

March 14, 2023

The Town Board met in Regular Session this evening at the Gardiner Town Hall at 7 PM. Present were Supervisor Majestic, Councilmembers Wiegand, Carucci and Richman. Councilmember Walls was absent. There was approximately 14± audience members.

**ANNOUNCEMENTS**

The Fire Department is hosting a corned beef dinner on Saturday, March 18<sup>th</sup>.

Parks and Rec and the Assessment review Board are seeking volunteers. Parks and Rec meet monthly. The Assessment Review Board annually in May to address property owners with grievance regarding their property assessments.

**WIRELESS EDGE RESOLUTION**

Resolution No.72 – Offered by Councilmember Wiegand

WHEREAS, on August 2, 2022, the Town Board granted conditional special use permit approval to the applicant, Wireless Edge Towers II, LLC (the “Applicant”), to construct an approximately 110-foot tall wireless telecommunications facility tower (“WTF”) (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, on August 16, 2022, the Town Planning Board granted conditional site plan approval to the Applicant for the Project; and

WHEREAS, both site plan and special use permit approvals were conditioned on the Applicant executing a decommissioning and removal agreement pursuant to Town Code § 220-46D and submitting a performance guaranty (the “Removal Bond”); and

WHEREAS, the Applicant has executed a Decommissioning and Removal Agreement, a copy of which is on file with the Town Clerk; and

WHEREAS, a draft Removal Bond with an estimate of the cost of removal of the wireless telecommunications facility has been submitted; and

WHEREAS, the Town Engineer has reviewed the draft Removal Bond and has determined that the amount is sufficient to cover the costs of removal of the wireless telecommunications facility and restoring the Property to an acceptable condition.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves the Decommissioning Agreement and directs the Supervisor to execute it on behalf of the Town.

BE IT FURTHER RESOLVED, that the Town Board, upon due review and consideration, hereby approves the form of the Removal Bond issued by Nationwide Mutual Insurance, Bond Number 7901104847 in the amount of \$25,000.00.

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

**ULSTER COUNTY HOUSING SMART COMMUNITIES INITIATIVE RESOLUTION**

Resolution No. 73 – Offered by Councilmember Wiegand

WHEREAS, the Town of Gardiner (hereinafter “local government”) believes that rising housing and rental costs and a lack of diverse housing opportunities for all community members pose a significant challenge to the members of our community; and

March 14, 2023

WHEREAS, affordable housing is defined as housing in which the occupant is paying no more than 30% of monthly or annual income for housing costs, including utilities; and

WHEREAS, ensuring there are affordable housing options for all community members is a key responsibility of the elected officials of the Town and a critical component of creating a healthy, sustainable, and prosperous community; and

WHEREAS, rising housing and rental costs and a lack of diverse housing opportunities for all community members is in part due to the demand for housing far exceeding the supply of new affordable and workforce housing being developed in the community; and

WHEREAS, a long-term commitment by the Town to review and approve new affordable and workforce housing projects is a critical strategy for ensuring there are affordable housing options for all community members; and

WHEREAS, working toward housing solutions is a priority for the well-being of the local residents, the economy, and community sustainability; and

WHEREAS, we believe that our response to housing challenges provides us with an opportunity to improve housing opportunities and community wellbeing for all community members, and to build livable, affordable, and housing-smart communities,

IT IS HEREBY RESOLVED that the Town of Gardiner, in order to meet local housing needs, adopts the following commitments as part of joining the Ulster County Housing Smart Communities Initiative. This commitment includes completing the following six steps:

1. Join the program through municipal resolution and begin engaging with the community
  2. Designate a Housing Smart Community coordinator to serve as liaison between Ulster County and the municipality
  3. Form a housing task force or designate an existing official housing-related body of the Town to serve as the group committed to the program
  4. Register for participation in the program on the Housing Smart Communities Initiative website
  5. Establish a community outreach and educational campaign on the importance of developing a range of housing options
  6. Begin implementing a prioritized set of the Housing Smart Actions included in the program
- Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

### **GREENHOUSE GAS INVENTORY FOR 2019 RESOLUTION**

Resolution No. 74 – Offered by Councilmember Carucci,

Whereas, the Town of Gardiner is a Bronze Certified Climate Smart Community since 2021.

