

The workshop meeting of the Gardiner Town Board was held this date at the Gardiner Town Hall at 7:00 PM. Present were Supervisor Katz, Councilmen Wiegand, Koenig & Mele and Councilwoman Lemmon. There were approximately 15± audience members.

ANNOUNCEMENTS

Sept. 8 – Constitutional Study Group 6:30 PM Gardiner Library. All are welcome.

Sept. 11 – Gardiner Day from 11:00 AM to 4:30 PM at Majestic Park.

Sept. 18 – Friends of the Gardiner Library Annual Fall Mum Sale 9 AM to 3 PM Gardiner Town Hall.

Sept. 19 – SVFD Bike-A-Thon Call 895-6900 for more info.

MEETING CHANGE

The regular meeting of the Gardiner Town Board has been re-scheduled to Thursday Sept. 16 at 7PM due to a conflict with Primary Day.

2011 BUDGET PROCESS

Supervisor Katz explained the budget process planned for this year. The Town Board will have a special meeting to discuss department requests on Sept. 13 at 4 PM. A tentative budget will be put together, meetings will be scheduled for review and changes will be reflected in the preliminary budget. A public hearing will be scheduled and the final budget will be adopted.

NORTH STREET

The Town of Gardiner was approached by attorney Robert Zaccheo, Jr. on behalf of his client Mario Milano to purchase, by quitclaim, the rights to a parcel of land known as North St. Public parcels of land may not be sold without a bid process which will allow anyone who has an interest in the parcel a chance at purchasing it. Supervisor Katz was advised by attorney Paul Kellar that the Town must first do a title search. Hudson Valley Abstract conducted a search and found that the County has no filing or recording of this paper road to the Town of Gardiner. Mr. Kellar advised the Town Board to adopt a resolution designating North Street as a surplus parcel of land. The Town would then advertise for a quitclaim deed by bid for any right to the property. It would be awarded to the highest bidder. Board members discussed at great length the possibilities of use for this parcel of land. Additional roadside parking was of great interest to Councilwoman Lemmon. Supervisor Katz explained that the road begins in the parking lot owned by Mr. Milano and has no egress. Furthermore it is not wide enough to become a Town road. Discussion continued with a suggestion of trading property with Mr. Milano. Councilman Mele suggested that the Planning Board and the Zoning Board of Appeals review and decide if road construction is even feasible. Councilwoman Lemmon is concerned with having a paper trail and suggested not moving forward with the resolution until the other two (2) boards have completed their reviews. Supervisor Katz will get written comment from Paul Kellar. The resolution was put forth for vote as follows:

Resolution No. 117 – North Street - Offered by Councilman Wiegand

Whereas, the Town Board of the Town of Gardiner considers North Street, designated as a paper road, a surplus parcel of land located in the Town of Gardiner.

Seconded by Councilman Mele and carried. Councilwoman Lemmon voted nay, Councilman Koenig abstained. Resolution was adopted.

A motion was made by Councilman Mele, seconded by Councilman Wiegand and carried to withhold bidding for 60 days. Councilwoman Lemmon voted nay. Motion carries. A second motion was made to refer this to the Planning Board for advice on how to connect North Street and Second St by Councilwoman Lemmon seconded by Councilman Mele and carried.

GREENWAY COMPACT WORKSHOP

Supervisor Katz received a request from the Ulster County Planning Board to host a workshop for the Greenway Compact. The purpose of the workshop is to map areas in Gardiner for development and land preservation which will allow for future funding. Members from the Town Board, Planning Board, Zoning Board of Appeals and Open Space Commission are requested to participate. Supervisor Katz will arrange the workshop.

GARDINER GREEN ENERGY TASK FORCE

Board members decided to discuss this at a later date since no one from the task force was present. Councilman Lemmon stated that they were not informed of being on the agenda and asked that a formal invitation be extended to the task force for representation at next Thursday's meeting.

BOARD OPENINGS

The policy of the Town Board for appointments and re-appointments to various Boards and Commission within the Town is to advertise when any term is set to expire or openings become available. The Town currently has a term expiration on the Library Board of Trustees, two (2) openings on the Open Space Commission and one (1) opening on the Environmental Conservation Commission. Supervisor Katz will advertise for all of these openings. Interviews will be scheduled at a later date.

