

February 8, 2022 – Regular Meeting

The regular meeting of the Gardiner Town Board was held this evening at 7 PM. This meeting was conducted on Zoom as a virtual meeting. Present were Supervisor Majestic, Councilmembers Carucci, Richman and Walls. There were approximately 28± audience members.

### **ANNOUNCEMENTS**

February 20 – Gardiner Fire Dept. Chili Cook-off

February 21 – Town Hall & Highway Dept closed in observance of President’s Day.

### **ICE STORM THIS LAST WEEKEND**

The Town of Gardiner fared well with the ice storm this last weekend. Although many part of Ulster County were greatly affected. Over 80 Poles were damaged and approximately 2500 electrical lines were down. 900 linemen have been working tirelessly to restore power.

### **RAIL TRAIL REPAIR**

OSI is moving forward with the repair of the Rail Trail in Gardiner. Bid packages are going out and they have asked for a letter of support from the Town of Gardiner.

### **PUBLIC HEARING – KENNEL LAW**

At 7:05 PM a public hearing was held regarding the Kennel Local Law. The Town Clerk read the notice and Supervisor Majestic opened the hearing to the public for questions and comments.

Councilmember Richman is concerned with the broad statement on commercial breeding. Asked to change the definition. Board members agreed.

Supervisor Majestic stated that she has received a no comment from the Town of Gardiner Planning Board and No County Impact from the Ulster County Planning Board.

### **CLOSE PUBLIC HEARING**

On motion of Councilmember Walls, seconded by Councilmember Richman and carried, the public hearing for the Kennel Local Law was closed at 7:24 PM.

### **SEQR REVIEW AND NEGATIVE DECLARATION**

Supervisor Majestic reviewed the FEAF Part 2 with the Town Board. It was determined that the local law will not have any environmental impact and a Negative Declaration was declared.

Resolution No. 66 - Negative Declaration and Adopting a Proposed Local Law to Regulate Kennels in the Town Of Gardiner - Offered by Councilmember Walls

**WHEREAS**, a new version of the proposed local law entitled, “Kennel Law of the Town of Gardiner, Ulster County New York”, was introduced by the Town Board in December 2021, and

**WHEREAS**, as the proposed action involves the adoption of a local law and no other necessary approvals, the Town Board assumed the Lead Agency under SEQRA pursuant to 6 NYCRR 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 forwarded the proposed local law to the Ulster County Planning Board and Town of Gardiner Planning Board for its review and comment, and duly noticed and held a public hearing on the proposed local law; and

**WHEREAS**, the Town Board has duly considered the local law, the contents of the Full Environmental Assessment Form (EAF) for the proposed local law 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 2022, will not result in any significant adverse environmental impacts and authorizes filing of the Completed SEAF Part 3 with reasoned elaboration supporting a Negative Declaration in accordance with SEQRA, 6 NYCRR Part 617; and

**THAT THE** Town Board hereby determines that proposed Local Law No. 1 of 2022, as (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.

**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 Councilmember Richman and carried

#### **ADOPTION OF KENNEL LOCAL LAW**

Resolution Adopting Local Law No. 67- Kennel Law of the Town of Gardiner

Offered by Councilmember Carucci

**WHEREAS**, the Town Board of the Town of Gardiner has introduced a proposed local law entitled, “Kennel Law of the Town of Gardiner, Ulster County New York”; 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 February 8, 2022; and

**WHEREAS**, the Town Board reviewed and considered the public comments received on the proposed local law; 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, 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 2022 (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 Councilmember Richman and carried.

**COMMUNITY PRESERVATION FUND - ATTORNEY**

Chairman of the Open Space Commission Jean McGrane was present to speak to the Board about hiring an attorney for assisting in the creation of the Local Law and procedures for the Community Preservation Plan. Ms. McGrane is recommending Christine Chale with Rodenhousen & Chale. A motion was made by Councilmember Walls, seconded by Supervisor Majestic and carried, engaging the services of Christine Chale to assist with the creation of the local law and procedures for the Community Preservation Plan not to exceed \$7500.

