

April 8, 2014 – Regular Meeting

The regular meeting of the Gardiner Town Board was held this date at the Gardiner Town Hall at 7:00 PM. Supervisor Zatz presided with Councilmen Dukler, Hinson, Reynolds and Wiegand all present. There were approximately 9± audience members.

### **ANNOUNCEMENTS**

April 12 – Annual Easter Egg Hunt Majestic Park, Noon sharp!

April 19 – Gardiner Day Committee Annual Easter plant sale, Gardiner Firehouse, 9AM to 3 PM.

April 19 – Town wide roadside clean up in celebration of Earth Day. Orange bags for trash and clear bags for can/glass bottle recycling are available at the Town Hall. There will also be a commercial shredding vehicle at the Town Hall for residents to use for free to dispose of personal papers, documents etc. This is sponsored by NYS Solar Farm.

April 20 – Gardiner Fire Dept Pancake breakfast 8 AM to Noon.

April 24 – Natural Pet Center spay/neuter clinic for cats

April 24 – Gardiner Livable Community Committee open forum for seniors at the Gardiner Library. This forum is to help assess the needs of seniors living in the Town.

April 25 – Women Helping Women dance at the VFW in New Paltz from 6 PM to 10:30 PM.

Sponsored by the Gardiner Day Committee. All proceeds to benefit the battered women's shelter located in Kingston.

### **STATE WIDE BURN BAN**

New York State DEC has announced its annual burning ban effective March 15 through May 14, 2014. Property owners throughout New York State are not allowed to burn any brush during this time. Those violating this ban are subject to fines.

### **SALE OF FORMER LIBRARY BUILDING**

Board members discussed the cost and selling options for the former Library building. No decisions were made.

### **HEALTH INSURANCE**

There appears to be some unclear provisions in the employee handbook regarding health insurance and elected officials. Board members also discussed monetary input by employees toward the health insurance. After a brief discussion a motion was made by Councilman Dukler, seconded by Councilman Reynolds and carried, to get clarification on the handbook from Michael Richardson and to cover health insurance costs as done in the past.

### **SUPERVISOR MONTHLY REPORT**

The Supervisor report for the month of March was approved as presented on motion of Councilman Dukler, seconded by Councilman Wiegand and carried.

### **CLAIMS**

Claims for the month of March were approved for payment on motion of Councilman Wiegand, seconded by Councilman Dukler and carried. They are listed on Abstract #3A and #3B as follows: Open Space voucher #1 \$45,688; General Fund voucher #88-138 \$24,578.24; Highway Fund voucher #36-85 \$29,901.52; Sewer Fund voucher #4-5 \$2,264.19.

### **BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS**

**Resolution No. 83** – Supplemental Appropriation in General Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2014 Annual Budget, General Fund, is hereby amended to provide for supplemental appropriations in the amount of \$20,000.00 in Acct No.

00.06.7110.441 Rail Trail and \$712.50 in Acct. No. 00.07.8790.460 ECC.

Further Resolved, said moneys to be taken from the Unexpended Balance in the General Fund.

Seconded by Councilman Dukler and carried.

**Resolution No. 84** – Supplemental Appropriation in General Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2014 Annual Budget, General Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$1980.00 in Acct No. 00.01.1420.468 Cell Tower.

Further Resolved, said moneys to be taken from the Unexpended Balance in the General Escrow Wireless Fund.

Seconded by Councilman Dukler and carried.

**Resolution No. 85** – Transfers within General Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2014 Annual Budget, General Fund, is hereby amended to provide for the transfer of \$21.56 from Acct No. 00.01.1620.401 CE Building Misc to Acct No. 00.01.1620.476 CE Elevator Maintenance, \$106.00 from Acct No. 00.02.3620.401 CE Building Misc. Expense to Acct No. 00.02.3620.421 CE Building Office Supplies.

Seconded by Councilman Dukler and carried.

**Resolution No. 86** – Supplemental Appropriation in Highway Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2014 Annual Budget, General Fund, is hereby amended to provide for a supplemental appropriation in the amount of \$3781.00 in Acct No. 00.04.5142.400 CE Snow Removal Misc. Expense.

Further Resolved, said moneys to be taken from the Unexpended Balance in the Highway Fund.

Seconded by Councilman Dukler and carried.

### **2013 ANNUAL REPORT**

The bookkeeper has filed the 2013 Annual Report with the State Comptrollers' Office. CPA Mary Kimball will attend the May 14 meeting to review the report with the Town Board.

