The Regular Meeting of the Gardiner Town Board was held this evening at 7:00 PM. Present were Supervisor Hartner, Councilmembers Clements, Scandinaro and Ulvestad. There were approximately 13± audience members. Councilmember Carucci was present via Zoom.

ANNOUNCEMENTS

Ulster County Resource Recovery Agency is accepting appointments for a Household Hazardous Waste collection event on June 28th in Kingston; registration is available online. They also offer free electronic recycling every Saturday from April through November, 8:00 AM-2:00 PM, no appointment is needed. In addition, UCRRA is hosting a youth sticker design contest for its 40th anniversary, with details available on their website.

Summer Recreation Program for children aged five and older will begin June 29th. It's a six-week program, Monday through Friday 9am to 3pm. More information about the program is available on the Town website under News and Updates, then under Announcements. If you're interested in signing up your child, registration information is expected to be posted on the town website next week. The Town is seeking a lifeguard, an EMT, counselors, and assistant director.

There are currently vacancies on the Community Preservation Advisory Board, Coordinator for Climate Smart Gardiner, and Gardiner Smart Housing Task Force. Anyone interested please contact the Supervisor.

PROPOSAL TO INSTALL ELECTRIC FENCE AT THE RECYCLING CENTER

On the motion of Councilmember Scandinaro, seconded by Councilmember Ulvestad, and carried, to authorize the Supervisor to allocate up to $500 from the account titled Refuse and Garbage, line item #A5522.8160.400 for the purchase of the materials needed to construct a bear fence around the household garbage bins at the Town Recycling Center. Fence to be installed and managed by Town personnel. Councilmember Carucci was absent.

PROPOSAL FOR COLLABORATION WITH CORNELL COOPERATIVE EXTENSION REGARDING CLIMATE VULNERABILITES

Offered by Supervisor Hartner;
WHEREAS, the Town Board of the Town of Gardiner recognizes that climate change may create risks to the community, including impacts to infrastructure, public health, natural resources, and emergency preparedness; and
WHEREAS, the Town Board wishes to better understand current and future climate vulnerabilities in order to support informed planning and resiliency efforts; and
WHEREAS, Cornell Cooperative Extension has expertise in climate resiliency planning and vulnerability assessment;
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gardiner authorizes the Town Supervisor, and any designated municipal staff, committees, and stakeholder, to work with Cornell Cooperative Extension to collect information and conduct activities related to evaluating climate vulnerabilities within the Town; and
BE IT FURTHER RESOLVED, that this effort is intended to support the potential development of a Climate Vulnerability Assessment to help inform future climate resiliency and vulnerability mitigation goals for the Town of Gardiner.
Seconded by Councilmember Scandinaro and carried. Councilmember Carucci was absent.

PROPOSAL TO ACCECPT E-WASTE AT THE RECYCLING CENTER

Councilmember Clements presented on establishing an e-waste collection site at the Transfer Station through DEC-approved vendor E-Waste+ at no cost to the Town. Minor repairs to the existing container doors would be required for implementation. Ms. Clements noted that the program could be discontinued at any time and that a $200–$500 threshold may be necessary to cover the cost of disposing of unapproved items. She also outlined the need for the program, citing limited local disposal options and environmental concerns related to improper e-waste disposal. The Board requested cost estimates for the container repairs and review of relevant program documents and agreed to revisit the matter at the June 2nd meeting.

SCHEDULE THE PUBLIC HEARING FOR PROPOSED LOCAL LAW 2 – SIX MONTH EXTENSION OF THE MORATORIUM ON THE PROCESSING AND APPROVAL OF APPLICATIONS FOR CERTAIL BATTERY ENERGY STORAGE SYSTEMS

On the motion of Councilmember Scandinaro, seconded by Councilmember Ulvestad, and carried, to schedule the Public Hearing for June 2, 2026, proposed Local Law No. 2 of 2026, for a Six-Month Extension of the Moratorium on the Processing and Approval of Applications for Certain Battery Energy Storage Systems. Councilmember Carucci was absent.

