The Regular Meeting of the Gardiner Town Board was held this evening at 7 PM. Supervisor Majestic, Councilmembers Wiegand, Carucci, Richman, and Hartner were present. There were approximately 15± audience members.

ANNOUNCEMENTS

Next Saturday, January 25th, there will be an event at Full Circle called "Zip and Sip," named after our zip code, 12525. This event is a fundraiser for the Gardiner Day Committee and will take place from 5 PM to 9 PM. There will be live music, raffles, and much more.

Town Hall and the Highway Department will be closed on Monday, January 20th in observance of Martin Luther King Jr. Day.

The Town received a sales tax payment from the County for $92,035.84 which represents the sales tax from April 1 through September 30th, 2024. There will be one more payment for 2024.

Central Hudson will be working on the transmission line right of way easements.

Conscious Energy will begin the interior lighting update this weekend which is being done with a grant from Climate Smart Gardiner.

PRIVILEGE OF THE FLOOR

Matthew Bialecki- following up on the letter he wrote to the Board regarding Awosting Club

Wolfe Scandinero- Noise Law

Glenn Gidaly- wanted to publicly acknowledge that Councilmember Wiegand has offered to be the liaison for the Community Preservation Advisory Board and has been very responsive and willing to collaborate with the members of the Community Preservation Advisory Board.

Roberta Clements- Ulster County is seeking possible sites for solar siting or solar arrays on agricultural properties in Gardiner.

COMMUNITY PRESERVATION ADVISORY BOARD MAILING UPDATE

Laura Rose, chair of the Community Preservation Advisory Board, addressed the Board regarding an outreach mailing they plan to send out. This mailing is aimed at landowners whose properties ranked among the top in the Community Preservation Plan. This plan was created to identify and prioritize properties with the highest conservation value, based on resources such as water features, animal habitats, connected forests, fertile farmland, and scenic views. They hope to connect with willing landowners to support preservation projects. They are seeking to send out about 30 letters and see how much response they receive before doing a bigger mailing. The Board was in favor of this outreach mailing.

UPDATE FROM BUILDING INSPECTOR

Trevor Hults, the building inspector, updated the board on Lazy River and the Ranch and Easement outreach. Lazy River has two outstanding items for site plan compliance, the exterior lighting, which is anticipated to be completed by March 2025, and the construction of the ADA compliant bathrooms, which are also on the site plan. Mr. Hults explained that he has been working very closely with the owner of The Ranch, Joe Richards. Mr. Richards has obtained the requested permits, submitted to ongoing inspections, signed all the violations and plans to bring the property into full compliance. As far as the easement outreach, letters will be mailed out by the end of January to all easement holders in the Town as well as any violations regarding the easements.

ADOPT LOCAL LAW 1 – 2025 AMENDING CHAPTER 220 REGARDING THE SHAWANGUNK RIDGE PROTECTION DISTRICT

On the motion of Councilmember Hartner, seconded by Councilmember Richman and carried to adopt Local Law 1 – 2025 Amending Chapter 220 SP District. Supervisor Majestic recused herself. Councilmember Wiegand opposed.

LOCAL LAW 1 OF 2025 - A LOCAL LAW AMENDING CHAPTER 220 OF THE TOWN OF GARDINER CODE REGARDING THE SHAWANGUNK RIDGE PROTECTION DISTRICT

Be it enacted by the Town Board of the Town of Gardiner as follows:

Section 1. Legislative Intent and Authority.
In 2008, the Town of Gardiner adopted the current Town Zoning Law in Chapter 220 of the Town of Gardiner Code, including the Shawangunk Ridge Protection District (SP) in section 220-16. Subpart 220-16(F)(1)(b) requires the Planning Board to insert conditions on any approval that "construction occur at the lowest feasible elevation on the property." The law was intended and thought by many to require that new buildings on a site containing multiple elevations, i.e. SP-I and SP•2, should be at "the lowest feasible elevation" in either the SP-I or SP-2 subdistrict. In February 2024, the Supreme Court of New York, Appellate Division, Third Department ruled that 220-16(F)(1)(b) does not require "the Planning Board to undertake review of alternative build sites in SP-I in order to satisfy Town Code 220-16(F)(1 The purpose of the zoning amendment herein is to correct the language of the code to explicitly require the Planning Board require construction in the SP-I subdistrict when feasible.
This Local Law is adopted pursuant to Section 10 of the New York State Municipal Home Rule Law.
Section 2. Amendment of S 220-16(F).
Section 220-16(F) of the Town of Gardiner Zoning Code is hereby amended as follows:
1 . Subsection (1) is amended to read:
(1) Purpose and applicability. The intent of the design requirements is to ensure that development within the SP District creates no more than a minimal impact on the scenic and ecological resources of the district and the surrounding area, makes open space planning a central focus of any future development, and provides siting principles to help landowners and the

Planning Board plan projects that fit into the scenic and rural countryside in the Shawangunk Ridge area.