### **SIDEWALK ANALYSIS**

Supervisor Zatz is waiting for the last payment from the Federal Government for the sidewalks. He commented that in order to receive this final payment, the Town must do a single program audit.

The Town contribution for the sidewalks total \$82,000.

### **ONGOING EXPENSES AND REVENUES**

Supervisor Zatz projected on the wall an expenditure report for the month of March. There were many comments and questions from the Board. Councilman Wiegand asked for a simpler report. Councilman Hinson likes the fact the report was presented and discussed at the meeting. He would like to see this at every meeting. Councilman Dukler stated that he felt there was an undertone of something being hidden. He believes the report is very clear and easy for the Town Board members to review and it should be done before the meeting. Supervisor Zatz stated that he cannot answer questions in a meeting without the background information. Perhaps establishing a finance committee that reports at each meeting would help with the concerns brought up tonight. The committee would begin with two (2) Board members rotating one (1) member every three (3) months, so that each Board member will be a part of the committee each year. A motion was made by Councilman Wiegand, seconded by Councilman Reynolds and carried, establishing a finance committee with rotating membership among the Board members. This committee will review finances monthly and report a summary at the monthly financial meeting.

A second motion was made by Councilman Hinson, seconded by Councilman Reynolds and carried, reinforcing that the report will be discussed at the meeting if so desired by a Board member. The first two (2) Board members to sit on this committee will be Councilman Wiegand and Councilman Reynolds.

Councilman Wiegand left the meeting at 8:05 PM

**HONORABLE JOHN E. SAVAGO COURTROOM**

**Resolution No. 87** – Authorize Supervisor to Recognize and Reward Judge John E. Savago o Offered by Councilman Reynolds

WHEREAS, the service provided by volunteers, staff employees, independent contractors, and elected officials is essential to the business of Town government; and

WHEREAS, the Town of Gardiner takes pride in recognizing the efforts of those who serve the community; and

WHEREAS, Gardiner has an illustrious history of memorializing great men like George Majestic, Luke Dusenberre, Roy Denniston; and

NOW THEREFORE BE IT RESOLVED, that the Town of Gardiner recognizes Judge John Savago who has contributed time, energy, and career to the Town of Gardiner year after year, decade after decade, and that he served this community and no other for more than three decades and that he deserves the thanks of a grateful community; and

THAT NOW, and for all time, the Gardiner Town Court shall be designated the Honorable John E. Savago Court, 2014 and be associated with the history of our Town as indicated, through all restoration, renovation, and occupation.

Seconded by Councilman Dukler and carried.

**HEALTH REIMBURSEMENT ACCOUNT**

**Resolution No. 88** – Health Reimbursement Arrangement Plan - Offered by Councilman Dukler

Resolved, that the form of the Health Reimbursement Arrangement (HRA) effective April 1, 2014, presented to the Town Board of the Town of Gardiner is hereby approved and adopted and that the duly authorized agents of the Town of Gardiner are hereby authorized and directed to execute and deliver to the Administrative Agent of the HRA one or more counterparts of the HRA.

Resolved, that the Town of Gardiner shall be the Sponsor of the HRA and shall be the Administrator of the HRA for purposes of ERISA.

Resolved, that the Town of Gardiner hereby appoints the Administrative Agent to assist it with the administration of the HRA and to perform all such non-discriminatory duties related thereto.

Resolved, that the Administrative Agent shall be instructed to take such actions that are deemed necessary and proper in order to implement the HRA, and to set up adequate accounting and administrative procedures to provide benefits under the HRA.

Resolved, that the duly authorized Agent of the Town of Gardiner shall act as soon as possible to notify the Employees of the adoption of the HRA by delivering to each Employee a copy of the summary description of the HRA in the form of the Summary Plan Description, which form is hereby approved.

Seconded by Councilman Reynolds and carried.

