 2022 (PROPOSED) (NEGATIVE DECLARATION)

WHEREAS, the Town Board of the Town of Gardiner is considering the adoption of Local Law No. B (Proposed) of 2022, entitled “**A LOCAL LAW ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN**” and Local Law No. C (Proposed) of 2022, entitled “**A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PROJECT PLAN**” and Local Law No. D (Proposed) of 2022, entitled “**A LOCAL LAW TO PROTECT THE WATER QUALITY OF RIVERS, LAKES, AND STREAMS, INCLUDING THE WALLKILL RIVER; PROTECT THE WATER QUALITY OF GARDINER’S DRINKING WATER; PRESERVE WORKING FARMS; ESTABLISH PARKS AND RECREATIONAL AREAS; AND PROTECT HISTORIC RESOURCES AND NATURAL AREAS BY CREATING A ONE AND ONE QUARTER PERCENT REAL ESTATE TRANSFER TAX ON THE CONVEYANCE OF INTERESTS IN REAL PROPERTY IN THE TOWN, WITH REVENUES FROM THIS TAX TO BE DEPOSITED IN THE TOWN OF GARDINER COMMUNITY PRESERVATION FUND, WHICH MAY BE MATCHED BY STATE AND FEDERAL FUNDING AND WHICH WILL REQUIRE FULL PUBLIC DISCLOSURE OF ALL SPENDING**” (the “Proposed Local Laws”) in the forms on file with the Town Clerk; and

WHEREAS, on June 7, 2022, the Town Board classified the Proposed Local Laws as Type I actions under SEQRA and declared its intent to serve as lead agency in a review of the Proposed Local Laws as it is the only involved agency; and

WHEREAS, the Proposed Local Laws will be applicable throughout the Town; and

WHEREAS, the Town Board has prepared a Full Environmental Assessment Form (FEAF) for the Proposed Local Laws; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern disclosed in the FEAF; and

WHEREAS, the Town Board has reviewed Parts 2 and 3 of the FEAF setting forth reasons supporting a determination that the proposed actions will not have a significant adverse impact on the environment; and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Gardiner, Ulster County, New York (by the favorable vote of not less than a majority of all of the members of the Board) hereby

1. Adopts a negative declaration and determines that the adoption of the Proposed Local Laws will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and
2. Authorizes and directs the Town Clerk to distribute a copy of this resolution to all involved and interested agencies, the Town Supervisor, and any person that has requested a copy and to make all other filings required by law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Marybeth Majestic	X		
Councilmember Warren Wiegand	X		
Councilmember Laura Faye Walls	X		
Councilmember Carol Richman	X		
Councilmember Franco Carucci	X		

The foregoing resolution was thereupon declared duly adopted.

ADOPTION OF LOCAL LAW #2 – ESTABLISHING A COMMUNITY PRESERVATION FUND AND ADVISORY BOARD

Resolution No. 124 -

A regular meeting of the Town Board of the Town of Gardiner, Ulster County, New York, was convened in public session and via videoconference and/or teleconference pursuant to NYS Laws Ch. 1 of 2022 and Executive Order 11, as amended, on July 20, 2022 at 7:00 p.m., local time. A live transmission was available to the public as described in the notice of hearing attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such Executive Order.

The meeting was called to order by Supervisor Majestic, and, upon roll being called, the following members were (Note: Where members are marked Present, specify whether In Person at the Town Hall, 2340 State Route 44/55, Gardiner, New York, via Videoconference, or via Teleconference):

	Present	Absent
Supervisor Marybeth Majestic	VIA In Person	
Councilmember Warren Wiegand	VIA In Person	
Councilmember Laura Faye Walls	VIA In Person	
Councilmember Carol Richman	VIA In Person	
Councilmember Franco Carucci	VIA In Person	

The following resolution was offered by Councilmember Richman seconded by Councilmember Walls to wit;

Resolution No. 124 -

AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF GARDINER OF LOCAL LAW NO. B (PROPOSED) OF 2022 ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN

WHEREAS, a proposed form of Local Law No. B (Proposed) of 2022 entitled “A LOCAL LAW ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A

COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN” (the “proposed Local Law”) was presented to the Town Board of the Town of Gardiner at a regular meeting held on June 7, 2022; and

WHEREAS, on June 7, 2022, the Town Board reviewed a Full Environmental Assessment Form (FEAF) and classified the Proposed Local Law as a Type I action under SEQRA and declared itself lead agency as it is the only involved agency; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Gardiner on June 7, 2022, setting a public hearing to be held by said Town Board on July 12, 2022 at 7:00 p.m. via in person, teleconference or videoconference, to hear all interested parties on the Proposed Local Law; and

WHEREAS, notice of said public hearing was duly advertised in the Times Herald-Record, the official newspaper of said Town, on or before July 7, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on July 12, 2022 via in person, teleconference or video conference at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said proposed Local Law, or any part thereof as set forth in the Notice of Public Hearing; and

WHEREAS, said public hearing was continued to July 20, 2022 at 7:00 p.m. and such continued hearing was duly held on such date via in person, teleconference or video conference at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said proposed Local Law, or any part thereof as set forth in the Notice of Public Hearing; and