MASS GATHERING PERMIT – CLASSICS UNDER THE GUNKS

Resolution No. 118-Offered by Councilwoman Lemmon

Whereas, the Town of Gardiner has adopted certain rules and regulations governing outdoor musical entertainment, amusement and assemblies in order to provide for public order and the protection of safety, health and well-being of persons and property within the Town known as Chapter 107 of the Municipal Code, and

Whereas, the Gardiner Association of Business has proposed to hold an event known as “Classics Under the Gunks” on Saturday October 9, 2010, with a rain date of October 10, 2010 at the premises known as Kiernan Farm on Bruynswick Road in the Town of Gardiner which is reasonably expected to attract more than 1000 persons, and

Whereas, the applicant has provided the Town Board with information concerning the purpose of the event, the hours of operation, the provision of adequate off-street parking and

Whereas, the Town Board is satisfied that adequate provisions have been made by the applicant and that planned event will not disturb the public order and safety, then

Resolved, the Town Board of the Town of Gardiner hereby grants a permit for an outdoor assembly known as “Classics Under the Gunks” to be held on Saturday October 9, 2010 with a rain date of October 10, 2010 between the hours of 9:00 A.M. and 4:00 P.M. at Kiernan Farm on Bruynswick Road in the Town of Gardiner in accordance with the application presented to the Town.

Seconded by Councilman Wiegand and carried.

ZONING LOCAL LAW REVISION SECTION 220-11D

A re-draft of zoning law section 220-11D by attorney and consultant Joel Russell was distributed to Town Board members for review. This draft allows for density advances if the water systems are privately owned and meets certain requirements. There seemed to be some confusion with what the requirements were and what a project owner would have to do to demonstrate that his/her project will not adversely affect neighboring property owners. Councilman Wiegand cited differences between the current law and this newly re-drafted law. Further discussion was tabled to next Thursday.

MINUTES

The minutes of August 10 were approved as written on motion of Councilman Koenig, seconded by Councilman Wiegand and carried.

PRIVILEGE OF THE FLOOR

Jack Habersberger – asked the acreage of the North Street parcel.

Marion Kells – asked why the County is looking for information on Gardiner via the Greenway workshop.

Carl Zatz – asked is Joel Russell is the de facto zoning author. Also asked if the Town Board takes Jim Freiband’s opinion as the Planning Board’s opinion. Supervisor Katz responded, only if the Planning Board says it is their opinion as well.

Kathy Hudson - commented on the newly drafted zoning law. Asked that the Town Board address the lack of clarity in the law with respect to what has to be done to demonstrate other wells will not be adversely affected. Asked for a definition of “adversely affected”

Carl Zatz – commented that the Town needs to keep their eyes on what the intent of the zoning law is all about. He stated that he thought that the zoning was to help make the process of establishing businesses in the Town easier. It should not be left to the discretion of the Planning Board to decide how to proceed. Applications have been filed based on the law as it is written. Solving this problem is as important as clarifying language.

Supervisor Katz - commented that he receives many calls and complaints stating that there seems to be a disconnect in the zoning law regarding the intent of the law and reality.

OLD LIBRARY/FIREHOUSE

Councilwoman Lemmon reported the “survey monkey” results conducted by the Gardiner Gazette regarding the Old Library/Firehouse. There were 184 responses. One hundred fifty nine (159) would like the building to be sold, while twenty five (25) would like to see it turned into a museum. A second part of the survey was written comment to which 54 responded.

JOINT MEETING WITH PLANNING BOARD

Supervisor Katz will schedule a joint meeting with the Planning Board to discuss various issues between the Town Board and the Planning Board.

EXECUTIVE SESSION

The Town Board entered executive session on motion of Councilman Koenig, seconded by Councilman Wiegand and carried, at 8:30 PM. The purpose of the executive session is to discuss contracts and personnel. They will return to regular session only to adjourn the meeting.

LEAVE EXECUTIVE SESSION AND ADJOURNMENT

At 9:10 PM, on motion of Councilman Mele, seconded by Councilman Wiegand and carried, the Board left executive session and adjourned the meeting.

Respectfully submitted,

Michelle L. Mosher
Town Clerk.