The Town Board met in Workshop Session this evening at the Gardiner Town Hall at 7:00 PM. Present were Supervisor Hartner and Councilmembers Clements, Ulvestad and Scandinaro. Councilmember Carucci was present via Microsoft Teams. There were approximately 10± audience members.

ANNOUNCEMENTS

The Town received a letter from RuthAnne Visnauskas, Commissioner of the New York State Office of Community Renewal, recognizing the Town of Gardiner's successful completion and submission of its application to become a certified Pro-Housing Community. Tom Penichter, who led the Town's Pro-Housing Task Force, explained that this certification makes the Town eligible to apply for various discretionary state funding programs, with up to $750 million in funding available statewide.

On September 18th at 7:00 PM, there will be a Veteran's Appreciation night at the Walkway over the Hudson in Highland.

Ulster County's Crime Victims Assistance Program will begin volunteer training sessions on September 14. The 40-hour training program prepares volunteers to support victims of sexual assault, domestic violence, and other violent crimes. Participants who successfully complete the training will receive Rape Crisis Counselor Certification through the New York State Department of Health.

Councilmember Ulvestad reminded viewers that the Town has transitioned from Zoom to Microsoft Teams for its meetings. He encouraged anyone experiencing difficulties connecting to a meeting to contact the Town so that staff can assist in resolving any issues and help ensure continued public access to meetings.

Councilmember Clements requested theTown Board to conduct roll call votes for Board actions going forward.

INITIATION OF 2027 BUDGET CYCLE

Bob McKenna, Budget Officer, provided the Town Board with an overview of the 2027 budget process, including key procedures, statutory requirements, and upcoming deadlines. He outlined the schedule for budget preparation and review over the coming weeks and discussed the steps that will lead to the adoption of the 2027 Town Budget.

The Town Board scheduled a Special Meeting for October 5, 2026, at 3:45 p.m. for the purpose of distributing the 2027 Tentative Budget to the Board.

GARDINER DAY 2026, MASS GATHERING PERMIT

Resolution No. 34 - Offered by Councilmember Scandinaro;
WHEREAS, the Town Board of the Town of Gardiner has received an application for a Mass Gathering Permit submitted by the Gardiner Day Committee for the event known as "Gardiner Day" to be held at Majestic Park on September 26, 2026; and
WHEREAS, the application indicates that approximately 1,000 persons and 250 vehicles are expected to attend the event; and

WHEREAS, the applicant has provided the information required by Chapter 107 of the Code of the Town of Gardiner, including provisions for crowd control, emergency response, sanitation, refuse removal, parking, and other matters required by the Town Code; and
WHEREAS, the Town Board has reviewed the application and supporting materials and finds that the proposed event, subject to compliance with the conditions set forth herein and all applicable laws, regulations, and permits, will adequately protect the public health, safety, and welfare;
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gardiner hereby approves the application for a Mass Gathering Permit for Gardiner Day to be held on September 26, 2026, at Majestic Park; and
BE IT FURTHER RESOLVED, that issuance of the permit shall be contingent upon:

1. Compliance with all applicable requirements of Chapter 107 and all other federal, state, county, and local laws and regulations;
2. Compliance with any conditions or requirements imposed by emergency service providers, including the Gardiner Fire Department, EMS providers, the Ulster County Department of Health, and law enforcement agencies having jurisdiction; and
3. Maintenance of all crowd control, sanitation, parking, refuse removal, and emergency access measures described in the application.

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to issue the Mass Gathering Permit.
Seconded by Councilmember Clements and carried. Councilmember Carucci was present via Microsoft Teams.

OCCUPANCY TAX DISCUSSION

The Town Board discussed the draft occupancy tax law and indicated a preference for a 4% occupancy tax rather than the maximum 5% permitted**,** consistent with Ulster County's occupancy tax rate. The Board agreed to wait for additional data from Ulster County to better estimate potential revenue before continuing the discussion at a future meeting.

