

Draft minutes of Town Board meeting October 22, 2007 held at Germantown Town Hall at 7:30pm

PRESENT: Supervisor: Roy Brown
 Councilwoman: Graceann Lamberta
 Councilwoman: Joan Snyder
 Councilman: Anthony Cidras

Recording Secretary: Charlene Diehl, Town Clerk

Supervisor Brown called meeting to order at 7:30 and led the Pledge of Allegiance.

Mr. Brown introduced Sonya Smalesky as representing Mr. Shaw at the meeting.

Motion made by Councilwoman Lamberta, seconded by Councilman Cidras, to accept minutes of the August town board meeting, after Ms. Lamberta read a portion of the amended minutes "Councilman Cidras said in addition to what he had seen he had gotten accounts from several people about what they had seen and asked Jerry Smith to repeat what he had told the board. Mr. Smith said he had made no statement of his opinions to the town board but he had made it to the Safety Committee, of which he is a member, when they were looking through the police manual. He said there was little intimidation from what he saw; he did think it was somewhat over the top from the amount of people getting up but personally saw no intimidation from what he saw of the recording of the meeting."
All in favor; none opposed.

Motion made by Councilwoman Snyder and seconded by Councilman Cidras, to accept the minutes of the September meeting. All in favor; none opposed.

Motion made by Councilman Cidras and seconded by Councilwoman Snyder to pay the audited bills.

Supervisor Brown: Aye Councilwoman Lamberta: Aye

The Town Clerk read two letters: one to the Board from Ralph DelPozzo regarding his job as the Assessor and one from Janet Miller donating \$50 to the Town in memory of Patsy Zanchelli.

Highway Update

Anchorage and Cheviot docks will be coming out in the next few weeks;
Axle broke on backhoe and it will be in for repairs for a few weeks;
Lasher Avenue being worked on;
Trucks inspected and getting ready for winter;
New loader expected the end of November.

Maintenance Update

Anchorage port-a-potty and tables picked up after docks come out;
Beach House closed for the winter;
6 requests for service sheets completed.

Sewer Update

#1 motor has blown out; switched to #2 and in the process of replacing;
Working with engineer about a new connection;
Mr. Sharpe is taking Recertification class for license renewal.

Police Update

During the month of September there were 250 patrol hours logged.

The second speed sign has been repaired and will be going out at random times and in random places.

All annual training has been completed; the Policy manual is still being reviewed by the Sheriff's Department and they hope to have it back next month.

Community Reports

Keep Farming: no update

Revitalization Committee: Has been meeting once or twice a month; the next meeting is October 24th at 9:00am.

Memorial Committee: no update

Sidewalk Committee: Supervisor Brown has interviewed 3 engineering firms and is waiting for a contract from the State to announce the firm and begin survey work. Once this happens, survey work can commence; a special meeting will be convened to award and confirm the engineering firm and groundbreaking will hopefully begin in the spring.

Dales Bridge: Estimates are being gathered for the digging of the well.

Safety Committee: Police Commissioner Rekow has addressed in his Police update.

Ed Murray, Robert Latimer and Mark Brown, representing Northern Dutchess Paramedics made a presentation about their services. Since they took over Southern Columbia four years ago their call volumes are spiking, more people are being treated and they geographically cover 5 towns over 200 miles with only 3 north/south and 4 east/west routes, which is a challenge to their desired response times.

They are seeking to adequately fund their program and to try to overcome the geographic challenge by establishing a First Responder.

Supervisor Brown said a bulletin was sent to the Supervisors about stepping up the level of service - the largest obstacle is fiscal. Councilwoman Lamberta commented that the Highway and Fire Departments both have First Responders and it was acknowledged that the training to them is provided by Northern Dutchess.

Councilwoman Snyder asked about the cost to the town and how much they get from insurance and private reimbursement. The entire subsidy that all 5 towns contribute is \$188,700 and said the cost of maintaining one ALS ambulance on a 24/7 basis is \$480,000. The participating towns are Taconic, Livingston, Ancram, Clermont and Germantown.

Plan for subsidy to cover deficit over a 3 year period: \$265,800 for 2008; \$342,900 for 2009 and \$420,000 for 2010.

Supervisor Brown said the hard part for the 'Southern Tier' Supervisors is sitting down and figuring out how to split the increase that Northern Dutchess is looking for to provide this service to the community and contributing their 'fair share'. He thanked the gentlemen for coming in and said that he and board will be talking about this further.

Old Business

The new loader for the Highway Department is expected sometime during the end of November/beginning of December.

A Budget Workshop will be held on Thursday at 5:00pm at the Town Hall.

Mr. Peter Fingar made a presentation on the Powder Mills Spring project, a memorial planned for the Tri-centennial in 2010. The pond, on County Rte 8, has an open well that flows all the time and was connected at one point to a watering trough, which still functions. He proposes to repair the trough and make a mini-park, with benches and maple trees for the townspeople to enjoy. He wants to remove some existing trees, repair the open well and put in drain pipe and surround with local fieldstone, move a large boulder to the site and put a plaque commemorating the site on it. He said the estimated cost is roughly \$8,000 with a 6-month timeframe to complete. He said the reason it's called Powder Spring is because the water has a powder color to it, the result of clay in the water that stays in suspension.

