

May 12, 2015 – Regular Meeting

The regular meeting of the Gardiner Town Board was held this evening at the Gardiner Town Hall at 6:00 PM. Present were Supervisor Zatz and Councilmen Dukler, Hinson, Reynolds and Wiegand.

### **EXECUTIVE SESSION**

The Town Board immediately entered into executive session on motion of Councilman Wiegand, seconded by Councilman Hinson and carried for the purpose of discussing personnel. Councilman Wiegand was in charge of the executive session discussion. Two (2) separate motions were made during the discussion and both failed. Details of the vote are described in separate minutes of the executive session. On motion of Councilman Dukler, seconded by Councilman Hinson and carried, Board members left executive session at 7:15 PM.

### **REGULAR SESSION**

Regular session began at 7:20 PM there were approximately 18± audience members.

### **ANNOUNCEMENTS**

May 16 – Friends of the Gardiner Library Annual Plant Sale

May 16 – Annual Cupcake Festival Wright's Farm from 11 to 6

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

### **RESOLUTION FOR TRAPPS BRIDGE & CARRIAGE ROAD PROJECT**

**Resolution No. 72** - Offered by Councilman Hinson

WHEREAS, the Mohonk Preserve, Inc. is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund or the Recreational Trails Program to be located at the Trapps Bridge and Carriage Road, a site located within the territorial jurisdiction of this Town Board of Gardiner; and

WHEREAS, as a requirement under the rules of these programs, said not-for profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved that the Board of the Town of Gardiner hereby does approve and endorse the application of Mohonk Preserve, Inc. for a grant under the Environmental Protection Fund known as the Trapps Bridge and Carriage Road Project and located within this community.

Seconded by Councilman Wiegand and carried.

### **REVALUATION UPDATE**

Assessor Maureen Gallagher and Consultant Michael Dunham sent a memo to Supervisor Zatz outlining the progress, to date, of the revaluation of the properties in Gardiner. Supervisor Zatz read the memo. Board members have concerns that they are not on target for completion date of Sept. 1, 2015. Board members would like Mike Dunham and Maureen Gallagher to attend a meeting in June.

**CONTACT WITH ASSOCIATION OF TOWNS**

Councilman Hinson has been in contact with the Association of Towns, for the purpose of transparency, to find out the protocol on disclosure of discussions and votes/actions in executive session. From this discussion Mr. Hinson proposed a motion to disclose the votes/actions taken during executive session. Councilman Reynolds seconded the motion. Councilman Wiegand voted aye, Councilman Dukler and Supervisor Zatz voted nay. Motion is adopted.

A second motion was made by Councilman Hinson as follows: to prevent future misunderstandings between the Town of Gardiner and agencies with financial relationships, or companies with whom Gardiner works together or coexists with I propose that the members of the Board, do not have unilateral authority to take intimidating or threatening action or make phone calls to contact any citizens employer who attends a Town Board meeting and/or participates public input. That no citizen who participates should at any time following or resulting from, receive threatening or intimidating actions for speaking up and sharing concerns with the direction or decisions of the Town. Public input should be an opportunity for citizens to express their 1<sup>st</sup> amendment right without the concern for retaliatory behavior. Any exceptions must be proposed to and supported by a majority vote from the Town Board. Councilman Reynolds seconded the motion. Councilmen Dukler and Wiegand and Supervisor Zatz voted nay. Motion fails.

At this point Town Clerk Michelle Mosher was asked to read the motions made in the executive session earlier this evening.

**SUPERVISORS MONTHLY REPORT**

On motion of Councilman Reynolds, seconded by Councilman Dukler and carried, the April Supervisors Report was approved as presented.

**CLAIMS**

Claims were approved for payment on motion of Councilman Wiegand, seconded by Councilman Dukler and carried. They are listed on Abstract #4 as follows: General Fund voucher #141-205 \$65,443.42; Highway Fund voucher #86-118 \$31,577.01; Sewer Fund voucher #12-14 \$4,521.38; Gardiner Light District voucher #1 \$332.18.

**BUDGET TRANSFERS & SUPPLEMENTAL APPROPRIATIONS**

**Resolution No. 73-** Transfer within Highway Fund – Offered by Councilman Wiegand Resolved, pursuant to Section 112, Town Law, the 2015 Annual Budget, Highway Fund is hereby amended to provide for the transfer of \$130,000.00 from Acct. No 01.04.5112.336 Perm Improvements to Acct No. 01.04.5112.355 Forest Glen Road.

Seconded by Councilman Reynolds and carried.

