

September 13, 2006 – Regular Meeting

The regular meeting of the Gardiner Town Board was held this date at 7:00 PM at the Gardiner Meeting Hall. Present were Supervisor Zatz, Councilwomen Lemmon and Kern and Councilmen Katz and Bialecki. Approximately 40 ± audience members were also present.

ANNOUNCEMENTS

September 16 – Gardiner Day. They are still looking for volunteers to help for the day.

September 30 – Towns of Gardiner, New Paltz and Shawangunk are holding a Republican dinner honoring Senator John Bonacic at the VFW in New Paltz.

September 23- Annual Mum Sale sponsored by the Friends of the Gardiner Library, Town Hall property.

October 21 – 2nd Annual Hoe-Down. To be held at George Majestic Memorial Park.

November 4 – Future for Farms one day conference to be held at Columbia Greene Community College in Hudson NY from 8:30 AM to 3:00 PM.

AR-80 MORATORIUM EXTENSION

The Town Board set a public hearing for October 10, 2006 at 7:15 PM with respect to a local law to extend the AR-80 moratorium. The Town Clerk will forward the draft law to the Town of Gardiner Planning Board and the Ulster County Planning Board for their review.

2007 BUDGET SCHEDULE

Supervisor Zatz will present the tentative budget by the end of the month to the Town Clerk as required by law. The Town Board will schedule special meetings to review the budget with adoption scheduled for November.

MINUTES

The minutes of July 11 and August 8 were approved as written on motion of Councilwoman Kern, seconded by Councilman Bialecki and carried.

RESOLUTION TO AMEND TRANSFER STATION FEES AND OPERATING PROCEDURES

On recommendation of the auditor from the State Comptroller's Office operating procedures for the transfer station will be changed. To meet the expenses of the transfer station the Town Board has agreed to increase the fees, making them comparable with surrounding towns. All is outlined in the following resolution.

Resolution No. 111 – Offered by Councilman Katz

WHEREAS, the Town of Gardiner operates a Transfer Station for the use of Town residents; and

WHEREAS, the days and hours of operation of said Transfer Station should be modified to reflect the current usage of same as well as the needs of the community; and

WHEREAS, the procedure for securing coupons and permits to utilize the Transfer Station should be modified; and

WHEREAS, the costs of administering the Transfer Station have increased; and

WHEREAS, Town of Gardiner Code Section 116-1 allows the Town Board by resolution to amend fees and charges, subject to public notice in the official newspaper of record 10 days prior to adoption of said resolution; and

WHEREAS, it is the determination of the Town Board that said fees shall be increased on October 3, 2006 except that the fees for Permits shall not be increased until June 1, 2007.

NOW, THEREFORE, BE IT RESOLVED that the hours of operation and procedures for utilizing the Transfer Station and the fees to be charged are modified as follows:

A. Hours Of Operation - Monday and Wednesday 8:00 AM to 4:00 PM, Friday (Summer Season with DST) ... 12Noon to 8:00 PM, Friday (Winter Season with EST) 8:00 AM to One hour before nightfall, Saturday 8:00 AM to 4:00 PM

B. Coupons and Checks

Coupons shall be sold by the Transfer Station Attendant during hours of operation only by check or by the Town Clerk during Town Office hours by check or cash. Cash will no longer be accepted at the transfer station.

Transfer Station Permits shall be sold by the Town Clerk during Town Office hours by check or cash. The Town Clerk is directed to order, stock, and maintain sufficient supplies of Coupon Books and Permits.

The Town Clerk is directed to maintain and reconcile all Transfer Station Coupon and Permit sales.

The Town Clerk shall maintain and reconcile all financial records regarding Transfer Station Permits and Coupons.

