

May 5, 2015 – Workshop Meeting

The workshop meeting of the Gardiner Town Board was held this date at the Gardiner Town Hall at 7 PM. Supervisor Zatz presided with Councilmen Dukler, Hinson, Reynolds and Wiegand in attendance. There were approximately 13± audience members.

### **ANNOUNCEMENTS**

May 19 – Elder Care Fraud Seminar here at the Gardiner Town Hall 2 PM. Presentation by the Attorney General’s Office.

### **BURNING BAN**

Effective through May 15 there is a statewide burning ban. Absolutely **No Burning** is allowed due to very dry conditions.

### **HIGHWAY FUEL TANK REPLACEMENT BID AWARD**

Four (4 ) bids were received and reviewed by engineer Tom Harvey from Morris Associates. The lowest responsible bidder was Northeast Petroleum at \$35,060 and Mr. Harvey is recommending them for the project. A motion was made by Supervisor Zatz, seconded by Councilman Wiegand and carried, awarding the bid to Northeast Petroleum with funding to come from the General Unexpended Fund.

### **GRIST MILL LANE ACCEPTANCE**

Resolution No. 71 – Offered by Councilman Wiegand

Offered by Councilman Wiegand

Whereas, a portion of Old Albany Post Road a/k/a Grist Mill Lane is located in the Town of Gardiner, and

Whereas, pursuant to Section 115-b of New York Highway Law, the County of Ulster has removed sections of the Old Albany Post Road situated in the Town of Gardiner from the Ulster County Highway map, which portions are designated as Parcel A and Parcel B on “Abandonment Map 1A”; and

Whereas, that portion of Old Albany Post Road, a/k/a Grist Mill Lane, has been inspected by the Town of Gardiner Highway Superintendent who has determined that same is in appropriate condition for acceptance by the Town of Gardiner as a Town Highway; and

Whereas, Tuthilltown Properties, LLC is the owner of a parcel of land designated as Parcel C on the aforesaid map; and Tuthilltown Properties, LLC has agreed to convey said parcel to the Town of Gardiner.

Now Therefore, Be It Resolved That:

1. Upon receipt from Tuthilltown Properties, LLC of a duly executed Deed, TP 584 and RP 5217, together with a title policy insuring the Town of Gardiner that said parcel is free and clear of all mortgages, judgments, liens and other encumbrances, together with the filing fees to record said instruments, the Town of Gardiner shall accept Parcel C on the aforesaid map from Tuthilltown Properties, LLC.
2. Upon receipt of the aforesaid instruments from Tuthilltown Properties, LLC, the Town of Gardiner shall accept the ownership and maintenance responsibility for the abandoned portions of Old Albany Post Road, a/k/a Grist Mill Lane as more particularly identified as Parcel A and Parcel B on the aforesaid Abandonment Map.

3. Upon receipt of the aforesaid title policy and instruments from Tuthilltown Properties LLC, the Town Supervisor is authorized to execute forms TP 584 and RP 5217 and such other closing instruments as may be reasonably required to secure title to the aforesaid Parcel C for the Town of Gardiner.

Seconded by Councilman Hinson and carried.

### **EMPLOYMENT MANUAL AMENDMENT**

A correction was made to the employee manual retirement section 6.2.3 - Eligibility.

### **INFRASTRUCTURE**

Highway Garage/Salt Shed - Councilman Wiegand stated that there is no advantage cost wise to doing both the salt shed and the garage at the same time. He discussed funding of the salt shed and stated that there is no funding available from DEC. The Town would have to secure loans. He will be meeting with a representative of M&T Bank to start discussion on funding. Mr. Wiegand is also investigating what can be tapped into with the reserve funds. He has asked the Town Clerk to research this. Accounts that can be established are Capital Projects, Repairs and Equipment.

Majestic Park Pole Barn - Councilman Dukler announced that there are two (2) major projects to be done in order to make the pole barn year round – insulation and heat. Cost for the insulation is approximately \$10,500. He will research solar, geo-thermal and a CFA application.

Majestic Park Pavilion - Supervisor Zatz is in the process of getting bids for the repair of the pavilion.

Town Hall – Councilman Hinson commented on the insurance company report and suggested that the Town go out for bids for all repairs.

Transfer Station – Councilman Reynolds and Councilman Dukler commented that they have spoken to Tom Harvey of Morris Associates and that Mr. Harvey will provide a map, free of charge to the Town, of the transfer station property. Mr. Reynolds believes that the Town only needs to obtain three (3) bids informally for the construction of the proposed transfer station building.

Supervisor Zatz asked that the Board members to have ready their thoughts of what should be completed and how it all will be funded for 2015 by the first June meeting. Councilman Hinson also would like to know how the Town will meet the needs for new highway trucks. Councilman Dukler questioned the status of the Clove Road bridge and if this too will be part of the 2015 decisions.

