

Minutes of September 15, 2008 Town Board Meeting, held at the Germantown Town Hall, Germantown, NY, commencing at 7:00pm

Present: Supervisor Roy Brown  
Councilwoman Joan Snyder  
Councilwoman Graceann Lamberta  
Councilman Joel Craig  
Councilman Jeremy Smith  
Town Lawyer, Jason Shaw

Recorded by: Town Clerk, Charlene Diehl

Supervisor Brown opened the meeting and led the Pledge to the Flag. The Supervisor informed the public that student interns, working with the Council members, were in attendance behind the board on the dais. Caitlyn Briggs and Kelly Bentley are working with Councilman Smith; Francisca Morales is working with Councilwoman Lamberta; Michelle Zipp is working with Supervisor Brown; Emily Robinson and Emily Buehler are working with Councilwoman Snyder; and Andrew Miller is working with Councilman Craig.

Motion to approve the minutes from the August town board meeting made by Councilwoman Snyder and seconded by Councilman Smith, with all in favor and none opposed.

Motion to pay audited bills made by Councilwoman Lamberta, and seconded by Councilman Craig.

Supervisor Brown: Aye Councilwoman Snyder: Aye  
Councilman Smith: Aye

### **Communication - Town Clerk**

The clerk read a letter to the board from Robert Opatrny regarding enforcement of a restrictive covenant deed for a property on Rte 9G as well as a letter from David Black concerning the proposed Junk Law in Germantown. The letters are available in the Town Clerk's office.

### **Department Updates**

#### ***Highway Department - reported by Anthony Cidras***

- oil and stone work complete on Dales Bridge and Round Top Roads;
- concrete markers painted bright yellow;
- Anchorage docks about to be pulled from the lake;
- gathered prices and information for gas and diesel key systems, which records gas and diesel use by all town vehicles. Supervisor Brown said that all county outposts have this system - at midnite the computer pulls the information and then generates a report.

#### ***Sewer Department - reported by Anthony Cidras***

- maintenance on Pump Station, blowers and UV lights;
- tank painted at Pump Station #2;
- chain link fence repaired;
- assisted with the closed of the lake;
- Average Daily Gallons - 33,500

#### ***Parks - reported by Anthony Cidras***

- an energy audit of all town buildings was conducted, and a report will be provided;
- the lake was closed;
- Dales Bridge project is underway - Anthony met with the property owners adjacent to the area;
- parts ordered for the Scag mower;
- repairs were done in the Activity Building restrooms;
- basketball posts are up and the lines will be painted soon;
- PTSA is having a Halloween event on October 18<sup>th</sup>

Councilwoman Lamberta thanked Anthony for giving the reports and requested that he share the Dales Bridge grant info, as well as exchanging emails, with the student intern working with her.

Councilman Craig inquired about the progress of the installation of windows and doors at the Activities Building and Anthony reported that the window installation was complete; there was a problem with the doors that slowed him down but anticipates the job will be completed shortly.

Anthony requested from the public that if they go to the Anchorage and see 'litterbugs' to let the police know, as he recently spent three hours picking up trash and bottles from the area.

**Police Department** - reported by Roger Rekow

- 178.5 hours worked; only 19 are paid; the rest are voluntary.

Police Commissioner Rekow reported that the Sheriff's Department and the County Board of Supervisors recently declared a 2003 Ford Expedition surplus, and the vehicle will be coming to the town, at no cost, for the Police Department's use.

Councilman Smith asked that a cost comparison of the Police Department be included in this year's budget.

**Parks Commission** - reported by Mike George

- Halloween meeting was held in preparation for the event on October 18<sup>th</sup> and the Commission is looking for volunteers;
- Pat Buchanen was thanked for his assistance with the basketball posts;

**Economic Development Committee** - no update

**Re-Zoning Committee:** Councilman Craig reported that the committee met with the three finalists from the Request for Proposal (RFP) applicants. He stated that they all had experience and they all stressed the need for local input. The Committee will be making their suggestion in the coming weeks.

Councilman Smith said the 300/400 Celebration committees were pleased to announce they had received a grant for a plaque to be installed at Lasher Park/Anchorage as well as information on Henry Hudson to be placed in the Germantown library. The grant they had requested to improve the riverfront wasn't granted but the committee will continue to look for grants.

Mr. Smith said the Oral History project was almost off the ground and they have pinpointed some folks they'd like to meet with. The next meeting will be in mid-October.

**Old Business**

Greg Fingar of Fingar Insurance gave a presentation to the board on New York State Disability Benefits insurance. He suggested the board add it to the town policy to offer employees since it could benefit the town.

