

November 9, 2005 – Regular Meeting & Budget Public Hearing

The Regular Meeting of the Gardiner Town Board was held this date at the Gardiner Meeting Hall at 7:00 PM. Present were Supervisor Zatz, Councilwoman Lemmon and Councilmen Fischer, Richards and Bialecki. There were approximately 18± audience members.

ANNOUNCEMENTS

The Harvest Health Fair held on October 22 was very successful as well as the Breast Cancer Awareness Forum held on November 7.

Supervisor Zatz pointed out that there is a mailing list sign up sheet for the website. He encouraged all to sign up for Town announcements and agendas.

COMMISSION AND BOARD VACANCIES

Supervisor Zatz reminded all that there is a vacancy on the Parks & Recreation Commission and the Ulster County Planning Board. Please contact him if you are interested in serving on either boards.

PISCIOTTA SUBDIVISION HIGHWAY CONSTRUCTION AGREEMENT & PERFORMANCE BOND

Resolution no. 117 – Offered by Councilwoman Lemmon

Resolved, the Supervisor is hereby authorized and directed to sign on behalf of the Town Board of the Town of Gardiner a Highway Construction Agreement between Matthew & Adrienne Pisciotta and the Town of Gardiner dated November 9, 2005 wherein the developer agrees to complete the required improvements and the Town agrees to accept the offer of dedication following acceptable completion of the improvements.

Further Resolved, in lieu of posting a Performance Bond the Developer shall comply with the alternate requirements of Section 188-15 of the Code of the Town of Gardiner.

Seconded by Councilman Bialecki and carried. Councilman Richards voted nay.

CELL TOWER REPORT

Jeff Staley of JNS Enterprises was present to report on the placement of the cell tower. It has been narrowed down to two sites, both located at the transfer station. The preferred site is a wooded site which will camouflage about half of the tower. A variance would be needed for setbacks and height. There was discussion explaining the course of action through the various town boards. Mr. Staley commented that any costs outside of the typical process are borne by the Town. A motion was made by Councilman Bialecki, seconded by Councilwoman Lemmon and carried, authorizing the Supervisor to sign the Master Management Agreement with JNS Enterprises, pending review and approval from attorney David Brennan and agreement to follow the approval process summarized in the November 1, 2005 memo from Councilman Bialecki. A balloon test will be scheduled within the next two weeks on the chosen site.

BUDGET REVIEW

Supervisor Zatz requested that the Supervisor salary be reduced to last years figure. He would like to use the proposed increase for this year for custodial and administrative support.

Councilman Richards requested reducing the Council salary to \$1,000 or have each Councilperson submit a voucher for each meeting attended. He also suggested a town manager.

Councilman Bialecki doesn't agree with the town manager concept.

There was discussion about reducing the Assessor Chairman salary. A motion was made by Councilwoman Lemmon, seconded by Councilman Bialecki to keep all as is. Councilman Fischer abstained and Supervisor Zatz and Councilman Richards voted nay.

Supervisor Zatz commented that the town has a CPA currently working on reconciling balances. He discussed the need for a CPA on a more regular basis and requested an increase in the Independent Audit line to \$15,000. On motion of Councilwoman Lemmon, seconded by Councilman Bialecki and carried the increase was agreed upon.

SPECIAL MEETING

A special meeting to adopt the budget was scheduled for November 16, 2005 at 7PM.

PUBLIC HEARING – BUDGET 2006

At 8:25 PM a public hearing was held on the 2006 budget. The Town Clerk read the legal notice and the hearing was opened to the audience for questions or comments.

Paul Colucci – Questioned the County haulage figure. Asked if it could be negotiated. Supervisor Zatz replied that this is a figure given to the Town from the County. There is no negotiation. He also questioned why there was no expenditure for testing and mowing at the transfer station.

Pam O’Dell – Asked why the NYS Mortgage Revenue was estimated so high. Supervisor Zatz explained that the total for this year is \$372,000. Typically it increases each year.

Marty Kiernan – Asked what Minnewaska Lodge in lieu of taxes was all about. It was explained that this is a business incentive from the Ulster County IDA.

Harold Agor – asked if there would be changes in the health insurance plan.

Michael Calderone – was looking for the Permanent Improvements proposed projects for 2006.

Marion Kells – Capital Improvements for the Highway have always been listed at budget time.

Paul Colucci – Superintendent of Highways should increase the Permanent Improvements line. With the cost of materials increasing, less projects will be completed.

Pam O’Dell – Questioned the increase in the Sales Tax Revenue.

Councilman Richards – spoke at great length about the Time Warner franchise fees.

CLOSE PUBLIC HEARING

On motion of Councilwoman Lemmon, seconded by Councilman Richards and carried, the public hearing on the 2006 Budget was closed at 9:00 PM.

HEALTH INSURANCE

Supervisor Zatz presented 3 plans to the Town Board for consideration for the 2006 health benefits for town employees. They are as follows: keep the current plan of HMO 10+, change the plan to HMO 20+ or HMO 25/40. All plans are with MVP. On the 25/40 plan Councilman Richards proposed that the Town establish a fund to cover the expenses incurred by employees by the large increases in co-pays. There was a lengthy discussion about all three plans.