Whereas, Mark Varian, a member of Gardiner’s Climate Smart Task Force presented to the Town Board a Community and Government Operations Greenhouse Gas Inventory for 2019 at our October 11, 2022 Town Board meeting;

Whereas, the power point presentation covered the energy used throughout the community during the year 2019;

Whereas, the inventory included greenhouse gas emissions from household and commercial electricity use and home heating and cooling systems, as well as wastewater treatment and solid waste disposal;

Whereas, emissions from livestock were included along in the greenhouse gas inventory with the positive environmental impact of the town’s forests and open spaces;

March 14, 2023

Now therefore, be it resolved that the Town Board of the Town of Gardiner hereby adopts the Town of Gardiner Community and Government Operations Greenhouse Gas Inventory for the year 2019, presented to the Town Board by Mark Varian, member of the Climate Smart Gardiner Task Force, on October 11, 2022.

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

### **SUMMER RECREATION FEE INCREASE RESOLUTION**

Resolution No. 75 - Offered by Councilmember Wiegand,

Whereas, the Town of Gardiner offers a 6-week summer recreation program that is open to children of residents of the Town of Gardiner, as well as children of residents from other towns;

Whereas, the minimum wage is increasing from to \$14.20 for the period the summer recreation program runs;

Whereas, the rate for bus drivers, pool admittance and other regular expenses associated with the Summer Recreation program continue to increase on an annual basis;

Whereas, the rate charged by the Town of Gardiner is lower than similar programs offered in the area;

Whereas, Brian Edelstein, the director of our Summer Recreation program has recommended the increase to the Town Board;

Now therefore, be it resolved that the Town Board of the Town of Gardiner would like to increase the 2023 Summer Recreation rate by \$50 to the following; 2023 rates for the Summer Recreation Program will be as follows: \$550 for the 1<sup>st</sup> child of Gardiner residents and \$700 for the 1<sup>st</sup> child of non-residents. Any additional child in a family already registered for the program would receive a \$25 multi-file discount resulting in the following charges: \$525 for any additional children of Gardiner residents and \$675 for any additional children of non-residents. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

### **ZONING BOARD OF APPEALS APPOINTMENT**

On the motion of Supervisor Majestic, seconded by Councilmember Wiegand and carried, to appoint Nicole Wistreich to complete the term of David Serman on the Zoning Board of Appeals. Councilmember Walls was absent.

On the motion of Supervisor Majestic, seconded Councilmember Wiegand and carried to appoint David Serman as the Alternate on the Zoning Board of Appeals. Councilmember Walls was absent.

### **BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER HIRING RESOLUTION**

Resolution No. 76 – Offered by Councilmember Wiegand

Resolved, pursuant to Section 138 of Town Law, that Trevor Hults be and hereby is appointed fulltime Town Building Inspector and Code Enforcement Officer of the Town of Gardiner to be compensated at a rate of \$38.50 per hour to be paid bi-weekly and said hourly rate does not include allowance for use of his personal automobile and personal cell phone for official business and mileage and cell phone use will be paid upon submission of a voucher on a monthly basis, and

March 14, 2023

Further Resolved, that he is appointed with the full knowledge and understanding that he shall be required to meet and maintain the qualifications prescribed by the Secretary of State.

Further Resolved, that is eligible for certain insurance benefits as a full-time employee. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

### **COMMUNITY CHOICE AGGREGATE UPDATE**

Community Choice Aggregate Update: RFPs for proposed rates due by March 21<sup>st</sup> leaving a short window to agree to join other communities with a deadline of March 31<sup>st</sup>. Meeting scheduled to review the submitted RFPs on March 28<sup>th</sup> prior to the deadline. Draft memorandum of understanding completed, propose to be reviewed by attorney.