C. Schedule Of Fees

ITEM	Old Fees	New Fees
 Permit Fees		
Resident	10.00	25.00
Non-Resident		NA
Resident over 65 Years Old		No Charge
Lost Permit/Second Permit	10.00	5.00
 Household Refuse		
Per 10 gallon bag	1.50	NA
Up to 35 gallon bag	2.50	3.00
Per 55 gallon bag	5.00	6.00
Household/Commercial Per Pound		
Mixed Debris per cubic yd	25.00	30.00
 Construction - Demo Debris		
Per 35 gallon bag	5.00	6.00
Per cubic yard	25.00	30.00
Railroad/Pressure Treated Landscape Ties	2.00	3.00
Porcelain Toilet/Sinks	3.00	3.00
Fiberglass Tub/Shower/Sink	7.00	9.00
 Furniture		
Stuffed Furniture-	5.00	6.00

Chair/Sofa		
Sleeper Sofa	25.00	30.00
Wood/Plastic Furniture (office/lawn/dining/kitchen	5.00	6.00
Wood/Plastic Furniture desks/dressers.hutches	7.00	9.00
Mattress/Box		
Spring/Twin-each	5.00	6.00
Box/Box Spring/King- each	10.00	12.00
Box/Box Spring/all others	7.00	9.00
Rugs under 4' x 8'	4.00	6.00
Rugs over 4' x 8'	7.00	9.00
Carpet Padding under 4' X 8'	4.00	6.00
Carpet Padding over 4' X 8'	7.00	9.00
Television/up to 20" screen	5.00	6.00
Television Console	10.00	12.00

Commercial Brush & Leaves

Appliances

Vacuum Cleaner	2.00	3.00
Metal Appliances (under 2' X 2' X 2' in size)	5.00	3.00
Stove/ Refrigerators/Freezers /Dishwasher/Waterheater.	10.00	24.00
Water tanks/ A/C Units	10.00	24.00

Tires

Auto/Light Truck/Motorcycle (less than 17" without rim)	2.00	3.00
Auto/Light Truck/Motorcycle (less than 17" with rim)	5.00	6.00
Light Truck 17" to 20" w/o rim	3.00	3.00
Light Truck 17" to 20" w/ rim	6.00	6.00

Truck Tires (w/o rim) 15.00 15.00

Seconded by Councilwoman Kern and carried.

PUBLIC HEARING – OPEN SPACE PLAN

Supervisor Zatz opened the public hearing to the audience.

Mary Beth Majestic – what is the goal to be met by the open space plan.

Pam O’Dell – is against the plan. Town of Gardiner has many programs in place to protect open space. The only function the plan has is a legal mandate to raise taxes and that is what the primary goal of the Town Board with this plan. She feels the Board will adopt this plan regardless of what is said tonight.

Louise Trancynger – previous Supervisors and Town Board members tried to do the same to help the farmers reduce their taxes and stay in business.

Mr. Tortora – stated it is not right to make the residents of the Town to take on such a burden.

Jim Freer – afraid of not able to afford to live in Gardiner to enjoy the open space. Taxes will be to high.

Joseph Hayes – He believes this will control taxes. Is in favor of the plan.

Rich Koenig – had questions and comments on the strategic action plan outlined. There is a fiscal responsibility here. What is the total cost of implementing this plan?

Lewis Eisenberg – Chairman of the Open Space Committee. Commented that he had several suggestions for changes in the plan, such as a five year plan for the build out of 1500 acres. Also recommended a Conservation Advisory Committee and suggested help from the Town Planner, Planning Board and Town Board.

Councilwoman Kern – since many comments have been made about the Town of Warwick’s plan, suggested inviting the Warwick Town Supervisor to help answer any questions of the public about that particular town’s plan.

Bill Hess – what is so special about their plan and what has the town of Warwick accomplished with their plan?

Marion Kells – suggested that those who wish to know what Warwick as done investigate themselves. She is opposed to the plan. Feels it is immoral.

Mike Migliore – The plan is voluntary. No one is taking anyone’s land from them. It is not immoral.

John Friedle – he used to live in Warwick. He moved away because he couldn’t afford to live there anymore. How about considering the people of the Town rather than the land. He is also concerned with the idea that it is immoral to sell your land for a profit.

Daryl Carr – the rights of the land may be given up voluntarily but they are being bought by taxpayers who do not want to give up their money voluntarily.

Beverly Tantillo – annoyed that all think farmers are the only ones to benefit. She is proud to be a farmer and intends to keep her land for her family to enjoy not for everyone else to enjoy.

Councilman Bialecki – stated this is a way to protect the Town from sprawl. The plan will provide the Planning Board with direction. His vision for the future is to see Gardiner as it is today. This plan is just the beginning.