ADOPTION OF REFERRAL RESOLUTION TO SEND PROPOSED LOCAL LAW TO THE ULSTER COUNTY PLANNING BOARD AND GARDINER PLANNING BOARD

Offered by Councilmember Scandinaro;

WHEREAS, the Town of Gardiner's Zoning Law adopted in 2008 does not specifically regulate the installation, siting, screening and use of utility-scale Battery Energy Storage Systems (B.E.S.S.);

WHEREAS, there are no such B.E.S.S. operating in the Town of Gardiner:

WHEREAS, B.E.S.S.'s are an advanced technology that presents risks different from conventional public utility facilities operating in the Town of Gardiner at the time that the current zoning law was adopted;

WHEREAS, NYSERDA has developed guidance, including a model law for regulating B.E.S.S.;

WHEREAS, the Town Board finds there is a need for regulations governing the location and placement of utility-scale B.E.S.S. to address potential adverse impacts on the municipality;

WHEREAS, IN July 2025, the Town Board adopted a six-month moratorium on said utility-scale B.E.S.S., effective July 11, 2025, which expired on or about January 11, 2026.

WHEREAS, in January 2026, the Town Board enacted a 6-month extension of the moratorium on B.E.S.S., filed with the Secretary of State and effective January 23, 2026, which will expire on or about July 23, 2026;

WHEREAS, since July 2025, the Town Board has discussed concerns regarding B.E.S.S. safety impacts for consideration in a local law; consulted legal counsel on options for a local law; reviewed laws from other Towns and the NYSERDA model law; and members have attended conferences relating to B.E.S.S. issues;

WHEREAS, the New York State Fire Code section on B.E.S.S. was substantially revised, effective January 1, 2026, in consequence of which NYSERDA is drafting an update to their model law;

WHEREAS, Town Board members have continued to attend public forums and informational sessions on B.E.S.S, and the Town Board hosted a public informational meeting for Gardiner residents, with four outside speakers, on April 14, 2026;
WHEREAS, SINCE January 2026, a majority of the Town Board seats have been replaced with new members;
WHEREAS, the Town Board finds that it needs additional time to draft and adopt a local law establishing regulations governing the location and placement of utility-scale B.E.S.S.;
WHEREAS, a local law has been drafted for the Town to enact a second 6-month extension of the moratorium on B.E.S.S.;
NOW THEREFORE BE IT RESOLVED, that the proposed local law enacting a moratorium extension is required to be referred to both the Ulster County and Town of Gardiner Planning Boards. This resolution instructs the Town Clerk to forward the proposed local law enacting a 6-month extension to the moratorium on the processing and approval of applications for utility-scale Battery Energy Storage Systems in the town of Gardiner.
Seconded by Councilmember Ulvestad and carried. Councilmember Carucci was absent.

ADOPTION OF POLICY FOR FUNDING NYSERDA MUNICIPAL ENERGY EFFINIENCY AND RENEWABLE ENERGY PROJECTS

Offered by Councilmember Ulvestad;
WHEREAS, the Town of Gardiner is committed to the reduction of its Municipal Greenhouse Gas (GHG) emissions, guided by its Municipal Climate Action Plan; and
WHEREAS, the Town of Gardiner is committed to reducing the air pollution created by its activities; and
WHEREAS, the Town of Gardiner seeks to find efficiency, cost avoidance, and ongoing cost savings on behalf of the Town's taxpayers;
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gardiner hereby adopts the following policy and procedure for the financing of municipal energy efficiency and renewable energy projects funded in full or in part by the New York State Energy Research and Development Authority (NYSERDA):

1. **Scope of Policy**: This policy only applies to projects that are under contract with NYSERDA for grant funding under its various programs.
2. **Contractual Approval**: Any and all contracts, and modification of such contracts with NYSERDA, must be approved by the Town Board and signed by the Town Supervisor.
3. **Financing and Cash Flow**: For projects which meet these qualifications, the Town of Gardiner will provide the operating cash flow necessary to execute the project as follows:
    - NYSERDA pays the Town 25% of the grant funding prior to the project's start and 75% of the grant funding after the project is completed, as documented by canceled checks paid by the Town to the contractor.
    - If US IRS tax credits are part of the project funding, tax returns are filed in the year after the project is put in service and paid to the Town per IRS regulations.
    - If the foregoing process changes by action of NYSERDA or any other body exercising authority over Town finances, this Financing Mechanism policy must be updated and approved by the Town Board.
4. **Funding Limitations**: If a project costs more than the grant funding available, and if it provides significant cost savings to the Town in relationship to the Town's funding, the

Town Board may pass a Resolution to authorize the Town to partially fund the project. In all other circumstances, the project cost cannot exceed the project funding.

