The Town Board met in Regular Session this evening at the Gardiner Town Hall at 7 PM. Present were Supervisor Majestic and Councilmembers Wiegand, Richman, Carucci, and Hartner. There were approximately 25± audience members.

ANNOUNCEMNETS

On August 19th, Kirshna & Krew will be performing at Majestic Park from 6 pm to 8 pm for the last Music in the Park.

The Board received correspondence from Dan Ahouse on behalf of Mickey Jamal regarding the Ireland Corners property. Supervisor Majestic suggested to the Board that they respond to the email and let her know of the next steps the Board would like to take.

Supervisor Majestic provided an update on the Awosting Club. Mr. Rodd, the Town's attorney through NYMIR, discovered in his efforts to close the case that it was marked as "disposed," which prevents the case from being finalized. He was advised by the chambers to draft a letter outlining the bench ruling and to request permission to submit a proposed order in order to close the case. Awosting Club is working with the Ulster County Department of Health and its engineers to submit an application to the Planning Board.

The Board met with attorney Matthew Eldred to discuss the work that needs to be done on the Battery Energy Storage System Law.

Before the Town Board meeting on September 2nd, at 6:15 PM, there will be a reveal of an art installation in the meeting room honoring the late Jean Ann McGrane, a devoted member of the Open Space/Community Preservation Advisory Board. Light refreshments will be served.

The Town received a Sales Tax check in the amount of $82,605.76 from the County.

Councilmember Hartner updated the Board, stating that he had received an email from Rich Gorres, Plattekill Planning Board Chair, informing him that the developers of the proposed mega warehouse off Route 44-55 had withdrawn their application. Mr. Hartner expressed his gratitude to all who were involved.

Councilmember Hartner informed the Board that the Greenway Conservancy for the Hudson Valley is now offering grants to connect existing trails with state parks, such as Minnewaska and the Mohonk Preserve. The initial goal is to apply in January for funding through the Greenway Conservancy Trail Grant program to conduct a feasibility study. Former Councilmember David Duckler will attend the upcoming Parks & Recreation meeting on behalf of Councilmember Hartner to discuss potential participation in this initiative.

PRIVILEGED OF THE FLOOR

Nicole Wistreich – Questions regarding the Sewer District Tax. Concerned that B.E. Ventures subdivision will cause neighbors' wells to dry up.

Suzanne Levirne – Lazy River's music has gotten better, but campers are now trespassing onto her property.

Marty Brutvan – Called Lazy River many times. The Building Inspector's monthly report is incorrect. Questioning if the conditions in the Special Use Permit resolution mean anything.

Paul Colucci – Read a letter sent to him from the Vice-Chair of the Planning Board, Ralph Varano.

AUTHORIZE SUPERVISOR TO ENGAGE WITH TIM HANNIGAN TO ASSIST WITH ESTABLISHING THE TOWN-WIDE AMBULANCE DISTRICT

On the motion of Supervisor Majestic, seconded by Councilmember Hartner and carried, engage with Terry Hannigan, Esq., along with Ulster County to prepare and establish a Town-wide Ambulance District for Gardiner.

FALL PARK A/K/A RIVERBEND LEAD AGENCY FOLLOW-UP DISCUSSION

On the motion of Supervisor Majestic, seconded by Councilmember Wiegand and carried, to rescind the Lead Agency request for the Town Board and to agree to have the Planning Board be the Lead Agent. Councilmember Richman opposed.

B.E. VENTURES LEAD AGENCY REQUEST & PUBLIC ROADWAY CONVEYANCE DOCUMENTS

On the motion of Supervisor Majestic, seconded by Councilmember Wiegand and carried, to have the Planning Board be Lead Agent.

The attorneys are collaborating on a solution for the surplus of the unused portion of the paper road.

CLIMATE SMART: REQUEST FINAL $10,000.00 PAYMENT TO CONSCIOUS ENERGY, REQUEST TO APPROVE CSG TASKFORCE RECOMMENDATION TO PURCHASE CHEVROLET BLAZER EV CHARGING VEHICLE FROM HEALY FOR $36,992.50, REQUEST TO APPROVE CSG TASKFORCE RECOMMENDATION TO AWARD PISO LLC CONTRACT FOR THE EV CHARGING STATION AT THE TOWN HALL

On the motion of Councilmember Carucci, seconded by Councilmember Wiegand and carried, to make the final payment of $10,000 to Conscious Energy.

On the motion of Councilmember Carucci, seconded by Councilmember Hartner and carried, to accept the recommendation from Climate Smart Gardiner to purchase the Chevrolet Blazer EV vehicle from Healy Chevrolet for $36,992.50 from a loan from the General Fund to be paid back from the NYSERDA 4-Star Grant.

On the motion of Supervisor Majestic, seconded by Councilmember Carucci and carried, to authorize the Supervisor to sign the NYSERDA contract with modifications.

On the motion of Councilmember Carucci, seconded by Councilmember Hartner and carried, to accept the recommendation from Climate Smart Gardiner Task Force to award PISO, LLC the contract for the EV Charging Station at the Town Hall and authorize the Supervisor to sign the agreement.

SEWER DISTRICT UPDATE – RICH CERRUTO

Rich Cerruto of the Gardiner Sewer Task Force presented a detailed overview to the Board regarding the history of the Sewer District and the challenges it currently faces. These challenges include cracked pipes, leaky manholes, faulty septic tanks, illicit connections, and uncapped cleanouts. Additionally, the entire system is functioning at or above capacity. In conclusion, the Task Force recommends inspecting potential illicit hookups, such as sump pumps and gutter drains. They plan to send outreach letters to approximately 20 high-risk properties to arrange for these inspections. Until the Board appoints a Sewer Superintendent—a recommendation from the Task Force—the Building Department will assist in conducting inspections. The Task Force also suggested revamping the Sewer Law that was passed in 2024.

