

May 3, 2022 – Workshop Meeting

The workshop meeting of the Gardiner Town Board was held this evening at 7 PM. This meeting was conducted as a hybrid - in person and on Zoom. Present were Supervisor Majestic, Councilmembers Carucci, Richman, Walls & Wiegand. There were approximately 45± audience members.

ANNOUNCEMENTS

May 7 – River Sweep

May 16 – Blood Drive

May 17 – Lazy River Special Meeting

May 21 – Trees for Tribes – 370 trees will be planted at the transfer station 9 AM

Arbor Day Tree-planting at Town of Gardiner 1 PM

May 30 – Town Hall and Highway Dept will be closed in observance of Memorial Day.

VACANCIES ON VARIOUS BOARDS

Supervisor Majestic announced there are openings on the Parks & Recreation Committee, Zoning Board of Appeals and the Board of Assessment Review. Anyone interested can contact Supervisor Majestic.

SEWER GRANT

The Town is applying for a municipal sewer grant through Ulster County to help with costs of repair cited in the I&I study. These grants will be for “shovel ready” projects with money allocated from the County ARP funds.

GARDINER OPEN STUDIO TOUR

The Gardiner Open Studio Tour took place this past weekend. The Town of Gardiner is very fortunate to have so many talented residents.

WIRELESS EDGE TOWERS II PUBLIC HEARING CONTINUATION

Supervisor Majestic explained the postponement of the Town/Applicant discussion for the Wireless Edge Public Hearing. Not all information has been received by the company. This will be discussed at next weeks meeting. In the meantime, Marty Kiernan stated that the cell tower will reduce property values of all who live in the area. Board members continued the public hearing to May 10, 2022.

COMPREHENSIVE PLAN

Board members have concluded that the Compressive Plan Update, the SEQR review and the Neg Dec are completed and moved to adopt all three by the following resolution:

Resolution No. 91- Comprehensive Plan Update Adoption

Offered by Councilmember Walls

WHEREAS, the Town of Gardiner Town Board (Town Board) seeks to adopt an update to the Town of Gardiner Comprehensive Plan (Action); and,

WHEREAS, the Town has prepared a Final Comprehensive Plan Update, dated May 2022, which is posted on the Town website and is available for review at the Town Clerk’s office; and,

WHEREAS, the Town has completed Parts 1, 2 & 3 of a Full Environmental Assessment Form related to this proposed Action, consistent with the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, the Town Board of the Town of Gardiner has final review and approval authority for adoption of the Comprehensive Plan as per New York State Town Law 272-a; and,
WHEREAS, the Town Board has held a series of public workshops since August, 2021 on the Comprehensive Plan Update and has also conducted numerous meetings and interviews to discuss the future needs of the Town with interested individuals and parties including the Town Planning Board; and,

WHEREAS, the Town Board held a public information meeting on November 16, 2021 to discuss and consider a Draft Comprehensive Plan Update; and,

WHEREAS, the Town Board provided public notice and held a public hearing on April 12, 2022 to hear and consider all public comments on a Final Draft Comprehensive Plan; and,

WHEREAS, a Final Draft Comprehensive Plan Update was referred for comment to the Town of Gardiner Planning Board as well as the to the Ulster County Planning Board consistent with the Ulster County Land Use Referral Guide and NYS General Municipal Law 239. Both these Boards returned advisory comments which have now been incorporated into the Final Comprehensive Plan Update; and,

NOW THEREFORE BE IT RESOLVED, the Town Board as Lead Agency finds that this proposal is a Type 1 Action under the New York State Environmental Quality Review Act (SEQRA) and makes a negative declaration that the adoption of the Final Comprehensive Plan Update will not have the potential for significant, adverse environmental impact; and,

BE IT FURTHER RESOLVED, after full consideration of all public comments received and a review of the record of documents and research for this Action, the Town formally adopts the Final Comprehensive Plan Update, dated May 2022: and,

BE IT FURTHER RESOLVED, the Town Board directs that the Comprehensive Plan be reviewed at least every 10 years;

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to make the Final Comprehensive Plan Update available online at the Town website as well as available for review at the Town Clerk's office.

Seconded by Councilmember Wiegand and carried.

