

March 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 and in person for some Board members. Present were Supervisor Majestic, Councilmembers Carucci, Richman, Walls & Wiegand. There were approximately 26± audience members.

SUMMER RECREATION 2022

Supervisor Majestic announced that the Town is working on Summer Recreation for 2022. Information on pricing, dates etc. will be available shortly.

FALL PARK DEVELOPMENT

Supervisor Majestic informed that the Fall Park Developers have closed on the property here in the Town where they have plans to create subdivision/neighborhood development.

YOUNG SOMMER – DAVID BRENNEN

Supervisor Majestic read an e-mail received by attorney David Brennan of the law firm Young Sommer advising the Town Board that he will no longer represent the Planning Board for the Town. He has handed this off to attorney Bill Hurst. Allyson Phillips will continue to represent us on Town Board matters.

REQUEST FOR EXECUTIVE SESSION

Councilmember Richman made a motion to schedule an executive session at this time. Motion was seconded by Councilmember Carucci. Supervisor Majestic questioned the purpose of having an executive session. A vote was brought forth with 2 ayes, Councilmembers Richman & Carucci and 3 nays, Councilmembers Walls & Wiegand and Supervisor Majestic. Motion fails.

COMMUNITY PRESERVATION PLAN

David Dukler was present to review the timeline for the Community Preservation Plan. This timeline is very tight and will need to be strictly followed to get the referendum ready for the November ballot. Sub-committees have been formed and work as begun on surveys. The committee will keep the Board apprised of all that is happening.

CANNABIS DISPENSARIES

Attorney David Brennan provided the Town Board with a memo regarding cannabis dispensaries and the Town's zoning code. The memo reviewed the next steps the Town Board needs to take as well as the options available for licenses under the Cannabis Law. Mr. Brennan outlined several considerations for the Town Board to review. Councilmember Richman suggest enacting a moratorium to allow the Board time to create a floating district. She is concerned the current zoning law will allow dispensaries in any district. Councilmember Walls suggested making this use consistent with retail to make it as simple as possible.

WIRELESS EDGE APPLICATION UPDATE

The Town has received four (4) proposals for radio frequency engineers. They are from Ron Graiff, 360° Radio Frequency, Doug Fishman and William Johnson. Councilmember Richman would like to review the reports of Ron Graiff from when he did a report several years ago for the Town. Board members would like the second balloon test scheduled to provide photographs from the Ridge.

SCHEDULE PUBLIC HEARING – WIRELESS EDGE TOWERS II

Board members agreed to schedule a public hearing for the cell tower for April 5, 2022 at 7 pm. The following resolution was adopted on motion of Councilmember Wiegand, seconded by Councilmember Walls and carried.

Resolution No. 85 – Schedule Public Hearing Wireless Edge Towers II

WHEREAS, the applicant, Wireless Edge Towers II, LLC, has submitted an application for site plan and special use permit approval to construct an approximately 110-foot tall wireless telecommunications facility tower (120 feet with a municipal antenna) on property owned by the Town of Gardiner located at 630 South Mountain Road, identified as SBL 93.3-1-27 (the “Property”), in the RA Zoning District (the “Project”); and

WHEREAS, pursuant to Section 220-46A(2) and B(3) of the Zoning Law, a major wireless telecommunications facility tower requires special use permit approval from the Town Board and site plan approval from the Planning Board.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby:

Schedules a public hearing on the Project for April 5, 2022 at 7:00p.m. at Town Hall, 2340 State Route 44/55, Gardiner, NY, 12525.

Directs the Town Clerk to post notice of hearing on the Town signboard, Town website, and to publish notice of the hearing in the Town’s Official Newspaper on or before March 22, 2022, which is not less than 10 days before the hearing.

Directs the Town Clerk to send notice of the public hearing via first class mail to the last known address of all owners of property within 500 feet of the Property, as shown on the most recent Town tax records.

Directs the applicant to post a sign at the Property stating the time, day and location of the hearing, and a brief description of the Project, at least 10 days prior to the hearing.

Directs the Town Clerk to make all other filings required by law.

MINUTES

Minutes of January 11, 2022 were approved as written on motion of Councilmember Wiegand, seconded by Councilmember Walls and carried. Minutes of January 18, 2022 were approved as written on motion of Councilmember Wiegand, seconded by Councilmember Walls and carried. Supervisor Majestic abstained. Next, minutes of February 1, 2022 were approved as written on motion of Councilmember Wiegand, seconded by Councilmember Walls and carried. Lastly, minutes of February 8, 2022 were approved as written on motion of Councilmember Carucci, seconded by Supervisor Majestic and carried. Councilmember Wiegand abstained.

SUPERVISOR MONTHLY REPORT

The February Supervisor Report was accepted as presented on motion of Councilmember Carucci, seconded by Councilmember Wiegand and carried.

CLAIMS

The claims for February were approved on motion of Councilmember Wiegand, seconded by Councilmember Carucci and carried. Councilmember Walls abstained. They are listed on Abstract #2 as follows: General Fund voucher #52-86 \$55,765.35; Highway Fund voucher #13-35 \$24,496.33; Sewer Fund voucher #2-4 \$4,337.19.

BUDGET TRANSFERS & SUPPLEMENTAL APPROPRIATIONS

Resolution No.86– Supplemental Appropriation in General Fund – Offered by Councilmember Wiegand

Resolved, pursuant to Section 122, Town Law, the 2022 Annual Budget, General Fund is hereby amended to provide for a supplemental appropriation in the amount of \$41,597.10 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. Councilmember Walls was absent.

Resolution No. 87– Transfer in General Fund – Offered by Councilmember Wiegand

Resolved, pursuant to Section 112, Town Law, the 2022 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$1.90 from Acct No. 00.01.1410.421 CE Office Supplies to Acct No. 00.01.1410.424 CE Code Books, \$ 26,400 from Acct No. 00.01.1410.102 PS Deputy Clerk P/T to Acct No. 00.01.1410.103 PS Deputy Clerk F/T and \$70.79 from Acct No. 00.01.1220.401 CE Misc. to Acct No. 00.01.1220.422 CE Software Support.

Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

STATEMENT FROM SUPERVISOR MAJESTIC

Supervisor Majestic read a statement refuting reports of her relationship with Camilla Bradley and Awosting Club’s failure to comply with Town requirements.

PRIVILEGE OF THE FLOOR

Chris Hoey – asked the status of parkland classification

Jerry Brown – suggested finding another location for the cell tower.

Annie O’Neill – stated that the Town wanted it on their property to generate revenue. Can the Town get out of the lease.

MOTION FOR EXECUTIVE SESSION

At 8:24 PM on motion of Supervisor Majestic, seconded by Councilmember Wiegand and carried, the Town Board entered into executive session for the purposes of proposed, pending or current litigation. The Board will return to regular session only to adjourn. Councilmember Richman voted nay.

Respectfully submitted,

Michelle L. Mosher
Town Clerk