

March 4, 2008 – Workshop Meeting

The workshop meeting of the Gardiner Town Board was held this evening at the Gardiner Town Hall at 7:00 PM. Present were Supervisor Katz, Councilmen Wiegand & Finger and Councilwomen Lemmon and Kern. There were approximately 24± audience members.

### **ANNOUNCEMENTS**

March 4 – Gardiner Library Event – The Making and Unmaking of a Marine 3 PM Gardiner Town Hall

March 15 – Gardiner Day Committee Easter Egg Hunt 12 Noon Sharp Majestic Memorial Park

March 16 – Gardiner Fire Department Ladies Auxiliary Pancake Breakfast 7 AM to 11 AM

March 22 – Gardiner Day Committee Easter Plant Sale Gardiner Firehouse 9 AM

April 25 – Gardiner Day Committee Women Helping Women Dance New Paltz VFW

### **ASSESSMENT REVIEW BOARD APPOINTMENT**

On motion of Supervisor Katz, seconded by Councilwoman Lemmon and carried, John Friedle was appointment to the Board of Assessment Review filling the vacancy of Warren Wiegand. This term will expire September, 2010.

### **RE-APPOINTMENT LIBRARY BOARD OF TRUSTEES**

On motion of Councilwoman Kern, seconded by Councilman Wiegand and carried, Glenn Gidaly was re-appointed to Library Board of Trustees for another term to expire July, 2012.

### **ELEVATOR MAINTENANCE AGREEMENT**

Supervisor Katz is in receipt of a maintenance agreement with Thyssen-Krupp for our elevator. This 10 year agreement includes quarterly safety inspections, maintenance calls and updates with state paperwork. Cost for the agreement is \$240 per month. There is concern with such a long term on the agreement. The Supervisor will check with the attorney to see if the Town is allowed to enter into such a long term. This issue was tabled to next week's meeting .

### **ZONING LAW**

Supervisor Katz allowed the audience to speak on the zoning. There were concerns with the language on the driveway lengths, restrictive grandfathering, too complicated to understand adoption knowing that it is flawed and the law is lopsided. There were concerns for the developers who did not know what law to follow while others thought we should be concerned with those living in the Town now, not those who will be coming in to develop our Town. Others praised the law and those who worked on it stating that it was a good document and changes are made to laws continuously.

Councilmen Wiegand and Finger & Councilwomen Lemmon and Kern voiced their support of the law stating that it was a good document and that they would address the amendments that need to be done immediately. Supervisor Katz did not agree and voiced that he could not vote for a broken law. It needed to be fixed before adoption.

**SEQR NEGATIVE DECLARATION AND ADOPTION OF LAW**

**Resolution No. 56** – Offered by Councilman Wiegand

WHEREAS, the Town Board of the Town of Gardiner is desirous of appropriately planned growth in the Town of Gardiner; and

WHEREAS, the Town of Gardiner has long recognized the unique environment and community character of the Town. The 2004 Comprehensive Plan calls for zoning revisions to protect this unique environment and community character. These revisions have not yet been implemented through local land use regulations, and portions of the existing zoning are inconsistent with the requirements thereof.

WHEREAS, in furtherance thereof on December 7, 2004 the Town Board of the Town of Gardiner adopted an update to the Comprehensive Plan; and

WHEREAS, the Town Board duly appointed a Zoning Advisory Committee to prepare a proposed zoning amendment for the AR-80 zoning district and other portions of the Town outside of the Shawangunk Ridge Zoning District; and

WHEREAS, the Town of Gardiner retained highly qualified consultants to assist with the preparation of the proposed zoning; and

WHEREAS, the Zoning Advisory Committee engaged in an extensive effort to prepare the proposed zoning including holding multiple meetings and considering multiple comments from the public resulting in multiple revisions and drafts to the proposed Zoning Law; and

WHEREAS, as a result of the public input and the efforts of the Zoning Advisory Committee a proposed zoning amendment was prepared and submitted for Town Board consideration; and

WHEREAS, thereafter the Town Board considered the proposed Local Law and scheduled a public hearing thereon, notice of which was duly published and posted; and

WHEREAS, the Town Board held a public hearing, received comments and considered them; and

WHEREAS, as a result of the comments received, revisions were made to the proposed zoning amendment requiring another public hearing; and