COMMUNITY PRESERVATION PLAN

David Dukler and Jean Ann McGrane were present to discuss with the Town Board the next steps in the adoption process of the Community Preservation Plan. They have presented a memo including charts, on the real estate tax rate that will need to be determined by the Town Board and adopted by a local law. There are three (3) laws total to be adopted before this can go to referendum. Board members plan to make all decisions at next week's meeting.

RESOLUTION NY-NJ WATERSHED PROTECTION ACT

Resolution No. 92 - NY-NJ Watershed Protection Act: H.R. 4677

Offered by Councilmember Walls

WHEREAS, New York Congressman Tonko has proposed the NY-NJ Watershed Protection Act, a unique federal investment program to authorize \$50 million of federal funds to protect and restore all watersheds, including the Hudson River Watershed, that flow into New York-New Jersey Harbor; and

WHEREAS, The Act has unanimous support among the Hudson Valley's Congressional delegation; and

WHEREAS, the Act would provide benefits to diverse stakeholders such as the protection of wildlife, conservation of natural resources, critical greenspaces, ocean and coastal resources, and

various opportunities to improve the quality of life for community members throughout the watershed; and

WHEREAS, the Town of Gardiner is part of one of the most economically important regions in the country, such that the proposed Act will provide economic and environmental benefits locally, regionally and nationally; and

WHEREAS, watersheds provide drinking water, tourism and outdoor recreation, economic opportunities, as well as sustain fisheries, critical wildlife and provide vital infrastructure from flooding and rising sea levels; and

WHEREAS, the Act would provide matching funds to achieve the goals of New York State Department of Environmental Conservation’s Hudson River Estuary Program, a state program that has greatly benefitted Hudson Valley communities; and

WHEREAS, this Act would direct the Secretary of the Interior to enhance collaboration and coordinate restoration activities at all levels of government to protect fish and wildlife habitats, endangered species, improve water quality, increase public access to the estuary, mitigate flood risks, and develop public outreach and educational activities; and

WHEREAS, portions of the residents of the NY-NJ Watershed live in communities lacking environmental justice, where access to and enjoyment of fish, wildlife, clean water, and other natural resources have been impaired or compromised, federal funding is necessary to mitigate these environmental and social issues; and

WHEREAS, the Town of Gardiner would benefit from the Act as it would award grants to help fund valuable restoration projects in our local community; and

WHEREAS, the Town of Gardiner government is a keystone on which its residents depend and on which the region relies, and which must uphold its duty to protect the community’s access to drinking water and natural resources; and

WHEREAS, the Town of Gardiner has an opportunity to be a social and environmental leader of the state by supporting the NY-NJ Watershed Protection Act, to lead by example, and to facilitate much needed change; and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of Gardiner hereby supports the passing of the NY-NJ Watershed Protection Act.

Seconded by Councilmember Richman and carried.

APPOINTMENT – OPEN SPACE COMMISSION

On motion of Councilmember Richman, seconded by Councilmember Wiegand and carried, Kay Hoiby was re-appointed as an Open Space Commission member for a term to expire April 2027.

APPOINTMENT OF MUNICIPAL CODE ENFORCEMENT OFFICE/BUILDING INSPECTOR

Resolution No. 93 - Municipal Code Enforcement Officer/Building Inspector – Bruce Terwilliger - Offered by Councilmember Wiegand

RESOLVED, pursuant to Section 138 of Town Law, that Bruce Terwilliger 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 \$39.05 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

FURTHER RESOLVED, that the Town Building Inspector shall serve at the pleasure of the Supervisor pursuant to Town Law, and

FURTHER RESOLVED, that Bruce Terwilliger 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 Bruce Terwilliger is eligible for certain insurance benefits as a full-time employee.

Seconded by Councilmember Walls and carried.

PRIVILEGE OF THE FLOOR

Suzanne Levirne – commented that the campground is very noisy – exactly as it was last year

EXECUTIVE SESSION

At 8:40 PM a motion was made by Councilmember Walls, seconded by Councilmember Wiegand and carried, to enter executive session to discuss personnel matters and potential litigation. The Board will return to regular session only to adjourn.

Respectfully submitted,

Michelle L. Mosher
Town Clerk