WHEREAS, notice of said continued public hearing was duly advertised in the Times Herald-Record, the official newspaper of said Town, on or before July 15, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, on July 20, 2022, the Town Board adopted a negative declaration determining that the proposed adoption of the Proposed Local Law will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board of the Town of Gardiner, after reviewing the comments received and after due deliberation, finds it in the best interests of the Town to adopt said Proposed Local Law, in the form attached hereto;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Gardiner (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. That the Town Board hereby adopts Local Law No. B (Proposed) of 2022, now referred to as Local Law No. 2 of 2022, entitled “**A LOCAL LAW ESTABLISHING A COMMUNITY PRESERVATION FUND AND CREATING A COMMUNITY PRESERVATION FUND ADVISORY BOARD AS AUTHORIZED BY GENERAL MUNICIPAL LAW § 6-s FOR THE PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE RESOURCES WITHIN THE TOWN**”, a copy of which is attached hereto and made a part of this resolution.
2. That the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Town Code of the Town of Gardiner, to give due notice of the adoption of said local law to the Secretary of State of New York, and take all other actions as may be required by law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Marybeth Majestic	X		
Councilmember Warren Wiegand		X	
Councilmember Laura Faye Walls	X		
Councilmember Carol Richman	X		
Councilmember Franco Carucci	X		

The foregoing resolution was thereupon declared duly adopted.

ADOPTION OF LOCAL LAW #3 – COMMUNITY PRESERVATION PROJECT PLAN

Resolution No. 125 -

A regular meeting of the Town Board of the Town of Gardiner, Ulster County, New York, was convened in public session and via videoconference and/or teleconference pursuant to NYS Laws Ch. 1 of 2022 and Executive Order 11, as amended, on July 20, 2022 at 7:00 p.m., local time. A live transmission was available to the public. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such Executive Order.

The meeting was called to order by Supervisor Majestic, and, upon roll being called, the following members were (Note: Where members are marked Present, specify whether In Person at the Town Hall, 2340 State Route 44/55, Gardiner, New York, via Videoconference, or via Teleconference):

	Present	Absent
Supervisor Marybeth Majestic	VIA In Person	
Councilmember Warren Wiegand	VIA In Person	
Councilmember Laura Faye Walls	VIA In Person	
Councilmember Carol Richman	VIA In Person	
Councilmember Franco Carucci	VIA In Person	

The following resolution was offered by Supervisor Majestic, seconded by Councilmember Richman to wit;

Resolution No. 125 -

AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF GARDINER OF LOCAL LAW NO. C (PROPOSED) OF 2022 FOR A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PROJECT PLAN

WHEREAS, a proposed form of Local Law No. C (Proposed) of 2022 entitled “**A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PROJECT PLAN**” (the “Proposed Local Law”) was presented to the Town Board of the Town of New Gardiner at a regular meeting held on June 7, 2022; and

WHEREAS, on June 7, 2022, the Town Board reviewed a Full Environmental Assessment Form (FEAF) and classified the Proposed Local Law as a Type I action under SEQRA and declared its intent to serve as lead agency; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Gardiner on June 7, 2022, setting a public hearing to be held by said Town Board on July 12, 2022 at 7:05 p.m. via in person, teleconference or videoconference, to hear all interested parties on a proposed local law; and

WHEREAS, notice of said public hearing was duly advertised in the Times Herald-Record, the official newspaper of said Town, on or before July 7, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, on July 12, 2022, the Town Board held a public hearing regarding the proposed Local Law regarding the Community Preservation Project Plan; and

WHEREAS, said public hearing was duly held on July 12, 2022 via in person, teleconference or video conference at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said proposed Local Law, or any part thereof as set forth in the Notice of Public Hearing; and

WHEREAS, said public hearing was continued to July 20, 2022 at 7:00 p.m. and such continued hearing was duly held on such date via in person, teleconference or video conference at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said proposed Local Law including a revised form of Community Preservation Project Plan, or any part thereof as set forth in the Notice of Public Hearing; and

WHEREAS, notice of said continued public hearing was duly advertised in the Times Herald-Record, the official newspaper of said Town, on or before July 15, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, on July 20, 2022, the Town Board adopted a negative declaration determining that the proposed adoption of the Proposed Local Law will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board of the Town of New Gardiner, after reviewing the comments received and after due deliberation, finds it in the best interests of the Town to adopt said Proposed Local Law, in the form attached hereto;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of New Gardiner (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. That the Town Board hereby adopts said Local Law No. C (Proposed) of 2022, now referred to as Local Law No. 3 of 2022, entitled “**A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PROJECT PLAN**”, a copy of which is attached hereto and made a part of this resolution.
2. That the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Town Code of the Town of Gardiner, to give due notice of the adoption of said local law to the Secretary of State of New York, and take all other actions as may be required by law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Marybeth Majestic	X		
Councilmember Warren Wiegand		X	
Councilmember Laura Faye Walls	X		
Councilmember Carol Richman	X		
Councilmember Franco Carucci	X		

The foregoing resolution was thereupon declared duly adopted.

CONTINUATION OF PUBLIC HEARING FOR LOCAL LAW D – REAL ESTATE TRANSFER TAX FOR COMMUNITY PRESERVATION PLAN

The public hearing for the Real Estate Transfer Tax was held opened until a scheduled special meeting on July 27, 2022 at 7 PM. Motion made by Supervisor Majestic, seconded by Councilmember Walls and carried.

PRIVILEGE OF THE FLOOR

Jean Ann McGrane – Thanked the Town Board for their support

Annie O’Neill – Thanked all committee members for their hard work

EXECUTIVE SESSION

A motion was made by Councilmember Richman, seconded by Councilmember Walls and carried to enter into executive session at 7:45 pm for the purposes of discussing Awosting Club. The Board will return only to adjourn.

Respectfully submitted,
Michelle Mosher
Town Clerk