Motion to approve giving Disability benefits to town employees was made by Councilman Smith, with a second by Councilwoman Lamberta.

Supervisor Brown:                      Aye                                      Councilwoman Snyder:                      Aye  
Councilman Craig:                      Aye

Councilman Craig asked about the possibility of municipalities going in together on insurance costs. Mr. Fingar said it's a possibility though he's not aware of anything available at this point as the insurance is based on streets and roads in addition to premiums for the Police Department and the pond.

Mr. Fingar also went over the town's insurance policy with the board and suggested a review of vehicle coverage to see if adjustments should be made. He said the town is done paying into capitalization and that October 1<sup>st</sup> will be the effective date for the NYS Disability benefits to take effect.

Police Department Policy manual - Police Commissioner Rekow recommends that the board approve the policy manual. Councilmen Smith and Craig thought the board should wait until the grammatical review has been completed by Larry Osgood before adopting the policy manual and the board was in agreement.

Supervisor Brown said that comments will be taken on the website regarding the Proposed Junk Law and adopting the Code of Ethics until September 30<sup>th</sup> at which point they will be turned over to the appropriate committees for potential inclusion/revision before adopting.



Motion for the town board to take responsibility for erecting a 9/11 memorial made by Councilwoman Snyder and seconded by Councilwoman Lamberta.

Supervisor Brown: Aye Councilman Craig: Aye  
Councilman Smith: Aye

Supervisor Brown said the county had adopted the town's Hazard Mitigation Plan and incorporated it into a package with other plans but in order to collect FEMA money if needed a resolution would be required.

Resolution #37: Adopt Multi-Jurisdictional Hazard Mitigation Plan

*UPON, recommendation of the County of Columbia;*

*WHEREAS, the President signed the Disaster Mitigation Act of 2000 into effect on October 30, 2001 to improve the planning and set standards for mitigation throughout the nation; and*

*WHEREAS, the Act requires an approved pre-disaster Hazard Mitigation Plan (HMP) in order to be eligible for mitigation project funding; and*

*WHEREAS, the development of this plan fulfills other Federal Emergency Management Agency (FEMA) planning requirements making the Town of Germantown eligible for further mitigation funding; and*

*WHEREAS, the Town of Germantown undertook an extensive Hazard Mitigation Planning process, the details of which are outlined in the attached HMP, to develop this multi-jurisdictional HMP (attached hereto); and*

*WHEREAS, the policies and mitigation measures designated by this HMP are intended to cost effectively reduce the impacts from hazards identified as the most prevalent in the Town of Germantown; and*

*WHEREAS, by implementing this plan, the Town of Germantown and participating jurisdictions seek to reduce the loss of life, injury, property damage, economic impact, direct cost and community impact resulting from disaster;*

*NOW, THEREFORE BE IT*

*RESOLVED, that the Town Board of the Town of Germantown hereby adopts the Multi-Jurisdictional HMP as a means that will guide cost effective mitigation of hazards threatening damage to property and lost of life; and be it further*

*RESOLVED, that the Town Board of the Town of Germantown hereby authorizes the submission of this plan to FEMA for final consideration and approval; and be it further*

*RESOLVED, that certified copies of this resolution be forwarded to the State Emergency Management Office (SEMO), the Regional Emergency Management Office (REMO), the Emergency Management Office, the Department of State, the County Clerk, the Columbia County Attorney, and the Columbia County Treasurer.*

Motion to approve made by Councilman Smith and seconded by Councilwoman Snyder.

Supervisor Brown: Aye Councilwoman Lamberta: Aye  
Councilman Craig: Aye

Resolution #38: Grant to Update Court Facilities

*WHEREAS, the Town of Germantown is applying to the Office of Court Administration for a grant to improve the Germantown Town Court facilities, as several recommendations have been made for improved security,*

*WHEREAS, the grant application requires the applicant municipality to obtain the "approval/endorsement of the governing body of the municipality or municipalities in which the project will be located";*

*NOW, THEREFORE BE IT RESOLVED that the governing board of the Town of Germantown does approve and endorse the application for a grant to improve the Germantown Town Court facilities, as discussed at the August 18, 2008 Germantown Town Board meeting.*

Motion to approve Resolution #38 made by Councilman Craig and seconded by Councilman Smith.

Supervisor Brown: Aye Councilwoman Lamberta: Aye  
Councilwoman Snyder: Aye

Motion to draft a resolution to recognize the Germantown Fire Department made by Councilman Craig and seconded by Councilman Smith.