WHEREAS, on October 15, 2007 the Town Board caused to be convened a second public hearing on the final version of the Local Law and received comment thereon; and

WHEREAS, thereafter, the Town Board caused to be prepared a Long Environmental Assessment Form, referred the proposed Local Law to the Town and County Planning Boards and provided notice to adjacent communities; and

WHEREAS, the public hearing was continued at the December 10, 2007 Town Board meeting and after receiving comments thereat, the hearing was closed; and

WHEREAS, thereafter, the Town Board reviewed and considered the comments received; and

WHEREAS, the Town Board has duly considered the contents of the EAF and completed Parts 2 and 3 thereof and has duly considered and reviewed a variety of planning documents and studies including the Town's Comprehensive Plan and Open Space Plan; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them;

WHEREAS, the Town Board, reviewed and considered the Long Environmental Assessment Form; and

WHEREAS, the Town Board has thoroughly reviewed the proposed zoning amendment and conducted multiple public hearings thereon; and

WHEREAS, the proposed action is aptly summarized and discussed in the Negative Declaration adopted herewith and made a part hereof; and

WHEREAS, the Town Board finds it is in the best interest of the Town of Gardiner to adopt the Local Law amending the Zoning Law.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF GARDINER, ULSTER COUNTY, NEW YORK:

THAT THE, the Town Board of the Town of Gardiner has determined that the adoption of this Local Law will not result in any significant adverse environmental impacts; and

IS FURTHER RESOLVED, the Town Board adopts the attached written Negative Declaration under SEQRA and directs the Town Clerk and Town's consultants to file the same; and

IS FURTHER RESOLVED, that the Local Law, attached hereto and made a part hereof, is hereby adopted by the Town Board of the Town of Gardiner; and

IT IS FURTHER RESOLVED, that the Town's Consultants and the Town Clerk are directed to take such actions as are necessary and appropriate to implement this resolution.

Seconded by Councilwoman Kern and carried. Supervisor Katz voted nay.

Councilwoman Kern requested that consultant Joel Russell be present for the review of the amendments to the law. All other Board members were not in agreement.

### **WEBCASTING/CABLECASTING OF TOWN BOARD MEETINGS**

Councilwoman Kern reported on her progress with the cable broadcasting and webcasting of the Town Board meetings. Cable broadcasting is free but will take a long time to establish in the Town. This channel does become a public access channel and there is concern with others wanting to broadcast from this channel. The other option – webcasting – can happen right away. Robert Feldman of Total Webcasting is willing to come and do a trial webcasting of a meeting. This is a live broadcast with the ability to archive the meeting. This can be quite expensive. In any case there is a cost that can range from \$150 per session to \$350 per meeting to \$5,000 as a onetime fee plus \$30 to \$40 per meeting. Councilwoman Lemmon suggested looking for funding programs. Councilman Finger is concerned with the comfort factor for the audience.

### **SIDEWALK ENGINEERING BIDS**

Councilwoman Lemmon reported that there were eleven responses to the RPF. Four companies have been accepted for interviewing, which will take place on March 21.

Application deadline for the Transportation Enhancement Grant is June 27. As a reminder the funding is as follows: Federal Funds 80%, Marchiselli Funds 15%, and Town Funding 5%.

### **SCHEDULING OF PUBLIC HEARING**

The Town Board has received two local laws for adoption – a transition law and amendment to the subdivision laws. Public Hearings have been scheduled for April 8, 2008 at 7:05 PM and 7:10 PM.

### **MINUTES**

Minutes of November 13, December 10 and January 3, 2008 were approved as written on motion of Councilwoman Lemmon, seconded by Councilwoman Kern and carried. Councilman Finger abstained.

### **PRIVILEGE OF THE FLOOR**

Supervisor Katz – announced a Gardiner Show & Tell by the Historical Society on April 26 at the Gardiner Town Hall.

Councilwoman Lemmon – is concerned with liability for the municipal parking lot on the Library property. Asked for clarification if an agreement is necessary between the Town and the Library for coverage.

**ADJOURNMENT**

On motion of Councilwoman Kern, seconded by Councilman Finger and carried, the meeting was adjourned at 8:55 PM.

Respectfully submitted,

Michelle L. Mosher  
Town Clerk