Ray Smith – reminded everyone that funding for open space is not available without the plan.

Kathy Hudson – the plan has invaluable information for all Boards in the Town.

Phil Ehrensaft – this type of expenditure is an investment.

Mary Bonner – the plan also sets up for recreational use. Unreasonable cost for taxpayers to bear. They are struggling to make ends meet now. Also reminded everyone that what is reduced on the tax rolls for open space all other taxpayers bear increases to cover the reduction.

Mike Boylan – made a comparison with percentages of acreage we would acquire with development that would continue to pay taxes and would never be developed. This land would be owned by the property owners or homeowners associations and would increase the open space acreage in the town.

Joseph Trapani – is concerned with school taxes not the small amount of increase that will be created from the open space plan.

Board members ended the public hearing tonight and will resume the hearing at the October 3 meeting.

RESOLUTION – RAIL TRAIL PURCHASE

Before adopting the resolution Councilman Bialecki asked if the budget authorization for the purchase was subject to permissive referendum. According to attorney Paul Kellar it is not subject to permissive referendum because the funds are coming from the unexpended funds. The Board discussed the cost of the purchase, grants available, permissive referendum, maintenance budget and usage of the trail.

Resolution 112 – Offered by Councilman Katz

WHEREAS, the WALLKILL VALLEY LAND TRUST, INC. (hereinafter WVLT) owns lands formerly owned and used by Consolidated Rail Corporation in the Town of Gardiner (hereinafter Town) lying between the Town of New Paltz to the north and the Town of Shawangunk on the south; and

WHEREAS, said lands have been converted to a Rail Trail for use by bicyclists, equestrians, and pedestrians; and

WHEREAS, said Rail Trail provides important recreational and open space opportunities for the residents of the Town of Gardiner (and others); and

WHEREAS, said Rail Trail has not been well maintained and has deteriorated due to benign neglect and wear and tear caused by natural elements and by public use; and

WHEREAS, WVLT wishes to sell said lands to the Town of Gardiner and the Town of Gardiner wishes to purchase said lands; and

WHEREAS, the Town intends to finance said purchase in whole from monies appropriated from surplus (unexpended) funds

NOW, THEREFORE, BE IT RESOLVED that the Town of Gardiner hereby authorizes the purchase of the aforesaid lands from the WALLKILL VALLEY LAND TRUST for the sum of SEVENTY THOUSAND (\$70,000.00) DOLLARS, which expenditure shall be in whole from surplus (unexpended) funds and the Town of Gardiner Supervisor is directed to set aside from the present surplus (unexpended) funds of the Town the sum of \$70,000.00 for the purpose of purchasing said lands; and

IT IS FURTHER RESOLVED that the aforesaid lands will become part of the parklands administered and maintained by the Town of Gardiner; and

IT IS FURTHER RESOLVED that the Town Board of the Town of Gardiner shall consult with the Parks and Recreation Commission of the Town of Gardiner and the WALLKILL VALLEY LAND TRUST regarding the appropriate maintenance, improvements, and use of said lands; and

IT IS FURTHER RESOLVED that the Town of Gardiner Supervisor is authorized to negotiate a contract with the WALLKILL VALLEY LAND TRUST for the purchase of said lands which agreement shall be subject to review and approval by the Town Board prior to execution of same by the Town of Gardiner Supervisor. Upon the Town of Gardiner Town Board approving said contract the Town of Gardiner Supervisor is authorized to execute said contract and such additional documents as must accompany the deed upon recording same in the Ulster County Clerk's Office and the Supervisor is authorized to pay the monies required under the terms of said contract from the surplus funds reserved for that purpose as set forth above, in order to effectuate the purchase of said lands.

Seconded by Councilwoman Kern and carried.

STATE AUDIT

State Auditors are coming to a close with their review of the town records. An exit conference will be scheduled shortly and the town will have 30 days to respond with their official position on the auditors findings. The Town has been changing procedures throughout the audit as recommended.

SUPERVISOR MONTHLY REPORT

The August Supervisor report was accepted as presented on motion of Councilman Katz, seconded by Councilwoman Lemmon and carried.