**Resolution No. 74** – Supplemental Appropriation Highway Fund – Offered by Councilman Wiegand

Resolved, pursuant to Section 112, Town Law, the 2015 Annual Budget, Highway Fund is hereby amended to provide a supplemental appropriation in the amount of \$27,000.00 in Acct No. 01.04.5130.200 Equipment Purchase.

Further resolved, said moneys to be taken from the unexpended balance in the Highway Fund. Seconded by Councilman Dukler and carried.

**Resolution No. 75** – Supplemental Appropriation General Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2015 Annual Budget, General Fund is hereby amended to provide a supplemental appropriation in the amount of \$523.67 in Acct No. 00.01.1910.400 Unallocated Ins.

Further resolved, said moneys to be taken from the unexpended balance in the General Fund. Seconded by Councilman Wiegand and carried.

**Resolution No. 76-** Transfer within General Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2015 Annual Budget, General Fund is hereby amended to provide for the transfer of \$10,000.00 from Acct. No 01.04.5130.431 Equipment Repairs to Acct No. 01.04.5130.200 Equipment Purchases.

Seconded by Councilman Wiegand and carried.

**Resolution No. 77-** Transfer within General Fund – Offered by Councilman Wiegand

Resolved, pursuant to Section 112, Town Law, the 2015 Annual Budget, General Fund is hereby amended to provide for the transfer of \$525.00 from Acct. No 00.07.8160.413 CE Repairs Landfill to Acct No. 00.07.8160.401 CE Misc. Landfill, \$108.00 from Acct No. 00.07.8160.413 CE Conference Landfill to Acct No. 00.07.8160.401 CE Misc. Landfill, \$251.00 from Acct No. 00.07.8160.413 CE Conference Landfill to Acct No. 00.07.8160.415 CE Improvement Landfill and \$121.00 from Acct No. 00.07.8160.431 CE Office & Supplies to Acct No. 00.07.8160.415 CE Improvements Landfill.

Seconded by Councilman Dukler and carried.

**Resolution No. 78-** Transfer within General Fund – Offered by Councilman Dukler

Resolved, pursuant to Section 112, Town Law, the 2015 Annual Budget, General Fund is hereby amended to provide for the transfer of \$100.00 from Acct. No 00.01.1220.401 CE Misc. to Acct No. 00.01.1220.402 CE Mileage, \$1,000.00 from Acct No. 00.01.1440.460 ce Outside Professional Services to Acct No. 00.01.1440.463 CE Sidewalks, \$40.00 from Acct No. 00.02.3620.402 Building Mileage to Acct No. 00.02.3620.422 CE Building Software Support, \$2,000.00 from Acct No. 00.07.8160.460 CE Transfer Station Prof. Services to Acct No. 00.07.8160.415 CE Transfer Station Improvements and \$175.00 from Acct No. 00.01.1410.421 CE Clerk Office Supplies to Acct No. 00.01.1410.425 CE Clerk Dog Tags.

Seconded by Councilman Wiegand and carried.

**CELLTOWER UPDATE**

The cell tower has been completed and a certificate of compliance has been issued. Providers are now allowed to install their antennas.

**INFRASTRUCTURE**

**SALT SHED FUNDING**

Supervisor Zatz and Councilman Wiegand met with M&T Bank about funding for the construction of a new salt shed. Representatives of the bank suggested a 1 year Bond Anticipation Note (BAN). Mr. Zatz and Mr. Wiegand will look further into other alternatives with other lending companies.

**RECYCLING BUILDING**

Councilman Reynolds has received a plot plan from Tom Harvey of Morris Associates for the new building at the transfer station. Mr. Reynolds stated that the town is ready to apply for a building permit. Councilman Hinson asked the status of the grant application. Supervisor Zatz stated that he was informed that there are quite a few applications and processing and awarding could take up to five (5) years.

**PRIVILEGE OF THE FLOOR**

Brian Stiscia – commented that the salt shed company that manufactures the canopies also does financing.

Katherine Betts – asked the Town Clerk to read the 1<sup>st</sup> motion of the executive session. She also asked about installing plumbing and a hand washing station at the transfer station. Town Board members agreed that this was important to have at the transfer station and will look into getting a well or a hand washing station from the porta potty company.

**EXECUTIVE SESSION**

On motion of Councilman Wiegand, seconded by Councilman Dukler and carried, the Board re-entered executive session at 8:16 PM to discuss personnel.

**ADJOURNMENT**

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

Respectfully submitted,

Michelle L. Mosher  
Town Clerk