**PARKS AND RECREATION COMMITTEE & COMPREHENSIVE PLAN**

Ilka Casey was present representing the Parks & Recreation Committee and to give an update on their goals for inclusion in the Comprehensive Plan. The discussion evolved into a discussion about the Comprehensive Plan. Councilmember Walls commented that the Comprehensive Plan is a vision for the Town and is not designed for specific departments. It's a guiding document and if it is too dense it won't be used properly. This document will bring about changes to our zoning law.

Supervisor Majestic sees 3 tweaks to the Plan: 1.) The vision statement; 2.) In chapter 3 – the NRI should be referenced as a guiding document; 3.) the Stretch Energy Code.

The discussion then returned back to the Parks & Recreation committee. Ms Casey outlined the items that still need attention at the basketball court. The surface needs to be painted and she is awaiting quotes and the gravel needs to be higher.

At 8:30 PM Councilmember Walls left the meeting.

**PROPERTY & CASUALTY INSURANCE RENEWAL**

A motion was made by Councilmember Carucci, seconded by Councilmember Richman and carried, authorizing Supervisor Majestic to sign the renewal policy for the Town's property & casualty insurance for 2022 with NYMIR.

**HEALTH INSURANCE RENEWAL**

On motion of Councilmember Richman, seconded by Councilmember Carucci and carried, Supervisor Majestic was authorized to sign the health insurance renewal for 2022 with MVP.

**MINUTES**

On motion of Councilmember Carucci, seconded by Supervisor Majestic and carried, the minutes of December 7,2021, December 14, 2021 and January 4, 2022 were approved as written.

**SUPERVISOR'S MONTHLY REPORT**

The January Supervisor report was approved as presented on motion of Councilmember Carucci, seconded by Councilmember Richman and carried.

**CLAIMS – DECEMBER 2021**

Claims for the month of December 2021 were approved on motion of Councilmember Carucci, seconded by Councilmember Richman and carried. They are listed on Abstract 12 B as follows: General Fund voucher# 667-702 \$15,937.99; Highway Fund voucher # 253-266 \$16,377.81; Sewer Fund voucher #46 \$2,370.59; Gardiner Light District voucher #1 \$307.30.

**CLAIMS – JANUARY 2022**

Claims for the month of January 2022 were approved on motion of Councilmember Carucci, seconded by Councilmember Richman and carried. The are listed on Abstract 1 B as follows: General Fund voucher #9-29 \$184,236.07; Highway Fund voucher #1-12 \$11,227.73; Sewer Fund voucher #1 \$430.00.

**BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS - 2021**

Resolution No. 68– Transfer in General Fund – Offered by Councilmember Carucci  
Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$61.59 from Acct No. 00.01.1110.102 PS Court Officer to Acct No. 00.01.1110.424 CE Codebooks, \$1,643.81 from Acct No. 00.01.1620.106 PS Grounds Maintenance to Acct No. 00.01.1440.460 CE Outside Professional Services, \$1,000.00 from Acct No. 00.05.6140.401 CE Home Relief to Acct No. 00.04.5182.401 CE Street Lighting, \$500.00 from Acct No. 00.05.6148.401 CE Burials to Acct No. 00.04.5182.401 CE Street Lighting and \$384.86 from Acct No. 00.06.7110.405 Ce Gardiner Day Exp to Acct No. 00.04.5182.401 CE Street Lighting.

Seconded by Councilmember Richman and carried.

Resolution No. 69– Transfer in General Fund – Offered by Councilmember Carucci  
Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$1,904.30 from Acct No. 00.06.7620.402 Gardiner Senior Living to Acct No. 00.02.3620.102 PS P/T Inspector, \$95.70 from Acct No. 00.06.7620.402 CE Gardiner Senior Living to Acct No. 00.02.3620.421 CE Office Supplies, \$12.00 from Acct No. 00.06.7620.401Adult Rec – Senior to Acct No. 00.02.3620.421 CE Office Supplies, \$158.34 in Acct No. 00.06.7620.401 CE Adult Rec to Acct No. 00.02.3620.402 CE Bldg. Mileage and \$229.94 from Acct No. 00.06.7620.401 CE Adult Rec to Acct No. 00.01.1670.438 CE Legal Notice.

