

February 13, 2007 – Regular Meeting

The regular meeting of the Gardiner Town Board was held at 7:00 PM at the Gardiner Meeting Hall. Supervisor Zatz presided with Councilwomen Lemmon & Kern and Councilmen Katz & Bialecki present. There were approximately 12 ± audience members also present.

ANNOUNCEMENTS

February 24 – Spaghetti Dinner sponsored by the Gardiner Committee. Seating at 5 PM and 7 PM. Tickets available at the Town Hall.

February 25 – Year of the Library Event with Puja Thompson at the Gardiner Meeting Hall.

RESOLUTION - MOHONK PRESERVE/DOT

Resolution No. 50 – Offered by Councilwoman Kern

WHEREAS, the Mohonk Preserve, Inc. located in the Town of Gardiner, is the largest non-profit nature preserve in New York State and protects over 6,400 acres of the Shawangunk Ridge; and **WHEREAS**, the Mohonk Preserve, Inc. provides public visitation for over 150,000 annual visitors 365 days per year with opportunities for hiking, rock climbing, bicycling, horseback riding, hunting, environmental education, nature observation and scientific research within a National Landmark Landscape; and

WHEREAS, the Mohonk Preserve, Inc. is an important economic, natural, historical and cultural asset to residents of the Town of Gardiner and throughout the mid-Hudson Region, whose visitors contribute an estimated \$3 million annually to the area economy; and

WHEREAS, the Mohonk Preserve, Inc. is in process of fulfilling a New York State Department of Transportation (NYS DOT) under the Transportation Efficiency Act for the 21st Century (TEA-21) Transportation Enhancements Program to undertake the first restoration of the Preserve's 25 mile Historic Carriage Road network in the carriage roads' 129 year history; and

WHEREAS, said carriage roads are one of the Ulster County's and the Hudson Valley's greatest transportation related recreation and tourism assets the original design and construction of which inspired the construction of similar stone roads in Minnewaska State Park Preserve, Pocantico Hills (Rockefeller State Park Preserve) in Westchester County and Acadia National Park in Maine, as well as other tourism destinations in the northeast United States; and

WHEREAS, the primary trailhead access points to the carriage roads are located in the Town of Gardiner, which trailheads provide 375 parking spaces (including handicapped access) that enable inter-modal access from Route 44/55 and Clove Road to the carriage roads; and

WHEREAS, the restoration of these carriage roads located in the Town of Gardiner is consistent with the Town's land use planning, economic development, tourism and historic preservation goals;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gardiner, a New York State Municipal Corporation, hereby endorses the Mohonk Preserve's submission of a contract to continue the NYS DOT under the TEA-21 Transportation Enhancements Program Historic Carriage Roads Restoration

BE IT FURTHER RESOLVED, that the Town of Gardiner agrees to act as sponsor in said contract with NYS DOT and Mohonk Preserve.

Seconded by Councilman Lemmon and carried.

RESOLUTION - DOT SCENIC BYWAYS ALTERNATE ROUTE

Resolution 51 – Offered by Councilwoman Lemmon

Resolved, that the Town Board of the Town of Gardiner supports the Department of Transportation Scenic Byways Program designation of Alternate Route in the Shawangunk Mountain Scenic Byway for State Rt. 44/55 from the intersection with State Rt. 208 to the intersection with State Rt. 299.

Seconded by Councilwoman Kern and carried.

TODD MATHEWS TIMBER HARVESTING SPECIAL PERMIT - SCHEDULE PUBLIC HEARING

Mr. Mathews has submitted an application for timber harvesting on property located on Burnt Meadow Road. Timber harvester Jude Zicot was present and explained the harvesting is strictly for aesthetics. A public hearing was scheduled for March 6, 2007 at 7:15 PM.

OHIOVILLE ACRES AFFORDABLE ACRES

Councilwoman Kern has concerns with the Ohioville Acres project and feels that the developer is not following the conditions and terms set forth in the waiver resolution. Ms Kern read the resolution and stated that the calculation of the workforce, affordable housing is incorrect. She feels the hardship waiver granted becomes null and void if the developer does meet the requirements of the resolution. It was agreed that a request would be made of the Planning Board for their minutes that last covered Ohioville Acres and address a letter to the Planning Board from the Town Board with their concerns.

CELL TOWER

Councilman Katz has been in contact with cell tower carriers. They have informed him that whatever the Town decides, either way a tower will be put up in the Town. They would contract with a local resident. The FCC allows a cell tower by right. Councilman Katz suggested returning to the ZBA and bring in carriers Verizon and Cell-One to help with making their arguments. Another suggestion, we are in the process of passing a new zoning law, amend the law to allow for a greater height for the tower. Supervisor suggested that Verizon come meet with the Town Board first. Councilman Katz will schedule a joint meeting with the Town Board, ZBA, Verizon and the attorney for the Town.

CREDIT CARD USE

Supervisor Zatz is investigating the use of credit cards for town transactions, such as transfer fees, tax collection and permit fees. Attorney David Brennan has already been consulted and he suggested contacting a town that already does this. Supervisor will get back to the Board with his findings.

ZONING

Councilwoman Lemmon sent to Joel Russell all the information he needed to draft the law. She hopes to have the law by February 22 and schedule a public hearing for March 13 at 7:15 PM. Board members agreed and the public hearing was scheduled for that date.

2006 CLAIMS

Remaining claims from 2006 were presented and approved on a motion of Councilwoman Lemmon, seconded by Councilwoman Kern and carried. They are listed on Abstract #14 as follows: General Fund, voucher #921-944 \$13,801.64; Highway Fund, voucher #325-330 \$1,392.18; Sewer District #1, voucher #73-74 \$156.84; Library Fund, voucher #137 \$3.38; Capital Town Hall, voucher #134-141 \$22,802.62.

