

December 11, 2012 – Regular Meeting

The regular meeting of the Gardiner Town Board was held this evening at the Gardiner Town Hall at 7:00 PM. Supervisor Zatz presided with Councilmen Koenig, Mele, Reynolds and Wiegand all present. There were approximately 25± audience members.

ANNOUNCEMENTS

Supervisor Zatz reminded all that a No Parking notice is in effect from November 15 through April 1, 2013 from 9:00 PM to 7:00 AM during snowstorms. He also reminded everyone that the election for fire district commissioner is taking place this evening at the firehouse from 6:00 PM to 9:00 PM.

TOWN HALL YEAR END SCHEDULING

For the Christmas holiday the town hall will be closed December 24 and 25. For the New Year's holiday the town hall will be closed December 31 and January 1. There will be no court held on December 26. The transfer station will be closed December 24 and January 2.

MINUTES

Minutes of December 4 were approved as written, on motion of Councilman Koenig, seconded by Councilman Mele and carried.

HIGHWAY MATERIAL BID AWARD

Superintendent of Highways Charles Haynes made the following recommendation:

Grosso Materials – Item IV crushed shale and shale, stone dust for snow and ice control and hauling from their facility; Callanan Industries – washed stone, tailings and hauling from their facility; Osterhoudt Corp. – sand for snow and ice control; Gardiner Excavating – top soil. On motion of Councilman Mele, seconded by Councilman Wiegand and carried, all recommendations were accepted.

CHAPTER 184 – STREET SPECIFICATION AMENDMENTS

Councilman Mele reviewed the suggested changes to the street specifications specifically the length of the maintenance bond, a waiver for the bond, the sketches associated with the specifications and minor adjustments to the wording. Superintendent Haynes will contact engineer Robert Hagopian to update the sketches. Once done Councilman Mele will draft the specifications to match the updated drawings. Board members plan to re-visit this at the next meeting in January.

SURPLUS TOWN PROPERTY

Board members discussed on how to proceed with the sale of surplus town property. Councilman Wiegand suggested waiting on selling the old Library property since it will likely go to permissive referendum. A special election is very costly, so it would be best to consider the sale to coincide with the general election on November. Councilman Mele is opposed to the sale of the old Library building because he believes it is an historic building for the Town. He suggested taking the entire list of surplus property and putting all other properties up for sale. Supervisor Zatz does not agree that the building is historic. There is nothing as far as he can see that points to it being historic. The building is in great disrepair and has serious mold and structural issues. Board members all agreed it would be best to do an analysis of the properties. Councilmen Mele, Wiegand and Reynolds will meet to review the properties and do the analysis. Supervisor Zatz cautioned them about creating a public meeting.

ZONING APPROVAL PROCESS MODOIFICATIONS

Councilman Wiegand prepared an outline of a zoning approval process which he handed out to the Board members. He spoke at length about his plan to create a building permit process handbook.

SUPERVISOR MONTHLY REPORT

The Supervisor's November report was accepted as presented on motion of Councilman Koenig, seconded by Councilman Wiegand and carried.

CLAIMS

Claims were approved for payment on motion of Councilman Koenig, seconded by Councilman Wiegand and carried. They are listed on Abstract #11 as follows: General Fund voucher #438-499 #112,398.53; Highway Fund voucher #272-295 \$88,536.08; Sewer District #1 voucher #46-52 \$7,174.83; Sidewalk Phase #1 voucher #4 \$2,696.72.

BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS

Resolution No. 92 – Supplemental Appropriation in Highway Fund – Offered by Councilman Mele Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, Highway Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$4000.00 in Acct No. 01.08.9010.800 CE NYS Retirement.

Further Resolved, said moneys to be taken from the Highway Fund.
Seconded by Councilman Wiegand and carried.

Resolution No. 93 - Transfer within Highway Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, Highway Fund, is hereby amended to provide for the transfer of \$216.00 from Acct No. 01.04.5010.403 Conference & Education to Acct No.00.04.5010.421 Office Supplies.

Seconded by Councilman Mele and carried.