Seconded by Councilmember Richman and carried.

Resolution No. 70– Transfer in General Fund – Offered by Councilmember Carucci  
Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$2,656.98 from Acct No. 00.02.3620.103 PS P/T Clerk to Acct No. 00.02.3620.102 PS P/T Bldg. Inspector, \$1,904.30 in Acct No. 00.06.7310.101 PS Camp Director to Acct No. 00.02.3620.102 PS P/T Bldg. Inspector, \$109.12 in Acct No. 00.06.7310.101 Camp Director to Acct No. 00.07.8160.103 PS Station Attendant and \$1,000.00 from Acct No. 00.01.1620.414 CE Heat & Oil to Acct No00.01.1620.412 CE Electric.

Seconded by Councilmember Richman and carried.

Resolution No. 71– Transfer in General Fund – Offered by Councilmember Carucci  
Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$109.12 from Acct No. 00.07.8160.460 Ce Outside Professional Service to Acct No. 00.07.8160.103 Station Asst.

Seconded by Councilmember Richman and carried.

Resolution No. 72– Transfer in General Fund – Offered by Councilmember Wiegand Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$17.00 from Acct No. 00.02.3620.401 CE Misc to Acct No.00.02.3620.403, \$34.00 from Acct No. 00.02.3620.403 CE Conference to Acct No. 00.02.3620.402 CE Mileage, \$16.00 from Acct No. 00.02.3620.461 CE Noise Complaint to Acct No. 00.02.3620.402 Mileage, \$355.58 from Acct No. 00.04.5132.414 CE Fuel Oil to Acct No. 00.04.5132.412 CE Electric and \$64.99 from Acct No. 00.06.7110.412 CE Electric Park to Acct No. 00.06.7110.401 CE Park Misc.

Seconded by Councilmember Richman and carried.

Resolution No. 73– Transfer in General Fund – Offered by Councilmember Carucci Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$149.25 from Acct No. 00.01.1620.414 CE Heat & Oil to Acct No. 00.01.1620.401 CE Misc., \$853.69 from Acct No. 00.01.1620.414 CE Heat & Oil to Acct No. 00.01.1620.412 CE Electric, \$71.91 from Acct No. 00.01.1670.204 Eq. Leasing Copier to Acct No. 00.01.1670.422 CE Office Supplies, \$58.18 from Acct No. 00.01.1670.422 CE Equipment Leasing Postage Meter to Acct No. 00.01.1670.421 CE Office Supplies and #2,656.98 from Acct No. 00.02.3620.103 PS P/T Clerk to Acct No. 00.02.3620.102 PS P/T Inspector.

Seconded by Councilmember Richman and carried.

Resolution No. 74– Transfer in General Fund – Offered by Councilmember Carucci Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$82.01 from Acct No.00.01.1110.421 CE Office Supplies to Acct No. 00.01.1110.424 CE Code Books, \$3.81 from Acct No. 00.01.1110.401 CE Misc to Acct No. 00.01.1110.424 CE Code Books, \$300.00 from Acct No. 00.01.1410.201 CE Cap. Equipment to Acct No. 00.01.1410.421 CE Office Supplies, \$115.67 from Acct No. 00.01.1410.402 CE Mileage to Acct No. 00.01.1410.421 CE Office Supplies and \$160.00 from Acct No. 00.01.1420.460 CE General Attorney to Acct No. 00.01.1420.403 Ce Registrar.

Seconded by Councilmember Richman and carried.

Resolution No.75– Supplemental Appropriation in Light District Fund – Offered by Councilmember Richman

Resolved, pursuant to Section 122, Town Law, the 2021 Annual Budget, Light District Fund is hereby amended to provide for a supplemental appropriation in the amount of \$562.48 in Acct No. 08.04.5182.401 CE Street Lighting and \$307.30 in Acct No. 08.04.5182.402 CE Misc.

Further resolved, said moneys to be taken from the unexpended balance in the Light District Fund.