### **SUPERVISOR MONTHLY REPORT**

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

### **CLAIMS**

Claims for the month of December 2022 were approved on the motion of Councilmember Wiegand, seconded by Councilmember Carucci, and carried. They are listed on Abstract #12c as follows; General Fund voucher #719-720 \$241.25; Councilmember Walls was absent.

Claims for the month of February 2023 were approved on the motion of Councilmember Wiegand, seconded by Councilmember Carucci, and carried. They are listed on Abstract #2 as follows; General Fund voucher #44-94 \$23,915.24; Highway Fund voucher #13-44 \$27,865.81; Sewer Fund voucher #4-6 \$4,804.74. Councilmember Walls was absent.

### **BUDGET TRANSFER & SUPPLEMENTAL APPROPRIATIONS**

Resolution No. 77 - Supplemental Appropriation in Sewer Fund – Offered by Councilmember Wiegand. Resolved, pursuant to Section 112, Town Law, the 2022 Annual Budget, Sewer Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$9,500.00 to Acct 03-07-8110-470 CE Tank Replacement and \$2,183.25 to Acct 03-07-8110-472 CE I&I study. Further Resolved, said money to be taken from unexpended balance in the Sewer Fund. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

Resolution No. 78 - Supplemental Appropriation in Highway Fund – Offered by Councilmember Wiegand. Resolved, pursuant to Section 112, Town Law, the 2022 Annual Budget, Highway Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$43.86 to Acct 01-09-9730-609 Debit Service Principal/Lease. Further Resolved, said money to be taken from unexpended balance in the Highway fund. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

Resolution No. 79 – 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 \$41,538.47 from Acct 00-1-1410-101 PS Town Clerk to Acct 00-01-1410-104 PS

March 14, 2023

Acting Town Clerk, \$49.50 from Acct 00-01-1410-421 CE Office Supplies to Acct 00-01-1410-422 CE Software Support, \$150.00 from Acct 00-02-3620-105 PS Noise Complaint to Acct 00-02-3620-461 CE Outside Professional Service, \$57.00 from Acct 00-02-3620-421 CE Office Supplies to Acct 00-02-3620-422 CE Software Support, \$342.00 from Acct 00-07-8160-401 CE Misc. Landfill to Acct 00-07-8160-775 CE Uniforms. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

Resolution No. 80 – Transfer in Highway Fund – Offered by Councilmember Wiegand, pursuant of Section 112, Town Law, the 2022 Annual Budget, General Fund is hereby amended to provide the transfer of \$4.00 from Acct 01-04-5110-113 PS P/T Reg to Acct 01-04-5110-102 PS Aube. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

Resolution No. 81– Transfer in General Fund – Offered by Councilmember Wiegand, pursuant of Section 112, Town Law, the 2022 Annual Budget, General Fund is hereby amended to provide the transfer of \$395.31 from Acct 00-04-5132-413 CE Repairs to Acct 00-04-5132-412 CE Electric, \$314.56 from Acct 00-04-5010-403 Conference \$Education to Acct 00-04-5010-421 CE Office Supplies. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

Resolution No. 82– Supplemental Appropriation in Highway Fund – Offered by Councilmember Wiegand. Resolved, pursuant to Section 112, Town Law, the 2022 Annual Budget, Highway Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$17,250.00 to Acct 01-09-9785-687 for Excavator Deposit. Further Resolved, said money to be taken from the Unexpended Balance in the ARPA Fund. Seconded by Councilmember Carucci and carried. Councilmember Walls was absent.

**PRIVILEGDE OF THE FLOOR**

Supervisor Majestic and the Board thanked the Highway Department for their hard work in keeping the town and roads safe during the past snow storm.

**ADJOURNMENT**

On motion of Councilmember Wiegand, seconded by Councilmember Carucci and carried, the meeting was adjourned at 7:45 PM. Councilmember Walls was absent.

Respectfully,

Julia Hansen, Acting Town Clerk

March 14, 2023