ZONING REVISIONS AND PUBLIC HEARING SCHEDULE

Councilman Bialecki announced that a map is now available for the SP1, SP2 and SP3 districts. All Planning Board comments have been integrated in the negative declaration. Board members feel it is now appropriate to schedule a public hearing on the proposed law. Public hearing will be held on December 6, 2005. The Town Clerk was instructed to send all public notices necessary for the hearing.

SCHEDULING OF DRIVEWAY LOCAL LAW PUBLIC HEARING

A public hearing on a proposed local law for driveway access was scheduled for December 6, 2005 at 7:30 PM.

SCHEDULING OF FIRE POND LOCAL LAW PUBLIC HEARING

A public hearing on a proposed local law for fire ponds was scheduled for December 6, 2005 at 7:45 PM.

SEWER BED REPLACEMENT

New England Waste Systems has presented a proposal to do the other two beds at the Sewer Plant, replacing the sand beds with constructed wetlands. This was not recommend for this year and will be addressed again next year.

WRIGHT SUBDIVISION APPROVAL OF CLUSTER DEVELOPMENT

On motion of Councilwoman Lemmon, seconded by Councilman Bialecki and carried, the Town Board authorizes the Planning Board to consider a cluster development for the Wright Subdivision and in the referral asks the Planning Board to consider required side, front & rear setbacks, the location of the septic & reserve areas and road grades, as required by Town Law 278, for the calculation of appropriate and accurate density for the cluster development. Councilman Richards and Supervisor Zatz voted nay.

SUPERVISOR MONTHLY REPORT

On motion of Councilwoman Lemmon, seconded by Councilman Richards and carried, the Supervisors report for the month of October was approved as presented. Councilmen Fischer and Bialecki abstained.

CLAIMS

The claims were approved for payment on motion of Councilman Richards, seconded by Councilwoman Lemmon and carried. Councilmen Fischer and Bialecki abstained. They are listed on Abstract # 11 as follows: General Fund voucher #722-771 \$32,160.29; Highway Fund voucher #268-287 \$28,545.75; Sewer District #1 voucher #59-64 \$8,174.75; Gardiner Light District voucher #11 \$303.17; Library Fund voucher #110-117 \$2,904.63; Capital Town Hall voucher #72-74 \$440.47.

BUDGET TRANSFERS

Resolution No. 118 – Transfer within Library Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2005 Annual Budget, Library Fund, is amended to provide for the transfer of \$284.55 from Acct No. 19.06.7410.412 Recordings to Acct No. 19.06.7410.456 Automation and \$375.00 from Acct No. 19.06.7410.413 Periodicals to Acct No. 19.06.7410.457 Cleaning.

Seconded by Councilman Richards and carried. Councilmen Fischer and Bialecki abstained.

Resolution No. 119 – Supplemental Appropriation General Fund – Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2005 Annual Budget, General Fund, is hereby amended to provided for supplemental appropriations in the amount of \$1400.00 in Acct No. 00.04.5182.401 Street Lighting, \$345.00 in Acct No. 00.01.1620.106 Personal Services, \$5,675.00 in Acct No. 00.07.8790.464 Open Space, \$1,951.00 in Acct No. 00.01.1420.460 Attorney Professional Services, \$2,177.00 in Acct No. 00.01.1620.448 Town Hall Rental, \$400.00 in Acct No. 00.07.8020.460 Planning Board Professional Services and \$2,040.00 in Acct No. 00.07.8020.404 Reimburse Professional Services.

Further Resolved, said moneys to be taken from the unexpended balance in the General Fund. Seconded by Councilman Richards and carried. Councilmen Fischer and Bialecki abstained.

Resolution No. 120 – Transfer within General Fund - Offered by Councilwoman Lemmon Resolved, pursuant to Section 112, Town Law, the 2005 Annual Budget, General Fund, is hereby amended to provided for the transfer of \$60.00 from Acct No. 00.01.1990.400 Contingent to Acct No. 00.01.1620.401 Buildings and Grounds Misc., \$11.00 from Acct No. 00.01.1990.400 Contingent to Acct No. 00.01.1670.438 Advertising and \$56.00 from Acct No. 00.01.1990.402 Contingent to Acct No. 00.01.1620.401 Misc.

Seconded by Councilman Richards and carried. Councilmen Fischer and Bialecki abstained.

EXECUTIVE SESSION

On motion of Councilman Bialecki, seconded by Supervisor Zatz and carried, the Board adjourned to executive session at 9:40 PM for the purposes of discussing litigation. They will return to regular session only to adjourn.

LEAVE EXECUTIVE SESSION AND ADJOURNMENT

On motion of Councilman Richards, seconded by Supervisor Zatz and carried, the Town Board left executive session and adjourned the meeting at 9:50 PM.

Respectfully submitted,

Michelle L. Mosher
Town Clerk