Local Dog License fees:

Councilwoman Snyder contacted numerous surrounding towns to see what their local dog license fees were. Based on that information the board suggested a local fee for Germantown be instituted. The state fees for spayed/neutered dogs is \$2.50 and un-spayed/un-neutered dogs is \$7.50. The proposed local fee is \$2.50 for spayed/neutered dogs and \$7.50 for un-spayed/un-neutered dogs.

Local Law #2

Section 10 Article 7 NYS Agriculture & Market law, Town of Germantown, Town Board, amended October 22,

Pursuant to section 110 of the Agriculture & Market Law, State of New York, the following animal license fees are hereby established for all dogs within the Town of Germantown:

Spayed female - \$ 5.00
Un-spayed female - 15.00
Spayed male - 5.00
Un-spayed male: 15.00

The additional fees imposed by Section A of this law shall be the property of the Town of Germantown and shall be used only for controlling dogs and enforcing Article 7 of New York State Agriculture & Markets laws. The local law shall take effect immediately upon the filing of said law.

Motion to approve made by Councilwoman Snyder and seconded by Councilwoman Lamberta.

Supervisor Brown: Aye Councilman Cidras: Aye

Resolution #41

Needed so the County of Columbia could accept money for FEMA damages

Columbia County Hazard Medication Planning Program. At the meeting of the Germantown Town Board, held at the Germantown Town Hall, 50 Palatine Park Road, Germantown, NY duly called and held on the 22nd day of October, 2007 the following resolution was proposed and seconded:

WHEREAS, the Town Board of the Town of Germantown supports the Columbia County Emergency Management's Hazard Mitigation Plan program,

THEREFORE, be it resolved that the Town Board of the Town of Germantown hereby agrees to participate in the Columbia County Emergency Management's Hazard Mitigation Plan program and to further participate with the State Emergency Management Office and the Federal Emergency Management Agency. Upon the question of the foregoing resolution the following town board members vote aye or nay for said resolution:

Supervisor Brown: Aye Councilwoman Snyder: Aye
Councilwoman Lamberta: Aye Councilman Cidras: Aye

New Business

New Zoning Committee

Supervisor Brown apologized for not having all the names for the proposed Zoning Committee due to a computer crash. As soon as the information is available he will make the announcement.

Resolution #42

BE IT RESOLVED by the Town Board of the Town of Germantown in the County of Columbia as follows:

WHEREAS Robert Stickles Jr's term as Region 6 County Planning Board member expires on December 31, 2007,

WHEREAS the County Planning Board has indicated that Mr. Stickles has expressed an interest in reappointment to serve another term,

THEREFORE BE IT RESOLVED that Robert Stickles Jr. be re-appointed Region 6 Representative to the County Planning Board for the term of January 1, 2008 to December 31, 2010 in accordance with all Columbia County and New York State laws so governing.

Roll call vote:

Supervisor Brown:	Aye	Councilwoman Lamberta:	Aye
Councilwoman Snyder:	Aye	Councilman Cidras:	Aye

Resolution #43

The Town Board of Germantown would like to take a stand, along with County Clerk Holly Tanner, in making this resolution:

WHEREAS the Town Board of Germantown opposes the position taken by Governor Elliot Spitzer concerning the issuance of NYS Driver's licenses to illegal aliens. By this resolution, the Town Board of Germantown encourages the Governor to begin an open dialog with the Senate and Assembly prior to enacting any change in the current law.

Motion to approve made by Councilwoman Lamberta and seconded by Councilman Cidras.

Supervisor Brown:	Aye	Councilwoman Snyder:	Aye
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Supervisor's Report

- Pace Law School conducting training for zoning and planning board members and local legislative bodies on December 8, 2007 at 8:30am - notice sent to boards;
- Annual inspection of Sewer plant by DEC and satisfactory rating was given;
- Town of Stuyvesant borrowed our speed signs for about 2 weeks; they are looking to purchase something similar;
- Northern Dutchess Paramedics hosting Health & Safety Day on October 27th at location barracks in Rhinebeck, call the Town Hall for more info;
- Columbia County Board of Elections Absentee ballots available at Town Hall;

Public Hearing held on 2 properties in disrepair last Monday, and Supervisor Brown said that one of the property owners had shown up and was given 60 days to contact a lawyer and get his affairs in order. The owner of the second property had shown up before the board meeting tonite to refute the claims, thinking the hearing was occurring then. The Supervisor asked the board how they felt about extending the same decision to her as the first property owner, before proceeding with condemning the property. The board was in agreement in giving the owner of the second property 60 days to contact a lawyer and get her affairs in order as long as all taxes have been satisfied.

