

July 11, 2023 – Regular Meeting

The Town Board met in Regular Session this evening at the Gardiner Town Hall at 7 PM. Present is Supervisor Majestic, Councilmembers Wiegand, Walls, Richman and Carucci. There were approximately 15 ± audience members.

### **ANNOUNCEMENTS**

Gardiner's Park & Recreation was notified that the Ulster County Parks & Recreation Grant was awarded to the Town in the amount of \$96,615.00. With this grant the Town can anticipate new fencing at the skateboard park, installation of a new pump track feature, and ADA compliant walkways throughout the park.

McKinstry Road Bridge opened late Friday, June 30<sup>th</sup>.

The Board received an email from David Yaffe regarding the Awosting Club lawsuit. As expected, Ms. Bradley filed a Notice of Appeal and Motion to Reargue on June 20<sup>th</sup>. All information will be posted on the Town's website for review.

Members of the Gardiner Day Committee were present to inform the Board and community of the events planned for Gardiner Day and other events the Committee organizes, and inviting residents to come volunteer for Gardiner Day.

Councilmember Wiegand briefed the Board on what NYCLASS is and its benefits. Wiegand shared the contract with Paul Keller, Town Attorney, and as expected, it was okay to move forward. Next steps are to send the resolution to Keller for review, the Board votes, and complete an application form sent to NYCLASS.

Cyber Security Outreach Quotes from CGCG and Logically. Logically is currently doing an assessment of the Town's needs. The Board will readdress after the quotes are submitted. Councilmember Walls reported the suggested changes Dave Church made to the Draft Code Update. The first set of substitutive stand-alone code updates previously discussed was emailed to the Board. He is continuing to work on other draft code updates which will propose as miscellaneous inserts or edits to the current code. Mr. Church encourages the Board to review attachments.

Supervisor Majestic suggested a Special Meeting to address the updates of the Code and to narrow down ARPA funding. A Special Meeting was scheduled for August 1<sup>st</sup> for the purpose to discussed Code Updates and ARPA funding.

### **REPORT FROM BUILDING INSPECTOR/ CODE ENFORCEMENT OFFICER**

Trevor Hults, Building Inspector/Code Enforcement Officer, addressed the Board regarding derelict buildings in the village and surrounding areas. There are nine buildings have been sent a Compliance Inspection to determine whether they are vacant or derelict. The building with the most urgency to address is 2324 Rt 44-55, where it has received numerous violations, was officially condemned in 2019 and a demolition permit was issued to owner with no progress. Hults made recommendations to help address the vacant building issue. They include creating a

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clearly defined fine schedule, Vacancy Tax, and 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> offenses violations. Councilmember Wiegand asked for monthly updates.

**CONTRACT RESOLUTION WITH ULSTER COUNTY FOR ARPA SEWER GRANT FUNDING**

Resolution is going to be presented at the August 1<sup>st</sup> Special Meeting.

**EMPLOYEE HANDBOOK QUOTE AND DISCUSSION**

Councilmember Walls circulated a \$6,000.00 quote to update the Employee Handbook from a subset of the Tug Hill Commission. Walls will contact Judy Mele for advice as she practices Labor Law. Supervisor Majestic also suggested Marshall & Sterling to see if they have any HR programs.

**RESOLUTION TO HIRE PART-TIME BUILDING DEP'T CLERK**

**Resolution No. 96** – Offered by Councilmember Walls;

The Town Board hereby authorizes and consents to the appointment of Michael Makely as Part Time Building Department Clerk, to receive a salary of \$21.00 per hour to be paid bi-weekly and to serve at the pleasure of the Building Inspector/Code Enforcement Officer.

Further Resolved, that Michael Makely shall be eligible for certain insurance benefits as he would be holding 2 part-time positions in the Town.

Seconded by Supervisor Majestic and carried.

**RESOLUTION TO HIRE FULL-TIME DEPUTY CLERK**

**Resolution No. 97** – Offered by Councilmember Walls;

Resolved, pursuant to Section 30 of Town Law, the Town Board hereby concurs with the Town Clerk's appointment of Tammy Popowick as Deputy Town Clerk to be compensated at the rate of \$21.00 per hour to be paid bi-weekly, and

Further Resolved, that the Deputy Town Clerk shall serve at the pleasure of the Town Clerk and shall enjoy limited powers and duties with respect to issuance of licenses and permits and acceptance of fees and filings on behalf of the Town Clerk during normal business hours.

Further Resolved, that Tammy Popowick shall be eligible for certain insurance benefits as a full-time employee of the Town.

Seconded by Councilmember Carucci and carried.

**POTTHAUST MATTER DECISION ON HOW TO ADVERTISE**

On motion of Supervisor Majestic, seconded by Councilmember Carucci and carried to choose the option of sealed bids, with a \$2,500.00 escrow deposit and for it to be noticed in the newspaper and website for the Emmy Lane property. Councilmember Richman abstained.