2. Subsection (l)(a) is amended to read:
   (a) All development within the SP District that requires approval by the Planning Board, Town Board, or Zoning Board of Appeals shall comply with the standards in this Subsection F. For any parcel located partially within the SP-I Subdistrict, approval of construction on portions of the parcel located in the SP.2 or SP-3 Subdistricts shall be prohibited except upon a finding of the Planning Board that the portions of the parcel located in the SP-I Subdistrict are not the lowest feasible elevation for the proposed construction.
3. Subsection (1)(b) is amended to read:
   (a) When considering an application, the Planning Board shall insert conditions on any approval, or deny approval, as necessary to satisfy the requirements of this Subsection F or any other part of this S 220-16. Such conditions shall include the requirement that permitted construction occur at the lowest feasible elevation on the parcel.
4. Subsection (10) is amended to remove the final sentence of that section and read:
   (10) Location of residential units outside of SP-3. No residential units may be built in the SP-3 Subdistrict, unless the entire parcel proposed for development is located within the SP-3 Subdistrict.
5. A new subsection (12) is added as follows:
   (12) For purposes of 220-16(F), the word "parcel" shall mean contiguous land owned or controlled by the same person or entity, or by related persons or entities, regardless of tax parcel or existing lot or parcel boundaries.

Section 3. Conflicts.

In the event that any provisions of any Town of Gardiner law is in conflict with any provision of this Local Law, the requirements of this Local Law shall control.

Section 4. Severability.

Each provision of this Law is severable from the others. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be illegal, invalid, or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remaining clauses, sentences, paragraphs, sections, or parts of this Local Law which shall remain in full force and effect.

Section 5. Effective Date.

This Local Law shall take effect upon filing with the New York State Secretary of State.

DRAFT NOISE LAW DISCUSSION

Councilmember Richman presented a revised version of the Draft Noise Law to the Board, seeking their feedback and suggestions for improvement. After a thorough discussion, the Board recognized the importance of gathering input from the community to ensure the law effectively addresses their concerns. Additionally, they agreed that consulting with the State Police would be beneficial as it would help gain insights on enforcement challenges.

NEARMAP VS. LENS DISCUSSION

On the motion of Councilmember Hartner, seconded by Councilmember Richman and carried, to approve the 1-month trial subscription of LENS to commence before March 1st and that before the end of March, have the Building Department and Assessor's Office make a recommendation whether to cancel the LENS subscription before the trial expiring or cancel NearMap subscription before the annual renewal is due before April 3rd. Supervisor Majestic opposed.

DISCUSS ATTORNEY/TOWN BOARD POLICY FOR COMMUNICATION

On the motion of Councilmember Richman, seconded by Councilmember Hartner, to approve the Attorney/Town Board Communication Policy pending attorney review. Supervisor Majestic, Councilmembers Carucci and Wiegand opposed. Motion did not carry.

On the motion of Councilmember Wiegand, seconded by Councilmember Carucci and carried to approve the Attorney/Town Board Communication Policy as written. Supervisor Majestic and Councilmember Richman opposed.

INTRODUCE DRAFT LOCAL LAW ALLOWING FIREFIGHTERS AND AMBULANCE WORKERS ELIGIBLE FOR A REAL PROPERTY TAX EXEMPTION RPTL §466-a

On the motion of Supervisor Majestic, seconded by Councilmember Wiegand and carried, to adopt the draft Firefighters Exemption Law after confirming the inclusion of both Gardiner and Shawangunk Fire districts.

On the motion of Supervisor Majestic, seconded by Councilmember Wiegand and carried to set a Public Hearing on Tuesday, February 4th, Town Board meeting.

AUTHORIZE THE SUPERVISOR TO SIGN OFF ON THE $175,000.00 NYSERDA GRANT

On the motion of Councilmember Carucci, seconded by Councilmember Wiegand and carried, authorizing Supervisor Majestic to sign off on the $175,000.00 NYSERDA Grant.

The goal of the $175,000 grant is to fund several projects for the Town. These projects include:

1. Replacing the propane heating system with heat pumps.
2. Installing solar panels at four locations: the Highway Garage, Transfer Station, Pole Barn at Majestic Park, and the Farmer's Turnpike wastewater treatment facility.
3. Installing electric vehicle (EV) charging stations at the Town Hall.
4. Replacing the Town's gas vehicle with an electric vehicle.

AUTHORIZATION FOR MUNICIPAL BOOKKEEPER TO ATTEND ANNUAL GFOA CONFERENCE

On the motion of Councilmember Hartner, seconded by Councilmember Wiegand and carried, authorizing the Bookkeeper to attend the Annual GFOA Conference.

On the motion of Councilmember Hartner, seconded by Councilmember Wiegand and carried, to adopt the Conference Authorization Form.

FINANCIALS

On the motion of Councilmember Wiegand, seconded by Councilmember Carucci and carried, to approve the January 2025 Warrant dated January 14th in the total of $247,507.02.

APPOINTMENT TO PARKS & RECREATION COMMITTEE

On the motion of Supervisor Majestic, seconded by Councilmember Carucci and carried, to appoint Brian Houser to Parks & Recreation for a term to expire in 2030.

EXECUTIVE SESSION

On the motion of Councilmember Carucci, seconded by Supervisor Majestic and carried, to enter into Executive Session at 9:41 PM to discuss appointments of the Planning Board and ZBA vacancies.

On the motion of Councilmember Carucci, seconded by Councilmember Richman and carried, to leave Executive session at 10:07 PM.

APPOINTMENTS OF THE PLANNING BOARD AND ZBA CHAIR

On the motion of Councilmember Richman, seconded by Councilmember Hartner and carried to appoint Tom Penichter to the Planning Board.

On the motion of Councilmember Wiegand, seconded by Supervisor Majestic and carried, to appoint Rich Cerruto to fill the position of ZBA Chair. Councilmembers Richman and Hartner opposed.

ADJOURNMENT

On motion of Councilmember Wiegand, seconded by Supervisor Majestic and carried, the meeting was adjourned at 10:09 PM.

Respectfully Submitted,

Julia Hansen, Town Clerk