### **MINUTES**

On motion of Councilman Dukler, seconded by Councilman Reynolds and carried, the minutes of February 10 and March 5 were approved as written.

### **OLD LIBRARY/FIREHOUSE BUILDING**

Councilman Reynolds is suggesting that the Gardiner Fire Department get a percentage of the proceeds of the sale of the old library/firehouse building. Approximately 10 - 20% or \$10,000 to \$20,000. Councilman Wiegand asked if money from one taxing jurisdiction to another taxing jurisdiction is allowed. He asked Councilman Reynolds to check into this before going further.

**NYS DOT PAYMENT**

Supervisor Zatz announced that the Town has received a payment of \$127,000 from NYS DOT for the reimbursement of fees on the sidewalk project.

**TRANSFER STATION**

Councilman Reynolds asked that the transfer station patron survey be distributed from the transfer station as well. He did not believe that the Board had agreed to distribution from the Town Hall only. Board members discussed this and agreed to distribute at the transfer station. Councilman Wiegand commented that from his experience with marketing this survey by no means will be valid by a scientific description of valid. It is a small number of people to being surveyed and a and a self selected group. This will give ideas only.

**SUMMER RECREATION**

Supervisor Zatz commented that registration has gone well. Councilman Wiegand asked what the fee increase for 2015 was. No increase was implemented this year.

**SURPLUS PROPERTIES**

Councilman Wiegand is researching with the Town attorney if deed restrictions will hamper the sale of any properties owned by the Town deemed surplus. Board members discussed at length changing the wording in the Zoning Law Subdivision Regulations pertaining to the giving of parkland in lieu of a fee.

Councilman Reynolds suggested designating the Town Hall ball field as parkland. There was also discussion about placing signage on certain parcels owned by the Town designating river access specifically on Sand Hill Road close to the Library.

**SIDEWALK CURB DAMAGE**

Councilman Wiegand commented he notice damage to the curb outside of the Village Market and various other locations throughout the hamlet. Supervisor Zatz also noticed this and has been in contact with DOT placing the blame on their plowing and has suggested to them that they make the repair a part of their highway maintenance.

**BALL FIELD PARKING**

Councilman Hinson asked the status of the ball field parking. Supervisor Zatz stated we are waiting on the grant money to begin the project. A bid process will follow and the State will give the construction permit to the contractor awarded the bid.

**COMMUNICATION BETWEEN BOARD MEMBERS**

Councilman Hinson asked the Supervisor to improve communication with Board members. Supervisor Zatz will make an effort to do so.

**PRIVILEGE OF THE FLOOR**

Jack Habersberger – any parkland that has been designated ever been created into a park.

Rich Koenig – commented that it is not necessary to have structures on parkland. Perhaps brush hogging the property and a few signs designating a park will be sufficient.

David Straus – suggested that the Parks & Recreation Commission be consulted prior to acceptance of parkland from developers. Suggested using the website for the transfer station survey.

Mary Beth Majestic – suggested placing the survey at the Library. Asked if the reed beds at the sewer plant were included in the infrastructure plan. Supervisor Zatz stated that was a good suggestion.

Commented that the new zoning law requires 50% of a subdivision designated as parkland/surplus property. Councilman Wiegand stated that this was untrue. It is dependent upon the design of the development.

Katherine Betts – asked if the transfer station survey would be collected only at the Town Hall or also at the distribution location.

David Toman – asked of Councilmen Dukler, Hinson, Reynolds and Wiegand three (3) questions – are you truthful & ethical, were they aware of the April 16 meeting at the Town Hall and do you condone the behavior surrounding that meeting. He specifically excluded Supervisor Zatz from answering. After a heated and loud discussion, Board members wondered if this would be best to discuss in executive session since it was a personnel matter. A motion was made by Supervisor Zatz, seconded by Councilman Dukler and carried by aye from Councilmen Hinson and Reynolds to discuss in executive session. Councilman Wiegand voted nay. Discussion also ensued about who can be in attendance at an executive session. Councilman Reynolds would like Mr. Toman to be invited into the meeting and made a motion to that effect. The motion failed with the understanding that the Board would like Mr. Toman to remain on the premises in the event they believe he is needed in the meeting.

#### **ENTER EXECUTIVE SESSION**

A motion was made once again, this time by Councilman Dukler, seconded by Councilman Hinson and carried by all voting aye to enter executive session at 8:55 PM, for the purposes of discussing personnel.

Councilman Reynolds once again made a motion to invite David Toman to the executive session. Motion was not seconded and fails.

#### **ADJOURNMENT**

Not present for the adjournment of Executive Session or the meeting.

Respectfully submitted,

Michelle L. Mosher  
Town Clerk