Resolution No. 94 - Transfer within Highway Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, Highway Fund, is hereby amended to provide for the transfer of \$16,485.49 from Acct No. 01.04.5112.356 Permanent Improvements/Jenkinstown Rd to Acct No.01.04.5130.200 Misc Equipment and \$489.51 from Acct No. 01.04.5112.357 Permanent Improvements/Cliff View Lane to Acct No. 01.04.5130.200 Misc. Equipment.

Seconded by Councilman Reynolds and carried.

Resolution No. 95 - Transfer within Highway Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, Highway Fund, is hereby amended to provide for the transfer of \$3,889.00 from Acct No. 01.04.5112.356 Permanent Improvements/Jenkinstown Rd to Acct No.01.04.5130.20 Misc. Equipment.

Seconded by Councilman Mele and carried.

Resolution No. 96 - Transfer within Sewer Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, Sewer Fund, is hereby amended to provide for the transfer of \$72.00 from Acct No. 03.09.9710.700 DS Interest to Acct No.03.07.1910.400 CE Ins. and \$848.00 from Acct No. 03.07.8110.465 CE Septic Cleaning to Acct No. 03.07.8110.464 CE Chlorine.

Seconded by Councilman Mele and carried.

Resolution No. 97 - Transfer within General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$90.00 from Acct No. 00.07.8010.439 CE Reimbursements Zoning to Acct No.00.07.8010.401 CE Misc. Zoning, \$45.00 in Acct No. 00.07.8020.439 CE Reimbursement PB to Acct No. 00.07.8020.401 CE Misc PB, \$105.00 from Acct No. 00.07.8160.412 CE Electric Landfill to Acct No. 00.07.8160.413 CE Porta Potty Landfill, \$30.00 from Acct No. 00.07.8160.412 CE Electric Landfill to Acct No. 00.07.8160.401 CE Misc. Landfill, and \$100.00 from Acct No. 00.01.1110.403 CE Justice Conference to Acct No. 00.01.1110.421 CE Justice Office Supplies.
Seconded by Councilman Koenig and carried.

Resolution No. 98 - Transfer within General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$46.00 from Acct No. 00.01.1110.403 CE Justice Conference to Acct No.00.01.1110.401 CE Justice Misc., \$314.00 in Acct No. 00.01.1355.402 Assessor Mileage to Acct No. 00.01.1355.401 Assessor Misc., \$52.92 from Acct No. 00.01.1355.402 Assessor Mileage to Acct No. 00.01.1355.421 Assessor Office Supplies, \$110.00 from Acct No. 00.01.1410.403 Town Clerk Conference to Acct No. 00.01.1410.402 Town Clerk Mileage, and \$90.00 from Acct No. 00.01.1410.403 Town Clerk Conference to Acct No. 00.01.1410.425 Town Clerk license tags.
Seconded by Councilman Koenig and carried.

Resolution No. 99 - Transfer within General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$84.00 from Acct No. 00.01.1420.401 CE Codification to Acct No.00.01.1420.403 CE Registrar Vital Statistics, \$1300.00 in Acct No. 00.01.1420.401 CE Codification to Acct No. 00.01.1420.460 CE General Attorney, \$100.00 from Acct No. 00.02.3620.403 CE Building Dept. Conference to Acct No. 00.02.3620.421 CE Building Dept. Office Supplies, \$1572.00 from Acct No. 00.06.7310.410 CE Buses Summer Rec. to Acct No. 00.06.7310.201 CE Capital Equip Summer Rec., and \$791.80 from Acct No. 00.06.7310.410 CE Buses Summer Rec. to Acct No. 00.06.7310.430 CE Summer Rec. Supplies.
Seconded by Councilman Koenig and carried.

Resolution No. 100 - Transfer within General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$2785.00 from Acct No. 00.06.7310.107 PS Staff Summer Rec. to Acct No.00.06.7310.430 CE Summer Rec. Supplies, \$5.00 in Acct No. 00.06.7110.431 CE Mower Repairs to Acct No. 00.06.7110.413 CE Repairs, \$124.25 from Acct No. 00.06.7110.431 CE Mower Repairs to Acct No. 00.06.7110.401 CE Park Misc., \$90.00 from Acct No. 00.06.7110.435 CE Park Trash to Acct No. 00.06.7110.401 CE Park Misc., and \$86.00 from Acct No. 00.06.7110.412 CE Park Electric to Acct No. 00.06.7110.401 CE Park Misc.
Seconded by Councilman Koenig and carried.