Supervisor's Notes

- An evaluation of all town employees was being conducted in-house;
- Town Revitalization Committee meeting - October 24th at 9:00am;
- Town Sidewalk Committee meeting - October 31st at 9:00am;
- Removal of campaign signs is a crime; if you don't like a particular don't vote for them; he has spoken with supervisors around the county and they report signs are being removed from all over the county;
- PTSA parade and Fun Nite coming up this Saturday with a haunted house and possible hay ride - 4:45 on Saturday starting at Palatine Manor with the event at the Park from 6:00-10:00pm;
- The Supervisor and Town Board will be on the corner of Main St and Church Ave handing out candy on Halloween nite;
- Budget Workshop on Thursday at 5:00pm;
- Public Hearing on the Budget on November 8th at 5:00pm;
- Next Town Board meeting on November 19th at 7:30.

Open to the Public

Mr. Otty: Thanked the board for their support during the Steamboat Days event and said it was nice to have the town support for the event. He also thanked them for the support during the Halloween Harvest event along with the farmers providing apples and hay and thanks town and community for their support. They were also able to use state resources during the County Seats Tour.

Councilwoman Lamberta said she and the board wanted to thank Mr. Otty as well for his service to the Parsonage.

Mr. Smith: Wanted to know if Northern Dutchess Paramedics was a confirmed for-profit agency and if the board had a complete set of its records and finances in order to make a decision about whether to use their services.

Mr. Osgood: Reported that the Comprehensive Planning Committee had met 3 times in the last 6 weeks to consider all the comments it had received from the boards; they took the recommendations into consideration and are rewriting portions of the plan to incorporate the comments and it should be ready in about 2 weeks. He said there will be revised language in the Proposed Zoning categories and that the 5-10 acre language is out. He said the Committee stands strongly behind the idea of conserving open space and recommends the zoning regulations reflect preserving open space. He also feels that asking for the cost of implementing the plan is unrealistic and that accepting ideas is what the goal of the board should be; future boards will determine what to implement and this is what has been done in the past.

Mr. Schiff: Wanted to speak on the issue of the signs and Councilwoman Lamberta stated that the issue had already been discussed and made a motion to close the discussion section of the meeting. Mr. Schiff wanted to take note of the town resolution passed regarding the actions of Governor Spitzer and appreciated Supervisor Brown's comments regarding the theft of the signs. He wanted to read from a document that was sent to the board last week from the Chairperson of the Democratic organization in Germantown in which she wished to file a formal complaint of the Germantown Police regarding the theft of 23 campaign lawn signs

for candidates of the Democratic party in the November elections. She asked the police officer for information about statutes pertaining to the theft of lawn signs and nobody has yet to return her call. She was referred to the County Sheriff's Office to file a complaint but also wanted the local police department to be alerted to this problem since they patrol our town. The issue is not only theft but trespass, which is generally a misdemeanor according to the Board of Elections. The concern is not only for the interference of free speech but the interference with the political process. Mr. Schiff said the Police Department is charged with the responsibility of protecting the public and nobody is responding to this charge. He feels the board should make a comment or pass a resolution condemning this type of activity. He is fearful about putting any other signs out and is concerned that the Police Department is not acknowledging this situation.

Supervisor Brown said he had already commented about the signs and the Police Department received a copy of the e-mail Mr. Schiff had quoted from. The Police Department to his knowledge is looking into it and this problem has been going on many years, even when Mr. Brown was running for office.

Mrs. Abraham relayed what her account of events was and Supervisor Brown requested that the Police Commissioner follow up with her about the complaint.

Police Commissioner Rekow relayed how to file a formal complaint with the Police Department, and said the Police Department is looking into the situation and if anyone is caught they will certainly be arrested.

Mr. Craig: Suggests the Zoning Committee members be invited to attend the training on December 8th once the names are retrieved from the computer and also recommends the board put the proposed budget on the web site.

Mr. Davies: Said that his attorney had sent the town a request for all copies of documents regarding the creation of any committee pertaining to revising the Police Policy Manual and the Board of Ethics and that there has been no response to his concerns to date. He also has not received any information about disciplinary actions towards the police officer involved in the situation he's referencing. Supervisor Brown said they have discussed it and he has his answer - no more comment by the Supervisor will be made on the incident. Mr. Davies said the board has been given a 60-day ultimatum and Mr. Brown can save the town some money by explaining what the punishment was, apologizing to him and the town and providing information to him.

Ms. Oughton: Asked if the Police Commissioner's report included number of speeding tickets issued since she is concerned about people speeding through town. Mr. Rekow said they only say how many tickets were issued, not the breakdown of what they were issued for. Mr. Rekow said that in addition to town police, county and state police patrol as well.

Ms. Ahrens: Inquired about the possibility of having lights on outside town hall. Supervisor Brown said he will talk with the Maintenance Department about putting in a streetlight.

Deputy Supervisor Jason Clum mentioned the Halloween event and volunteers were still being sought to help with the activities. He thanked the PTA, Germantown Park Commission, Supervisor Brown, Austin Sullivan and George Sharpe Jr. for helping with the event. He also reassured a local business owner that Palatine Park Road would still be accessible for her customers to utilize.

Motion to adjourn meeting made by Councilman Cidras and seconded by Councilwoman Snyder; all in favor, none opposed.

Respectfully submitted,