CLAIMS

Claims were approved for payment on motion of Councilwoman Kern, seconded by Councilman Katz and carried. They are list on Abstract #9 as follows: General Fund voucher #595-661 \$40,779.02; Highway Fund voucher # 197-219 \$58,272.84; Sewer District #1 voucher #43-47 \$3,132.70; Gardiner Light District voucher #7 \$306.24; Library Fund voucher #74-86 \$1,129.16; Capital Town Hall voucher #22-30 \$23,170.61.

BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS

Resolution No. 113 – Supplemental Appropriation in 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 supplemental appropriations in the amount of \$40.00 in Acct No. 00.02.3120.401 State Police Misc., \$740.00 in Acct No. 00.05.6140.401 Home Relief, \$2,627.00 in Acct No. 00.06.7310.107 Youth Staff and \$1,043.00 in Acct No. 00.01.1620.102 Labor Town Hall. Further Resolved, said moneys to be taken from the unexpended balance in the General Fund. Seconded by Councilman Bialecki and carried.

Resolution No. 114 – Supplemental Appropriation in 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 a supplemental appropriation in the amount of \$133.00 in Acct No.

00.07.8030.465 Engineer Sidewalk.

Further Resolved, said moneys to be taken from the unexpended balance in the Reserve Hamlet Fund #32.

Seconded by Councilwoman Kern and carried.

Resolution No. 115 –Transfer within 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 the transfer of \$2093.00 from Acct No. 00.01.1220.105 Supervisor Confidential Secretary to Acct No. 00.01.1220.404 Supervisor Secretary, \$653.00 from Acct No. 00.01.1355.403 Conference Assessors to Acct No. 00.01.1355.201 Assessors Equipment, \$152.00 from Acct No. 00.01.1620.413 Building & Grounds Repair to Acct No. 00.01.1620.201 Buildings & Grounds Equipment, \$30.25 from Acct No. 00.06.7310.425 Teen Program to Acct No. 00.06.7310.101 Youth Director and \$817.51 from Acct No. 00.06.7310.425 Teen Program to Acct No. 00.06.7310.107 Recreation Staff.

Seconded by Councilman Bialecki and carried.

Resolution No. 116 –Transfer within General Fund – Offered by Councilwoman Kern Resolved, pursuant to Section 112, Town Law, the 2006 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$226.00 from Acct No. 00.06.7310.401 Youth Misc. to Acct No. 00.06.7310.107 Recreation Staff.

Seconded by Councilman Katz and carried.

Resolution No. 117 –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 the transfer of \$143.75 from Acct No. 00.07.8020.401 Planning Misc. to Acct No. 00.07.8010.401 ZBA Misc. and \$734.00 from Acct No. 00.01.1420.401 Attorney Codification to Acct No. 00.07.8010.401 ZBA Misc.

Seconded by Councilman Bialecki and carried.

NATHANIEL KARRON WAIVER FROM AR-80 MORATORIUM

A letter has been received from Nathaniel Karron requesting a hardship waiver from the AR-80 moratorium. The Board members agreed to send a copy of this request to the Planning Board for their opinion. A possible hearing date is October 10.

TOWN HALL UPDATE

At the last meeting Councilman Bialecki offered to investigate options for the heating system. His conclusion is the proposed conventional system is not efficient. He recommends getting a proposal for a geo-thermal system with a solar panel.

PRIVILEGE OF THE FLOOR

Mary Beth Majestic – asked if the color of the Town Hall has been determined and what happened to the two outhouse that were behind the old schoolhouse. Also asked when the “Welcome to Gardiner” signs would be moved to the actual boundaries of the Town. Supervisor Zatz replied that the color of the town hall has not been finalized, the outhouses were removed as they were very decayed and not salvageable and no date has been set for the moving of the signs.

Pam O’Dell – asked what the hold up was for the painting of the town hall. Supervisor Zatz stated that they wished to paint the entire building all at once. The new construction took longer than planned and the old schoolhouse will be painted in the very near future.

ADJOURNMENT

On motion of Councilman Katz, seconded by Councilwoman Kern and carried, the meeting was adjourned at 9:25 PM.

Respectfully submitted,

Michelle L. Mosher
Town Clerk