DISCUSS AND APPROVE GARDINER DAY MASS GATHERING PERMIT

On the motion of Supervisor Majestic, seconded by Councilmember Carucci and carried, to approve the Gardiner Day Mass Gathering Permit as submitted by the Gardiner Day Committee.

AUTHORIZE THE SUPERVISOR TO ENGAGE MATT ELDRED, ESQ. TO ASSIST WITH B.E.S.S. LOCAL LAW

Supervisor Majestic provided an update on the meeting the Board held with Matt Eldred, Esq., before the Town Board meeting regarding the Battery Energy Storage System local law. Mr. Eldred tasked the Board with creating a list of priorities that the Board would like to focus on as the next steps moving forward.

APPROVAL FOR SUPERVISOR TO SIGN A REVISED VERSION OF THE SOLAR PILOT AGREEMENT WITH HEP

On the motion of Supervisor Majestic, seconded by Councilmember Wiegand and carried, to authorize the Supervisor to sign the HEP Pilot Agreement contingent on, and only after receipt of a renewed Decommissioning Bond, and any other Bonds required.

DISCUSS & ADOPT $368,100.00 BOND RESOLUTION

Resolution No. 80 – Offered by Supervisor Majestic;

WHEREAS, the Town Board (the "Board") of the Town of Gardiner, Ulster County, New York (the "Town") proposes to authorize the issuance of up to $368,100 in serial bonds of the Town to finance the acquisition of (i) machinery and apparatus for use by the Town's Highway Department ($334,300) and (ii) computer software and hardware for use in and for the Town ($33,800), including any preliminary and incidental costs related thereto (collectively, the "Projects"), all at an estimated maximum cost not to exceed $418,100; and

WHEREAS, the Board now wishes to appropriate funds for the Projects and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific objects or purposes.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Gardiner, County of Ulster, State of New York, (by a favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. There is hereby authorized to be issued serial bonds of the Town in the aggregate principal amount of up to $368,100, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes hereinafter described.

SECTION 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution, the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of machinery and apparatus for use by the Town's Highway Department, including any preliminary and incidental costs related thereto, at an estimated maximum cost of $384,300, for which $334,300 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of software and hardware for use in and for the Town, including any preliminary and incidental costs related thereto, at an estimated maximum cost of $33,800, for which $33,800 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefor, having a period of probable usefulness of ten (10) years pursuant to subdivision 81(a) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

SECTION 3. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is $418,100, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of $368,100 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) $50,000 in Town monies, and (iii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 7. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The Town Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 9. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Town Board.

SECTION 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 12. The Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:
Seconded by Councilmember Carucci and carried.

DISCUSS & ADOPT FUND BALANCE POLICY

The agenda item was tabled for a future meeting

BUILDING INSPECTOR'S REPORT FOR JULY

The Board reviewed the report and has no comments or questions.

CONFERENCE AUTHORIZATION REQUEST, MICHAEL HARTNER

On the motion of Councilmember Wiegand, seconded by Councilmember Richman and carried, to approve Councilmember Hartner's Conference request to attend the New York Planning Federation Conference. Supervisor Majestic opposed.

MINUTES

Minutes of July 8th and May 31st were approved as written on the motion of Supervisor Majestic, seconded by Councilmember Wiegand, and carried.

FINCANCIALS

Resolution No. 81 – Offered by Supervisor Majestic;

Whereas the Town of Gardiner established a Repair Reserve Fund for Parks & Recreation to assist in funding repairs at Majestic Park and other Town-owned park properties.

Whereas, there were emergency repairs required in the bathroom building and outside the Pole Barn at Majestic Park in the months of July and August, 2025.

Whereas, Esposito Heat & Water Treatment made repairs in the bathroom building on July 11th for $237.00; August 2nd for $202.00 and August 8th for $663.00 for a total of $1,102.00 to be paid from the Repair Reserve Fund for Parks & Recreation.

Whereas, Precision Upkeep LLC made repairs to the septic tank connection at the Pole Barn after it was backed over by a vehicle. The repair was made on August 8th for a total of $828.00 to be paid from the Repair Reserve Fund for Parks & Recreation.

Now, therefore be it resolved that the sum of $1,930.00 that was expended to make necessary repairs at Majestic Park be paid from the Repair Reserve Fund for Parks & Recreation. Seconded by Councilmember Wiegand and carried.

Supervisor Majestic provided an update on legal expenses. The Town Board had budgeted $45,000.00, of which $19,233.00 has already been spent, leaving a balance of $25,766.00. The Zoning Board of Appeals (ZBA) budgeted $4,000.00 but has spent $14,202.00, resulting in an overage of $10,202.00. Leaving a remaining balance for the Town Board of $15,564.14 in the line.

On the motion of Councilmember Wiegand, seconded by Councilmember Carucci and carried, to accept the Warrant dated August 13, 2025, in the amount of $224,713.43.

EXECUTIVE SESSION

On the motion of Supervisor Majestic, seconded by Councilmember Carucci, and carried to enter into Executive Session at 9:25 pm to discuss contractual matters.

AJOURNMENT

On the motion of Councilmember Wiegand, seconded by Councilmember Carucci, and carried, to end the Executive Session at 9:49 pm to go back into the Regular meeting.
On the motion of Councilmember Wiegand, seconded by Councilmember Carucci and carried, the meeting was adjourned at 9:50 pm.

Respectfully submitted,

Julia Hansen, Town Clerk