**DUSINBERRE ROAD PUMP STATION**

On the motion of Councilmember Walls, seconded by Councilmember Wiegand and carried to accept the bid from H2O in the amount of \$81,527.00 for the Pump Station renovation on Dusinberre Rd.

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**SPEED STUDY REQUEST FOR ALBANY POST ROAD**

On motion of Councilmember Wiegand, seconded by Councilmember Richman and carried, to request the County to conduct a speed study on Albany Post Rd. from State Rt. 44-55 to the Shawangunk town line.

**AUTHORIZATION FOR SUPERVISOR TO SIGN BUSINESS ASSOCIATION AGREEMENT WITH MARSHALL & STERLING**

On the motion of Councilmember Wiegand, seconded by Councilmember Walls and carried, authorizing the Supervisor to sign the Business Association Agreement with Marshall & Sterling.

**AUTHORIZATION FOR SUPERVISOR TO SEND OSI LETTER OF SUPPORT**

On the motion of Councilmember Walls, seconded by Councilmember Richman and carried, authorizing the Supervisor to send OSI Letter of Support for restoration of the Lake Awosting carriage road.

**ARPA FUND DISCUSSION AND IDEAS**

The Board will discuss at the August 1<sup>st</sup> meeting.

**ZBA APPOINTMENT**

On motion of Councilmember Walls, seconded by Councilmember Wiegand and carried to appoint Zack Heller to the Zoning Board of Appeals.

**MINUTES**

Minutes of April 4<sup>th</sup> and April 11<sup>th</sup> were approved as written on motion of Councilmember Carucci, seconded by Supervisor Majestic and carried.

**SUPERVISOR MONTHLY REPORT**

On motion of Councilmember Wiegand, seconded by Councilmember Carucci and carried. The June Supervisor’s Monthly Report was approved as presented. Councilmember Walls was absent.

**CLAIMS**

Claims for the month of June 2023 were approved on the motion of Councilmember Wiegand, seconded by Councilmember Carucci, and carried. They are listed on Abstract #6 as follows; General Fund voucher #254-323 \$28,188.94; Highway Fund voucher #107-119 \$11,377.57; Sewer Fund voucher #19 \$2,267.50. Councilmember Walls was absent.

**FINANCIALS**

Resolution No. 98 - Transfer in Sewer Fund – Offered by Councilmember Wiegand, pursuant of Section 112, Town Law, the 2023 Annual Budget, Sewer Fund is hereby amended to provide the transfer of \$790.00 from Acct 03-07-8110-401 CE Misc. to Acct 03-07-8110-468 CE Repairs. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

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Resolution No. 99 - Transfer in General Fund – Offered by Councilmember Wiegand, pursuant of Section 112, Town Law, the 2023 Annual Budget, General Fund is hereby amended to provide the transfer of \$75.00 from Acct 00-01-1220-460 CE Contract Services to Acct 00-01-1220-423 PC Software/Contract; \$913.00 from Acct 00-06-7310-420 Summer Rec Arts & Crafts to Acct 00-07-7310-430 Summer Rec Supplies; \$58.00 from Acct 00-07-8010-438 CE ZBA Adv. to Acct 00-07-8010-401 ZBA Misc. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

Resolution No. 100 – Supplemental Appropriation in General Fund – Offered by Councilmember Wiegand, Resolved, pursuant to Section 112, Town Law, the 2023 Annual Budget, General Fund, is hereby amended to provide for supplemental appropriations in the amount of \$429.00 in Acct 00-01-7110-463 EV Station Electric; \$1,200.00 in Acct 00-01-1680-499 IT Computer Repairs. Further Resolved, said money to be taken from the General Fund. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

Resolution No.101 - Transfer in Highway Fund – Offered by Councilmember Wiegand, pursuant of Section 112, Town Law, the 2023 Annual Budget, Highway Fund is hereby amended to provide the transfer of \$1,000.00 from Acct 01-04-5140-420 Supt Misc Expense to 01-04-5410-404 Misc Parts & Supplies. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

#### **PRIVILEGE OF THE FLOOR**

Residents spoke about Awosting Club, Yogi Bear, OSI Letter of Support, Board appointment procedures and the cell tower.

#### **EXECUTIVE SESSION**

On the Motion of Supervisor Majestic, seconded by Councilmember Walls and carried, the Town Board entered Executive Session at 9:13 PM to discuss Personnel matters to come back to regular meeting with a decision.

On motion of Councilmember Wiegand, seconded by Councilmember Richman and carried, the Town Board exited Executive Session at 9:18 PM.

On the motion of Councilmember Wiegand, seconded by Councilmember Walls and carried to amend the accrued vacation hours of the Assessor’s clerk to start in January at 8.75 hours per month.

#### **ADJOURNMENT**

On the motion of Councilmember Walls, seconded by Councilmember Wiegand and carried, the meeting adjourned at 9:20 PM.