Seconded by Councilmember Carucci and carried.

Resolution No. 76– Transfer in Highway Fund – Offered by Councilmember Carucci Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, Highway Fund, is hereby amended to provide for the transfer of \$600.00 from Acct No. 01.04.5142.400 CE Misc. Material to Acct No. 01.04.5130.431 CE Equipment Repair and \$895.00 from Acct No. 0108.9010.800 CE NYS Retirement to Acct No. 01.08.9030.800 CE Social Security

Seconded by Councilmember Richman and carried.

Resolution No.77– Supplemental Appropriation in Highway Fund – Offered by Councilmember Richman

Resolved, pursuant to Section 122, Town Law, the 2021 Annual Budget, Highway Fund is hereby amended to provide for a supplemental appropriation in the amount of \$332.57 in Acct No. 01.09.9730.687 CE Note 2021 Mack.

Further resolved, said moneys to be taken from the unexpended balance in the Highway Fund. Seconded by Councilmember Carucci and carried.

Resolution No. 78– Transfer in Highway Fund – Offered by Councilmember Carucci

Resolved, pursuant to Section 112, Town Law, the 2021 Annual Budget, Highway Fund, is hereby amended to provide for the transfer of \$195.84 from Acct No. 01.04.5110.111 PS

Working Foreman to Acct No. 01.04.5110.101 PS Power, \$194.24 from Acct No.

01.04.5110.101 PS Working Forman to Acct No. 01.04.5110.110 PS DePiero, \$194.24 from

Acct No. 01.04.5110.111 PS Working Forman to Acct No. 01.04.5110.114 PS Monteleone,

\$194.24 from Acct No. 4194.24 01.04.5110.111 PS Working Foreman to Acct No.

01.04.5110.117 PS Scofield, \$194.24 from Acct No. 01.04.5110.111 PS Working Foreman to

Acct No. 01.04.5110.119 PS Lichinsky and \$194.24 from Acct No. 01.04.5110.111 PS Working Foreman to Acct No. 01.04.5110.121 PS Soltish.

Seconded by Councilmember Richman and carried.

Resolution No.79– Supplemental Appropriation in General Fund – Offered by Councilmember Richman

Resolved, pursuant to Section 122, Town Law, the 2021 Annual Budget, General Fund is hereby amended to provide for a supplemental appropriation in the amount of \$122,663.81 in Acct No. 00.01.1440.464 CE Clove Rd. Bridge.

Further resolved, said moneys to be taken from the unexpended balance in the General Fund. Seconded by Councilmember Carucci and carried.

### **BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS – 2022**

Resolution No.80– Supplemental Appropriation in Highway Fund – Offered by Councilmember Carucci

Resolved, pursuant to Section 122, Town Law, the 2022 Annual Budget, Highway Fund is hereby amended to provide for a supplemental appropriation in the amount of \$15,000.00 in Acct No. 01.04.5120.400 CE Bridge Culvert

Further resolved, said moneys to be taken from the unexpended balance in the Highway Fund #17 Highway Improvements.

Seconded by Councilmember Richman and carried.

Resolution No.81– Supplemental Appropriation in Highway Fund – Offered by Councilmember Carucci

Resolved, pursuant to Section 122, Town Law, the 2022 Annual Budget, Highway Fund is hereby amended to provide for a supplemental appropriation in the amount of \$3,000.00 in Acct No01.04.5110.113 PS Reg P/T.

Further resolved, said moneys to be taken from the unexpended balance in the Highway Fund #01.

Seconded by Councilmember Richman and carried.

**PRIVILEGE OF THE FLOOR**

Michael Albright – asked about parkland designation for the property at the transfer station.

Suzanne Levirne – asked if Lazy River will be on next month's agenda.

Patty Parmalee – asked what the executive session decisions were regarding Awosting Club.

Jerry Brown – made comments about the building department and the park.

**ADJOURNMENT**

On motion of Councilmember Carucci, seconded by Supervisor Majestic and carried, the meeting was adjourned at 9:06 PM.

Respectfully submitted,

Michelle L. Mosher,  
Town Clerk