Resolution No. 101 – Supplemental Appropriation in General Fund – Offered by Councilman Wiegand
Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for supplemental appropriations in the amount of \$1,300.00 in Acct No. 00.04.5182.401 CE Street Lighting, \$2,000.00 in Acct. No. 00.01.1420.460 CE General Attorney Fees and \$3,900.00 in Acct No. 00.07.8020.404 CE Engineer PB.
Further Resolved, said moneys to be taken from the General Fund Unreserved Fund Balance.
Seconded by Councilman Koenig and carried.

Resolution No. 102 - Transfer within General Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$61.00 from Acct No. 00.01.1620.401 CE Building Misc. to Acct No.00.01.1355.421 Assessor Office Supplies, \$163.00 in Acct No. 00.07.8020.460 CE PB Planner to Acct No. 00.07.8020.401 PB Misc., \$30.00 from Acct No. 00.07.8160.414 CE Permit & Supplies to Acct No. 00.07.8160.401 CE Landfill Misc., \$30.00 from Acct No. 00.01.1670.421 Central Printing to Acct No. 00.07.8010.401 CE Misc. PB., and \$650.00 from Acct No. 00.06.7310.107 PS Summer Rec. Staff to Acct No. 00.06.7110.413 CE Park Repairs. Seconded by Councilman Koenig and carried.

Resolution No. 103 – Supplemental Appropriation in General Fund – Offered by Councilman Mele Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for supplemental appropriations in the amount of \$2,500.00 in Acct No. 00.06.7110.440 CE Pole Barn. Further Resolved, said moneys to be taken from the General Fund Unreserved Fund Balance #13. Seconded by Councilman Wiegand and carried.

Resolution No. 104 - Transfer within General Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2012 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$330.00 from Acct No. 00.01.1680.499 CE Computer Repair to Acct No.00.01.1420.460 CE Attorney. Seconded by Councilman Mele and carried.

SIDEWALKS

Supervisor Zatz announced that the Town has received authorization to begin construction of the sidewalks – both phases. However due to the time of the authorization, when the Town is be ready to go out for bid they will need to get an extension.

ROUTE 299 CAMPGROUND

Councilman Mele has drafted a letter to be sent to PIPC requesting cooperation and an open conversation with the adjacent property owners. After some discussion it was agreed that Councilman Mele will tweak the letter somewhat and distribute for review from the Board once again.

BOARD/COMMISSION/COMMITTEE VACANCIES/EXPIRATIONS

Supervisor Zatz announced the following vacancies:

Zoning Board of Appeals – Term Expiration Mike Beck

Assessment Review Board – Term Expiration John Friedle

Environmental Conservation Commission – Term Expiration Carol Richman

Planning Board – Resignation Paul Muessig

Library Board of Trustees – Term Expiration and Resignation – unknown as to who at this time.

The Town Board would like to advertise and go through the process of interviewing for all positions.

ULSTER COUNTY LEGISLATOR

Legislator Tracy Bartels will address the Town Board at the Organizational Meeting scheduled for January 3, 2013.

POINT OF ORDER

Supervisor Zatz commented that during the course of a meeting if there appears to be a large audience for a specific item on the agenda this item can be moved up during the meeting so that those who are attending just for this subject do not have to stay for the majority of the meeting.

PRIVILEGE OF THE FLOOR

Jack Habersberger – commented on the maintenance bond and the clerk of the works section of Chapter 184. Asked how many years the Open Space Bond voted by referendum would be available.

David Straus – commented on minor/major subdivisions and the SEQR process.

Scott Bittner – asked the status of the distillery investigation. Supervisor Zatz commented that he is looking into it still and does not have any conclusive information to date. There was a lengthy discussion about the accident at the distillery and the NYS AG & Markets Law governing farm distilleries.

ADJOURNMENT

On motion of Councilman Wiegand, seconded by Councilman Mele and carried, the meeting was adjourned at 8:40 PM.

Respectfully submitted,

Michelle L. Mosher
Town Clerk