RESOLUTION REGARDING STRUCTURE AT 600 ROUTE 208

Resolution No. 35 - Offered by Councilmember Clements;
WHEREAS, pursuant to § 96-4 of the Town Code, the Building Inspector/Code Enforcement Officer conducted an inspection of the building located at 600 Route 208, Gardiner, New York (SBL 94.3-4-24), and submitted a written report to the Town Board dated June 18, 2026; and
WHEREAS, the report documents significant deterioration of the building envelope, substantial foundation failure and structural settlement, prolonged water infiltration, openings permitting unauthorized access, conditions conducive to rodent infestation, and general deterioration creating a risk of collapse and danger to public health, safety, and welfare; and
WHEREAS, the Building Inspector/Code Enforcement Officer determined that the structure constitutes an unsafe building within the meaning of Chapter 96 of the Town Code and recommended that it be demolished and removed; and
WHEREAS, the Town Board has reviewed the report, findings, and recommendations of the Building Inspector/Code Enforcement Officer and finds that the building is unsafe and dangerous and presents a threat to the health, safety, and welfare of the public; and

WHEREAS, the Town Board further finds and determines that, consistent with the recommendation of the Building Inspector/Code Enforcement Officer, the structure cannot be reasonably repaired in a practical or cost-effective manner so as to eliminate the unsafe conditions present, and that demolition and removal of the structure is warranted; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines, pursuant to § 96-5 of the Town Code, that the building located at 600 Route 208, Gardiner, New York (SBL 94.3-4-24), is an unsafe and dangerous building; and

BE IT FURTHER RESOLVED, that the Town Board hereby orders the owner of the premises to demolish and remove the Building and remediate any associated site hazards in accordance with Chapter 96 of the Town Code and applicable law; and

BE IT FURTHER RESOLVED, that a hearing concerning the unsafe building shall be held before the Town Board on October 6, 2026, at 7:00 p.m., or as soon thereafter as the matter can be heard, at the Town Hall, 2340 Route 44/55, Gardiner, New York, which hearing shall be held not less than five business days following service of the Notice required by Chapter 96 of the Town Code, and at such hearing the owner and any other interested party shall be afforded an opportunity to be heard before the Town Board determines whether further action shall be taken pursuant to Chapter 96 of the Town Code; and

BE IT FURTHER RESOLVED, that the Building Inspector/Code Enforcement Officer is directed to prepare a Notice containing all information required by § 96-6 of the Town Code, including:

1. A description of the premises;
2. A statement of the particulars in which the building is unsafe or dangerous;
3. An order directing demolition and removal of the building;
4. A statement that demolition and removal shall commence within thirty (30) days following service of the Notice and shall be completed within sixty (60) days thereafter unless extended for good cause shown;
5. The date, time, and place of the hearing set forth herein; and
6. A statement that in the event of neglect or refusal to comply, the Town Board may provide for demolition and removal of the structure, assess all expenses against the property, and institute proceedings to recover such costs; and

BE IT FURTHER RESOLVED, that said Notice shall be served in the manner prescribed by § 96-7 of the Town Code upon the owner and all other persons entitled to notice; and

BE IT FURTHER RESOLVED, that after service of the Notice, a copy thereof shall be filed in the Office of the Ulster County Clerk pursuant to § 96-8 of the Town Code; and

BE IT FURTHER RESOLVED, that following the hearing and upon a finding that the owner has failed or refused to comply with the requirements set forth in the Notice, the Town Board may take such further action as is authorized by § 96-9, § 96-10, and other applicable provisions of Chapter 96 of the Town Code; and

BE IT FURTHER RESOLVED, that the Building Inspector/Code Enforcement Officer, Town Clerk, and all other appropriate Town officials are authorized and directed to take such actions as may be necessary to carry out this Resolution and the provisions of Chapter 96 of the Town Code.

Seconded by Councilmember Scandinaro and carried. Councilmember Carucci was present via Microsoft Teams.

AUTHORIZING THE ENGAGEMENT OF LEGAL COUNSEL

On the motion of Councilmember Scandinaro, seconded Councilmember Ulvestad, and carried, to authorize the Supervisor to engage the firm of Roemer Wallens Gold & Mineaux LLP for the Town in matters of legal counsel and representation on a case-by-case or retainer basis, with all claims for service to be paid by purchase order and to serve at the pleasure of the Board. Councilmember Carucci was present via Microsoft Teams.

AUTHORIZATION FOR THE ENGAGEMENT OF PROFESSIONAL MUNICIPAL PLANNER

On the motion of Councilmember Clements, seconded by Councilmember Scandinaro, and carried, to authorize the Supervisor to engage professional Municipal Planner David E. Church, AICP (American Institute of Certified Planners) for the Town on a contractual basis in matters of professional review which come before the Board, and in other matters of public works authorized by the Board, with all claims for services to be paid by itemized purchase order, and to serve at the pleasure of the Board. Councilmember Carucci was present via Microsoft Teams.