2006 BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS

Resolution No. 52 – Supplemental Appropriation Gardiner Light District Fund – Offered by Councilwoman Lemmon

Resolved, pursuant to Section 112, Town Law, the 2006 Annual Budget, Gardiner Light District Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$51.41 in Acct No. 08.04.5182.401 Street Lighting.

Further Resolved, said monies to be taken from the Unexpended Balance in the Gardiner Light District Fund.

Seconded by Councilwoman Kern and carried.

Resolution No. 53 – Supplemental Appropriation Highway Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2006 Annual Budget, Highway Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$65.48 in Acct No. 01.08.9060.801 Retiree Health Insurance.
Further Resolved, said monies to be taken from the Unexpended Balance in the Highway Fund.
Seconded by Councilwoman Kern and carried.

Resolution No. 54 – Transfer within General Fund – Offered by Councilman Katz Resolved, pursuant to Section 112, Town Law, the 2006 Annual Budget, General Fund, is hereby amended to provide for transfers in the amount of \$2,583.83 in Acct No. 00.01.1680.201 EDP Equipment to Acct No. 00.01.1420.460 Attorney Professional Service, \$400.00 in Acct No. 00.01.3510.201 Animal Control Equipment to Acct No. 00.01.2510.101 PS Animal Control, \$340.67 in Acct No. 00.01.3510.460 Animal Control Professional Service to Acct No. 00.01.3510.101 PS Animal Control, \$80.00 in Acct No. 00.01.1410.403 Town Clerk Conference to Acct No. 00.01.1420.403 Vital Statistics, \$624.35 in Acct No. 00.07.8010.401 ZBA Misc. to Acct No. 00.07.8020.439 PB Reimbursement Professional Service, \$740.08 in Acct No. 00.07.8010.103 PS ZBA Clerk to Acct No. 00.07.8020.103 PS PB Clerk, \$315.00 from Acct No. 00.07.8010.439 ZBA Meeting Reimbursement to Acct No. 00.07.8020.439 PB Meeting Reimbursement and \$15.78 from Acct No. 00.01.1410.203 Town Clerk Equipment to Acct No. 00.01.1410.402 Town Clerk Mileage
Seconded by Councilman Bialecki and carried.

Resolution No. 55 – Supplemental Appropriation General Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2006 Annual Budget, General Fund, is hereby amended to provide for a supplemental appropriations in the amount of \$1,871.95 in Acct No. 01.05.6140.401 Home Relief, \$86.44 in Acct No. 00.07.8020.103 PS Planning Board Clerk, \$402.47 in Acct No. 00.08.9030.800 Social Security and \$6.47 in Acct No. 00.01.1410.402 Town Clerk Mileage.
Further Resolved, said monies to be taken from the Unexpended Balance in the General Fund.
Seconded by Councilwoman Kern and carried.

Resolution No. 56 – Transfer in the Highway Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2006 Annual Budget, Highway Fund, is hereby amended to provide for a transfer in the amount of \$1,233.01 in Acct No. 01.04.5140.400 CE Misc. Brush & Weeds to Acct No. 01.04.5110.400 CE General Repairs.
Seconded by Councilman Katz and carried.

2007 CLAIMS

The claims were approved for payment on motion of Councilwoman Lemmon, seconded by Councilwoman Kern and carried. They are listed on Abstract #1 as follows: General Fund voucher #1-95 \$97,623.21; Highway Fund voucher #1-18 \$5,113.10; Sewer District #1 voucher #1-5 \$2,671.35; Library Fund voucher #1-19 \$5,654.53; Capital Town Hall voucher #1-18 \$45,963.86.

2007 BUDGET TRANSFER AND SUPPLEMENTAL APPROPRIATIONS

Resolution No. 57 – Supplemental Appropriation General Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2007 Annual Budget, General Fund, is hereby amended to provide for supplemental appropriations in the amount of \$2,850.00 in Acct No. 00.01.1620.410 Info Tech, \$2,100.00 in Acct No. 00.01.1620.448 Town Hall Rental, \$104.00 in Acct No. 00.07.8160.412 Transfer Station Elec. and \$234.00 in Acct No. 00.08.9060.802 APA Health Ins.
Further Resolved, said monies to be taken from the Unexpended Balance in the General Fund.
Seconded by Councilwoman Kern and carried.

Resolution No. 58 – Supplemental Appropriation Library Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2007 Annual Budget, Library Fund, is hereby amended to provide for supplemental appropriations in the amount of \$185.66 in Acct No. 19.08.9060.802 APA Health Insurance and \$1,055.00 in Acct No. 19.06.7410.430 Office Supplies. Further Resolved, said monies to be taken from the Unexpended Balance in the Library Fund. Seconded by Councilwoman Kern and carried.

Resolution No. 59 – Supplemental Appropriation Capital Town Hall Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2007 Annual Budget, Capital Town Hall Fund, is hereby amended to provide for supplemental appropriations in the amount of \$6,512.04 in Acct No. 30.01.1620.402 CTH Material, \$39,311.82 in Acct No. 30.01.1620.405 CTH Other Contractors and \$140.00 in Acct No. 30.01.1620.408 CTH Refuse. Further Resolved, said monies to be taken from the Unexpended Balance in the Capital Town Hall Fund. Seconded by Councilman Katz and carried.

ADJOURNMENT

On motion of Councilman Bialecki, seconded by Councilwoman Kern and carried, the meeting was adjourned at 8:10 PM.

Respectfully submitted,

Michelle L. Mosher
Town Clerk