

Minutes of Germantown Town Board Meeting, held November 19, 2007 at the Germantown Town Hall, commencing at 7:30pm

Present: Supervisor Roy Brown
Councilwoman Graceann Lamberta
Councilwoman Joan Snyder
Councilman Anthony Cidras
Town Lawyer Jason Shaw
Highway Superintendent Richard Jennings

Recorded by: Town Clerk Charlene Diehl

Supervisor Brown led the Pledge to the Flag.

Motion to approve minutes of October's meeting made by Councilman Cidras and seconded by Councilwoman Snyder, with all in favor, none opposed.

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

Supervisor Brown: Aye Councilwoman Snyder: Aye

Letters to the Board

The Clerk read a letter from Mr. Black listing all the businesses in Germantown in response to those concerned about the poor state of the town's business district, announced the upcoming Thanksgiving Day Dinner at the Activities Building and the Germantown Garden Club's 6th Annual Festival of Trees on December 8th & 9th.

Highway

- rolling out ditches and basins;
- getting the snowplows ready for the winter;
- loader to be delivered soon;
- he attended a Water Runoff Incentive School at Kozels with George Sharpe Jr. which was very informative;
- fire extinguishers inspected and serviced throughout the town buildings;
- pipe-work done on East Camp Road, making the road safer for 2 cars to pass.

Police

154 patrol hours logged for the month of October, which included 15 vehicle and traffic violations.

Community Reports

Keep Farming - Chuck Abraham said about 100 people attending the mid-point meeting of the Keep Farming Program - statistics have been gathered and they plan to publish the reports, probably in January.

Town Revitalization - continues to meet. The Holiday Stroll will have lighting throughout the village and they are looking for donations from local businesses. In

stage of creating their own LDC-Local Development Committee - and plan on increasing signage regarding local businesses. Councilman Cidras reminded Mr. Fingar to get the Dept of Transportation's ok before erecting signs.

Sidewalk - hasn't met in several weeks - still waiting for the contract to come from the State. They were told it was coming last week but it hasn't been received yet. They would like to get drawings and layout work done over the winter.

Dales Bridge - no development as yet - Councilwoman Lamberta won't have a complete assessment until January.

Safety - Lt. James Andrews and Sgt. Michael Morante, representing the Columbia County Sheriff's Office Law Enforcement Division, were in attendance. Sheriff Harrison had offered the Sheriff Office's assistance a few months ago regarding the review and updating of the Town's Police Policy and Standard Operating Procedures. They have met with Commissioner Rekow at least three times since August. The Sheriff's Office has recently received their accreditation from New York State which means they have met 130 standards set forth by the state for Standard Operating Procedures. They report that the Code of Conduct for the Police Officers has to be tailor-made because of the smaller size of the department and it is up to the Town and the Police Commissioner to determine what the Standard Operating Procedures will be. Working on department policies will take awhile and can't be done overnight; it's fair and safe to say that it would take at least a year for the town to be able to adopt its Standard Operating Procedures. Supervisor Brown clarified that the Code of Conduct Part of the Policy is the recommended first step in the process of defining Standard Operating Procedures.

Supervisor Brown thanked the Officers and the Sheriff's Department for working with Commissioner Rekow and the Police Department and said this is something that is sorely needed in Germantown.

Old Business

Motion to approve the 2008 budget made by Councilwoman Snyder and seconded by Councilman Cidras.

Supervisor Brown: Aye Councilwoman Lamberta: Aye

Northern Dutchess Paramedics Chargeback with the County. Three years ago the amount paid to NDP by the Germantown residents was \$45,000, and last year the board gave them a 15% 'raise" to \$51,000. Supervisor Brown recommends, based on his discussion with the other town supervisors of Gallatin and Taconic, and will recommend to the supervisor of Clermont the same; that another 15% be given, making the total contribution to NDP \$59,513 this year. There is also talk that the Northern Dutchess Paramedics will be bought out this year as well.

Chargeback Agreement: This agreement made as of the 19th day of November, 2007 by the Town of Germantown and the Treasurer of the County of Columbia County,

WHEREAS, by Resolution Number 287-2002 of the Columbia County Board of Supervisors, the Columbia County Treasurer is authorized to establish charge-back accounts for any municipality wishing to have said municipality's expenditure for rescue-squad service imposed upon county real property tax bills for the amount attributable for such expenditure and ,

WHEREAS, the Town Board of the Town of Germantown has determined that the County Treasurer shall chargeback the amount specified herein to the local property taxpayers of said town responsible for such expenditure, and

NOW THEREFORE, the undersigned parties agree as follows:

1) That the town hereby requests that the Treasurer of the County of Columbia charge the appropriate real property taxpayers within the town the sum of \$59,513 on the proportionate basis of real property tax assessments within said town,

AND the town hereby requests that the Treasurer of the County of Columbia, upon collection of said amounts, pay to the Northern Dutchess Rescue Squad the amount of \$59,513, the chargeback account established by the Columbia County Treasurer for the Town of Germantown for rescue squad services.

IN WITNESS whereof the parties have set their hands and seal hereto on the dates written below.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Roll call:

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

Councilwoman Snyder said that she wanted to make a motion to schedule a Public Hearing on December 15, 2007 in favor of the property owned by Henry Terranova on 9G to be rezoned from RA1 to Village Residential, and referenced page 82 of the proposed Comprehensive Plan which shows this specific parcel and recommends that it be rezoned. Possible future development could bring additional tax revenue to the town as well as additional housing for the working population, and additional pay usage to the sewer district.