HIRING RESOLUTION FOR RECREATION PROGRAM ASSISTANT

Resolution No. 36 – Offered by Councilmember Scandinaro;

WHEREAS, the Town Board of the Town of Gardiner has determined that it is in the best interest of the Town to fill the position of Recreation Program Assistant; and

WHEREAS, Brittany O'Herron has been selected by the Gardiner Parks and Recreation Committee after the position was advertised and interviews were conducted, and Brittany is deemed duly qualified to serve in this position;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gardiner hereby appoints Brittany O'Herron to the position of part-time Recreation Program Assistant, effective September 2, 2026; and

BE IT FURTHER RESOLVED, that Ms. O'Herron shall be compensated at the hourly rate of $24.03 per hour; and

BE IT FURTHER RESOLVED, that Ms. O'Herron, as a part-time employee, shall not be eligible for employee benefits.

Seconded by Councilmember Clements and carried. Councilmember Carucci was present via Microsoft Teams.

APPROVAL OF VACATION AND SICK LEAVE ACCURALS FOR TOWN EMPLOYEE

Resolution No. 37 - Offered by Councilmember Scandinaro;

WHEREAS, Town employee Jonathan Pine was absent from Town employment while performing military service pursuant to military orders; and

WHEREAS, a question has arisen concerning Mr. Pine's entitlement to vacation leave and sick leave credits during the period of his military absence; and

WHEREAS, New York Military Law § 242 provides that an employee absent on qualifying military duty shall not suffer a loss or diminution of certain employment rights and privileges, including vacation privileges; and

WHEREAS, the Town Board has reviewed the circumstances of Mr. Pine's military leave and wishes to resolve the matter in a fair and equitable manner; and

WHEREAS, the Town Board recognizes that a legitimate question exists concerning the application of New York Military Law § 242 to the accrual of sick leave during military leave and wishes to resolve that question without further dispute or expense; and
NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the restoration and crediting of 80.08 hours of vacation leave, and 95.94 hours of sick leave to employee Jonathan Pine; and
BE IT FURTHER RESOLVED, that the restoration of vacation leave credits is based upon the Town Board's determination that such restoration is appropriate under the circumstances presented and is consistent with the protections afforded by New York Military Law § 242; and
BE IT FURTHER RESOLVED, that the restoration of sick leave credits is intended solely to resolve a disputed issue concerning the effect of military leave on sick leave accruals and shall not constitute:

1. An amendment to the Collective Bargaining Agreement;
2. A binding interpretation of the Collective Bargaining Agreement;
3. A binding interpretation of New York Military Law § 242 or any other statute or regulation;
4. A waiver of any rights or defenses of the Town in any future matter; or
5. The establishment of a past practice applicable to any other employee or future circumstance.

Seconded by Councilmember Ulvestad and carried. Councilmember Carucci was present via Microsoft Teams.

DISCUSSION OF ALLOWING PLATTEKILL RESIDENTS TO USE GARDINER RECYCLING CENTER

Supervisor Hartner informed the Town Board of the potential closure of the Plattekill Recycling Center due to operating expenses exceeding revenues and limited use by approximately 250 residents. The Board discussed the possibility of allowing Plattekill residents to use the Gardiner Recycling Center. Following discussion, the Board agreed to continue limiting use of the Recycling Center to Gardiner residents at this time, while considering the possibility of adding non-resident permit options to the Town's fee schedule in the future.

DISCUSSION OF DRAFT TOWN BOARD LIASION POLICY

The Town Board discussed potential committee liaison assignments. Following discussion, the Board agreed that Supervisor Hartner would circulate a clean version of the Committee Liaison Excel spreadsheet for the Board's review and consideration, with a vote to be taken at the September 8 meeting.

E-WASTE PROPOSAL

On the motion of Supervisor Hartner, seconded by Councilmember Scandinaro, and carried, to close the E-Waste discussion. Councilmember Clements opposed. Councilmember Carucci was present via Microsoft Teams.

ADJOURNMENT

One the motion of Councilmember Ulvestad, seconded by Councilmember Clements, and carried, to adjourn the meeting at 9:14 PM. Councilmember Carucci was present via Microsoft Teams.

Respectfully submitted,

Julia Hansen, Town Clerk