5. **Oversight and Reporting**: The Climate Smart Gardiner Taskforce shall provide periodic reporting on project funding status and expected cash flows to the Municipal Bookkeeper to ensure that this policy is being implemented.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file this policy in a binder, along with all other Board-adopted policies, to be kept in the Town Clerk's office and made available to the public upon request during office hours; and
BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to post this policy, along with all other Board-approved policies, in a section of the Town website to be created specifically for Town Policies.
Seconded by Councilmember Clements and carried. Councilmember Carucci was absent.

GARDINER SUMMER RECREATION PROGRAM
On the motion of Councilmember Scandinaro, seconded by Councilmember Ulvestad, and carried, to authorize the Supervisor to sign the Agreement for Professional Services between the Town of Gardiner and Ulster County. Councilmember Carucci was absent.

APPOINTMENT TO BOARD OF ASSESSMENT REVIEW
On the motion of Councilmember Scandinaro, seconded by Councilmember Clements, and carried, to appoint Todd Baker to the Board of Assessment Review, the term of appointment for which expires on September 30, 2030. Councilmember Carucci was absent.

APPOINTMENT OF CHAIRPERSON TO THE GARDINER AMBULANCE BOARD OF COMMISSIONERS
On the motion of Councilmember Clements, seconded by Councilmember Scandinaro, and carried, to appoint Charles Rock, as the Chair of the Gardiner Ambulance Board of Commissioners for the 2026 calendar year. Councilmember Carucci was absent.

APPOINTMENT TO PLANNING BOARD
On the motion of Councilmember Scandinaro, seconded by Councilmember Clements, and carried to appoint Matthew Bialecki to a Planning Board for a term to expire April 1, 2033. Councilmember Carucci was absent. Supervisor Hartner opposed.

APPOINTMENT OF SUMMER RECREATION DIRECTOR
Offered by Councilmember Ulvestad;
WHEREAS, the Town Board of the Town of Gardiner needs to hire a Recreation Director for the 2026 Summer Recreation Season;
WHEREAS, Elizabeth Harding possesses all the necessary qualifications to handle the position of Summer Recreation Director;
WHEREAS, being this is a part-time position she is not eligible for health insurance benefits;
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Gardiner confirms employment of Elizabeth Harding as the Summer Recreation Director effective May 13, 2026. Elizabeth Harding will be compensated at the salary rate of $27.00 an hour.
Seconded by Councilmember Scandinaro and carried. Councilmember Carucci was absent.

AUTHORIZATION TO ATTEND CONFERENCE

On the motion of Councilmember Clements, seconded by Councilmember Scandinaro to authorize the Supervisor to approve the conference request of the ZBA Chair, the ZBA Clerk and one ZBA member to attend the Planning, Zoning, Public Meetings and Hearings Conference sponsored by the Dutchess County Planning Federation on June 2nd in Poughkeepsie for a total cost of no more than $60, registration, tolls and mileage included, to be funded from the ZBA Contractual Expense account #A522-8010-400. Councilmember Carucci was absent.

ACCEPT MINUTES FROM APRIL 7TH AND 14TH

Minutes from April 7th were tabled until June 9, 2026 pending review.

Minutes from April 14th were approved as written on the motion of Supervisor Hartner, seconded by Councilmember Ulvestad, and carried. Councilmember Carucci was absent.

AUTHORIZATION FOR THE BOOKKEEPER TO MOVE FUNDS FROM THE GENERAL, HIGHWAY, AND SEWER FUNDS INTO NYCLASS ACCOUNT

On the motion of Councilmember Scandinaro, seconded by Clements and carried, to authorize the Bookkeeper to move funds from the General, Highway, and Sewer Funds to NYCLASS to take advantage of a higher interest rate. Councilmember Carucci was absent.

APPROVAL OF MAY WARRANT

On the motion of Councilmember Scandinaro, seconded by Councilmember Ulvestad, and carried, to approve the May 2026 Warrant for the total amount of $215,695.92. Councilmember Carucci was absent.

PRIVILEGE OF THE FLOOR

Michael Foerstch- Opposed to the Planning Board appoint of Matthew Bialecki.
Alyce Dolce- Thanked the Board for taking their time on creation of BESS law and for the BESS PowerPoint and for hosting BESS Forum.
Joan Parker- Thanked Ralph Verano for his service on the Planning Board. Had a balanced voice and knowledgeable about the Town's code. He supported the ECC and appreciated his handling of the Millbrook Meadows major subdivision.

ADJOURNMENT

On motion of Councilmember Ulvestad, seconded by Councilmember Scandinaro and carried, the meeting was adjourned at 8:32 PM. Councilmember Carucci was absent.

Respectfully submitted,

Julia Hansen, Town Clerk