Responding to a question from Supervisor Brown of why do the rezoning now vs. waiting until after the Comprehensive Plan is adopted and going through the Zoning Committee, Councilwoman Snyder said the town needs it rezoned now to either develop or sell - waiting for the Comprehensive Plan will take too long. She said this way Mr. Terranova will have the option of selling his property. Town Lawyer Jason Shaw said generally when a Public Hearing is held, it's in the context of changing a local law so the public will know what the law says before they make a decision and he could have legislation available for public review. Supervisor Brown said the board will revisit the issue once the language is drafted.

Supervisor Brown said Police Officer Mike Lawson had approached him about the issue of having a local law amended regarding snow removal and having vehicles moved by either the Superintendent of Highways or the Police Department during a snow emergency, and the board will be looking to address the problem.

New Business

PTSA Holiday Celebration - Liz Bathrick updated the board and public about the December 2nd Holiday Stroll & Tree Lighting that will originate at Palatine Manor with caroling and continue through the village, stopping three times for musical performances. The PTSA tried to involve all businesses and will be selling ribbons for a Memory Tree with the raffle proceeds going toward future park events. Lighting is in the works and the Germantown Garden Club will be displaying their wreaths. There will be visits with Santa at the Activities Building which is where the stroll ends.

Supervisor Brown announced the members of the new Re-Zoning Committee, which will help take the recommendations of the Comprehensive Plan to the next step:

Chairman: Joel Craig
Tom Bower
Rao Gaddipati
Don Crews
Anthony Cidras
Graceann Lamberta
John Fieser

Mr. Brown said he'll have a charge of duties for them to present shortly; he has the new updates on the Comprehensive Plan and he'll pass the info on to the Re-Zoning Committee.

Motion to appoint the Re-Zoning Committee made by Councilwoman Snyder and seconded by Councilwoman Lamberta.

Supervisor Brown: Aye Councilman Cidras: Aye

Mr. Shaw brought up the subject of taking all the local laws and creating a Code of the Town of Germantown, which would make public accessibility greater in that the document could be purchased. The Company he would refer is General Code Publishers, and a representative would review all existing laws and minutes to make sure they were adopted properly as well as make recommendations to the board. The Code would be adopted by the board as a whole and he thinks the board should consider the project. He will contact a representative to discuss with the board and give a cost estimate as well as a presentation.

Supervisor Brown brought up the fact that the Zoning and Planning Offices, as well as the Building Inspector, all share one office/room. He talked with the board and had someone from the County come down to evaluate the space situation. He suggests swapping offices with the Police Department, which would free up space for zoning and planning board members to work. He said the Tax Collector's office could be rolled into the new space as well, and will work with the County to move offices around after January 1st.

board and their suggestion and very disappointed that Joel resigned and said it was a weak committee to begin with and the town has lost a really great leader.

Dorothy Montague: has been a member of the Comprehensive Planning board since its inception and after listening earlier is confused about the town board's intent and direction and doesn't want the board to take this route. She said the board still has the opportunity to act as leaders, the committee is narrow and doesn't represent everyone in town, and it's a shame that not one person on the Comprehensive Planning committee is on the Re-Zoning Committee.

Kay Abraham: shocked by what happened this evening, especially Joe's resignation - he has the best interest of the town at heart and thinks he feels betrayed by the board. She said there is no institutional knowledge represented on the Committee and with Joel gone no experience at all and thinks more experienced people should be on the Committee.

Sally Saul: doesn't understand why Councilwoman Lamberta is on the Committee; said it sounds like a conflict of interest and unethical and respectfully requests Supervisor Brown reconsider that decision.

Larry Osgood: expressed his total dismay at what has happened tonite and as a member of the Comprehensive Plan he's astonished that the town board is choosing to ignore the recommendations and the board's actions have pushed Joel to resign. He stated his disappointed that the 5-10 acre zoning issue was used as a campaign tactic by Councilwoman Lamberta.

Arthur Schiff: thought that the board would be starting fresh and that Town Lawyer Jason Shaw had said a full set of plans would be needed for a zoning change, i.e. SEQR review. The board should call a moratorium on zoning and the loss of Joel Craig being replaced by the Terranova project is not the way to start a new year and is a very sour note to end the year on.

Cindy Smith: questioned why Joel Craig was not seated since he replaced someone who passed away; he could have been appointed by the board and why wasn't he so that the town could have a fully elected board. She asked Supervisor Brown to look into the matter so the empty seat could be filled. She also asked why nobody from the Comprehensive Plan was included in the Re-Zoning Committee and Supervisor Brown said that per Joel's recommendation two members from the Zoning and Planning boards be on it, two members of the town board and he added John Fiezer to make an odd number.

She questioned whether three members from the town board should be on the Re-Zoning Committee and if the election had turned out differently it would have been illegal since it would have constituted a quorum.

Mr. Schiff clarified that if Joel resigned from the Re-Zoning Committee it doesn't mean that he resigned from the Town Board, and would like people to be brought in representing different backgrounds.

Supervisor Brown reminded everyone that the next Town Board meeting will be December 17th at 7:30.

Motion to adjourn the meeting made by Councilman Cidras and seconded by Councilwoman Lamberta, with all in favor and none opposed.

Respectfully submitted,