Supervisor Brown: Aye Councilwoman Lamberta: Aye  
Councilwoman Snyder: Aye

Councilwoman Snyder said she had received a request from the Highway Superintendent, along with two price quotes of \$553.60 and \$617.00, to purchase a Vostro 200 computer for the Highway Department. Supervisor Brown said he had put his old computer in the Highway building but problems with the computer have persisted and the computer still is not functioning correctly.

Motion to approve the purchase of a computer for the Highway Department made by Councilwoman Snyder and seconded by Councilwoman Lamberta.

Supervisor Brown: Aye Councilman Craig: Aye  
Councilman Smith: Aye

Councilman Craig brought to the board's attention that the Department of Environmental Conversation (DEC) had recently put a sign up at the Anchorage with a list of regulations, a few which the town appears to be in violation of. Supervisor Brown said he will call the DEC chairman and look into the situation.

Councilman Smith said he is hoping to have a town picnic at the Anchorage next year to celebrate the Quadricentennial.

### **Supervisor's Report**

- There has been a raise in the Heating Assistance program (HEAP) on the State side, from \$700 to \$800. The eligibility limits have been changed to now include income levels up to \$45,312.00 or less and the Emergency Benefit application process has been streamlined as well. The county expects to see a significant increase in applications this year. Councilman Smith asked if the details could be put on the town website for folks to see. November 1<sup>st</sup> is when the program opens to new applicants and on October 18<sup>th</sup> at Columbia Greene Community College there will be assistance available for those who need help in filling out the HEAP applications. There will be flu shots available there as well.
- As announced earlier, Mike Lawson and the Supervisor have been working with the County to secure a 2003 Ford Expedition made surplus by the Sheriff's Department. A resolution was passed at the county last week authorizing the transfer from the County to the Germantown Police Department. This vehicle replaces a 1995 Ford Crown Victoria that needs replacement, and delivery should be taken very soon.
- The Health Department announced that Lyme cases for 2008 is 420 for the year so far, versus a total number of 315 cases for 2007. The Health Department continues to track all reported cases and is continuing to do Lyme awareness programs throughout the county.
- Senator Saland's Golden Gathering will be held October 18, 2008 at Columbia-Greene Community College and a whole host of information and services geared towards our Senior population will be available, as will flu shots and assistance in filling out HEAP applications.
- The first town board workshop on the proposed 2009 town budget will be held on October 9<sup>th</sup> at 6:00pm. If needed the second workshop will be on October 23<sup>rd</sup> at 6:00, with a public hearing scheduled for November 6<sup>th</sup> at 6:00pm at the Town Hall.

Councilman Smith suggested that the student interns should be present at the budget workshops as well, if they are available.

### **Open to the Public**

Mrs. Aeillo: wanted to comment on the letter written by Mr. Opatrny as she has property adjacent to Patricia Heller. She said Ms. Heller is operating a business on restricted land, per her deed restrictions and she handed the board members copies of a petition. She said the

town should take action and make Ms. Heller heed restrictions on her land and the board has the authority to enforce the restriction.

Ellen Epstein, chair of the Zoning Board, said she wants an opinion/interpretation from the town attorney as to whether the town has the ability to enforce the restriction.

Ms. Epstein spoke to Councilman Smith's statement about not getting the grant for waterfront development and said that Germantown doesn't have a waterfront development plan and that developing one should help the town in the future to secure monies for waterfront revitalization. Councilman Craig suggested a joint venture with Livingston and Clermont on this project.

Supervisor Brown requested that town lawyer Jason Shaw give an opinion on the zoning issue and that Councilman Craig will meet with Ms. Epstein and the attorney to go over board minutes.

Councilman Smith indicated he'd like to discuss the waterfront revitalization at the next board meeting and also that he's asked the History Department to put together a nucleus Friends of Parsonage group.

Arthur Schiff said that Hudson obviously needs more money as evidenced by the need for increased sales tax revenues and called attention to the purchase of the Ockawamick building by the county to house Social Services. He said this is another blow to Hudson, which is an important tourist and business center, and would like to see discussion of this at the local level as he feels this is not a good move.

Betty Ahrens mentioned the lack of lights in the parking lot and said she had noticed there's a 'mess' at Cheviot Park and there are no garbage cans and only one bench. She also mentioned seeing a town police car at an establishment in Red Hook and questioned why they would be there. Supervisor Brown said he would look in the matter.

Martin Overrington said the Halloween event is October 18 and invited the public to come out for fun, games, haunted house and a haunted walk. He also requested that if anyone sees anything suspicious in town to let the police know – take care of your community.

Supervisor Brown said the next town board meeting will be held on October 20<sup>th</sup> at 7:00pm with a public hearing at 6:00pm.

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

Respectfully submitted,