**TOWN CLERKS AND TAX COLLECTORS vs. US POSTAL SERVICE**

**Resolution No. 89** – Offered by Councilman Hinson

WHEREAS, at a meeting of the Ulster County Town Clerks and Tax Receivers Association held on February 20, 2014 at the Town of Esopus, Ulster County, it was discovered Townships and Villages throughout the region are having serious problems with mail delivery, including the timely delivery and receipt of annual tax bills: and

**WHEREAS**, delays in the delivery of tax bills, official mail, utility bills and important notices with deadlines impede governmental functions and responsibilities; and

**WHEREAS**, it was decided to contact Local, County, State and Federal elected officials, and invite them to a meeting of the Ulster County Town Clerks and Tax Receivers Association to bring this serious problem to their attention and to seek their assistance to address it; and

**WHEREAS**, Local, County, State and Federal Officials named below were each invited to attend the March 20th meeting of the Ulster County Town Clerk's and Tax Receivers Association:

- . Town of Woodstock Supervisor, Jeremy Wilber
- . Ulster County Legislator, Donald Gregorius
- . Ulster County Legislator, Chairman, John Parete
- . Ulster County Executive, Michael Hein
- . New York State Senator, Cecilia Tkaczyk
- . New York State Senator, Terry Gipson
- . New York State Senator, James Seward
- . New York State Senator, John Bonacic
- . New York State Senator, William Larkin
- . New York State Assemblywoman, Claudia Teney
- . New York State Assemblyman, Frank Skartados
- . New York State Assemblyman, Peter Lopez
- . New York State Assemblyman, Kevin Cahill
- . United States Senator, Kirsten Gillibrand
- . United States Senator, Charles Schumer
- . United States Congressman, Chris Gibson, and
- . United States Congressman, Patrick Maloney

**WHEREAS**, members of the Ulster County Town Clerks and Tax Receivers Association held its regular meeting on March 20, 2014 at the Town of Woodstock offices; and

**WHEREAS**, Officials unable to attend or send a representative requested minutes of the meeting; and

**WHEREAS**, the Ulster County Town Clerks and Tax Receivers Association members enumerated to the gathered body the many instances where delays in the delivery of mail caused serious problems for Ulster County Town Clerks and Tax Receivers; and

**WHEREAS**, it is the opinion of the Ulster County Town Clerks and Tax Receivers Association problems with the timely delivery and receipt of mail began to worsen from the time local mail processing was transferred from Kingston to Newburgh and then to Albany; and

**WHEREAS**, the problem impedes governmental functions and responsibilities, thus angering and confusing constituents; and

**WHEREAS**, Ulster County Town Clerks and Tax Receivers Association considers this problem to be of the utmost importance; therefore

**BE IT RESOLVED**, the Ulster County Town Clerks and Tax Receivers Association calls upon our County, State and Federal Representatives to take the steps necessary to rectify these problems and improve the timely delivery and receipt of mail; and

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be sent by each of the Ulster County Town Clerks and Tax Receivers to the Ulster County Executive, and to the **County, State and Federal officials** named herein, AND

**BE IT FURTHER RESOLVED**, that the Gardiner Town Board **HEREBY** fully supports their efforts in resolving all issues involving the US mail for the benefits of our Town residents, and

**BE IT FURTHERED RESOLVED** that Said resolution be spread upon the pages of the Official Record of the Town of Gardiner and forwarded to ALL of the Elected Representatives listed above.

Seconded by Councilman Dukler and carried.

**MOHONK PRESERVE CONTRIBUTION**

The Town Board received a response to their letter to Mohonk Preserve requesting an increase in the contribution made to the Town of Gardiner in lieu of taxes paid. Mohonk Preserve Executive Director Glenn Hoaglund thanked the Board for their letter and will take the Board's suggestion under consideration.

**ROUTE 299 SPEED LIMIT REDUCTION**

The Town has received a letter from Ulster County Department of Public Works Commissioner David Sheeley rejecting the request to reduce the speed on Route 299 to 40 mph from 55 mph. Board members would like to re-apply with very specific location data including sociologic use of that stretch of road. Councilman Dukler suggested speaking to Senator Bonacic and Assemblyman Cahill about the rejection and ask for letters of support from them, as well as the County Executive and the Palisades Interstate Park Commission. Mr. Dukler also suggested setting a standard policy of procedure for replying to letters. He believes that acknowledgment of the letter and response to the content would make for good practice.

**TRANSFER STATION**

Supervisor Zatz reported that all is going well at the transfer station with the new employee Wendy Toman. Rules are being enforced; however this is causing some friction.

**WATER RESOURCES LAW**

There are plans to discuss the water Resources Law at the May 6 meeting.

**PRIVILEGE OF THE FLOOR**

Pam O'Dell – asked why the street lights are on during daylight hours.

David Sides – thanked Board member for their service to the Town.

**ADJOURNMENT**

On motion of Councilman Dukler, seconded by Councilman Reynolds and carried, the meeting was adjourned at 8:55 PM.

Respectfully submitted,

Michelle L. Mosher  
Town Clerk