

Minutes of August 18, 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 Clerk read the Notice to Meet.

Motion to approve the minutes from the July town board meeting made by Councilman Craig and seconded by Councilwoman Lamberta, with all in favor and none opposed.

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

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

Motion made to go into Executive Session to discuss future employment of Town personnel made by Councilwoman Lamberta and seconded by Councilwoman Snyder.

Motion to come out of Executive Session made by Councilwoman Snyder and seconded by Councilman Smith.

Communication - Town Clerk

The clerk read a letter to the board from George Sharpe regarding the age restrictions in the Youth and Park summer programs, a letter of thanks for the use of the Pavilion from the Choinsky family, a letter of thanks regarding their participation at the Independence Day celebration from the Greyhound Friends, Inc. and a letter from Faythe Smith concerning some issues she has with the proposed Code of Ethics. The letters are available in the Town Clerk's office.

Department Updates

Sewer Department:

- maintenance on blower, plant, 60 and 100 kw generator;
- annual mowing is complete
- fence being repaired;
- 38,700 average daily flow this month
- working on repairing/replacing Pump Station #2

Councilman Smith inquired from Supervisor Brown about the sewer problems that were mentioned last month. Supervisor Brown said George Jr. is working with Tectonic and will be sending a survey out to residents who are tied into the system.

Parks:

- general mowing continues;
- new lights in Pavilion were installed;
- ball fields set up for soccer;
- ordered material for pavilion at Dales Bridge;
- lake being dredged;
- moved Halloween materials from the Quonset hut which makes it ready for the Police Dept.;
- putting radar units out on Main St with a police car and Deputy Sheriff Eli Fieser patrolling around the school as well

Highway Department:

- shoulder work being done on East Camp Road;
- getting prepared to oil and stone the roads;
- working on road sides and mowing creeping grass;
- new address for Highway Department for 911 purposes is 67 Palatine Park Road;
- Highway Superintendent Richie Jennings thanked all who called or stopped by while he was convalescing

Police Department:

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

Police Commissioner Rekow reminded the board that the next session of the Police Academy starts the second Saturday of September and that Germantown has four candidates - all of whom passed the preliminary tests - which he recommends the town sponsor. Once the cadets go through the Academy and graduate they are obligated to serve the town until the end of the year. He also reminded the board that there are two unpaid officers on the force now working in order to maintain their police officer certification, and one is on the list for the State Police.

Councilman Craig asked Mr. Rekow if the candidates were local and Mr. Rekow said one is from Stockport, one from Greenport and two from Hudson.

Councilman Smith asked Mr. Rekow why the candidates come from out of town. Mr. Rekow replied that the sponsorship is to give them an opportunity and a stepping stone to get their foot in the door. Germantown has sponsored eight cadets who are currently employed in the Sheriff's Department as well as the State Police. Mr. Smith said he is prepared to sponsor the cadets but stated he would like an extensive look taken at the Police department, considering its budget time, to examine the financial aspects of having a local police department. He said it could be justified, but in these tough times the board needs to know it has a department that's financially helpful. He's not anti police, just wants to make sure the department is justified. Supervisor Brown said that all information will be gathered. Councilwoman Snyder said that at the end of June over \$17,000 in income had been generated with \$14,000 being spent; the department is doing well.

Motion to sponsor the four cadets, John Brailey, David Pulcher, Ryan Scalera and Angel Otty, for the upcoming Police Academy session made by Councilman Smith and seconded by Councilwoman Lamberta.

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

Parks Commission: Councilman Craig gave an update on Friday Nite at the Park, and said that the idea was slowly catching on and attendance increased each week. He thanked Mike George and the volunteers and said that they will evaluate the program for next year and either work on getting the word out earlier or change the activities.

Economic Development Committee: Corrine Curry is moving ahead with plans to list all local businesses on the town website. She also said that Gtel sent out a questionnaire to 80 local businesses and will list them in alphabetical order on their web site. Google will be providing analytical service, i.e. how many hits and which business gets the hits.

Re-Zoning Committee: Councilman Craig reported that the committee will be interviewing the top three candidates in the next few weeks and appreciates everyone taking the time to review the proposals.

Town Junk Law/Code of Ethics - Supervisor Brown reported that the public hearing was held on Thursday (8/14) and comments from the meeting will be provided to the committees or Jason Shaw as soon as the minutes are received from the Clerk.

Councilman Smith said he had a strong feeling that Jason Shaw's draft is too 'legalistic' and he doesn't want the Code of Ethics to be that way; he wants to make it simpler for the town. Jason Shaw took note of the comments with a view to provide an alternative draft.

Police Department Manual: Police Commissioner Rekow said the only update is that Larry Osgood is still in the process of editing the manual and when it comes back the Safety Committee will meet one more time and then pass the document along to the board for adoption. Supervisor Brown requested Mr. Rekow send a copy to Jason Shaw for review as well.

Videotaping of Town Board meetings: Supervisor Brown reported that Austin Sullivan was taping the current meeting with the town equipment. He will get the tape to Bruce Bohnsack tomorrow, which will give folks an opportunity to review the quality. Councilwoman Snyder asked folks to review the tape. Councilman Smith said he believes the standard should be maintained and that Dan's version was better, and Councilman Craig agreed. Supervisor Brown said the town will have a chance to review the tape quality and comment on which they prefer.

Supervisor Brown said there was a recommendation from the town's insurance carrier to offer disability benefits to employees and he wanted to know if there was support from the board. Councilman Smith and Councilwoman Lamberta suggested a representative come to a meeting to give them more information.

Councilman Smith suggested a Friends of Germantown Parsonage - a separate entity that would give support to the Parsonage through donations from private individuals, and would like to establish a 501C3 account. Supervisor Brown said the accountant and lawyer suggested this be done through a town account instead and the application will be provided by the accountant the next day. Councilman Smith inquired of Mr. Shaw the difference between the two accounts and stated that some folks who have money are reluctant to contribute it because they fear it will be used for purposes other than that intended. Mr. Shaw stated that when the town has specific accounts set up such as this the money cannot be used for general budgetary purposes and he believes that such contributions are tax deductible as well. Councilman Smith said he wants to make sure that contributions aren't discouraged because the Parsonage is an important part of history. Supervisor Brown said he will finalize answers with the accountant on the subject.

Councilman Smith said he had reviewed the Lundine report and he would like Germantown, Clermont and Livingston to establish a relationship for shared expenditures, and that cooperation between the communities is important in these economic times. He stated that Germantown is behind the times in ordering a new truck and inquired if the town could borrow a truck from another municipality to pare down costs. Supervisor Brown said he will set up a meeting with the supervisors and highway superintendents of the three towns for further discussion. Board members will be welcomed as well. He gave a hats off to the towns as we are already working together.

Councilman Smith mentioned the Town Justice Court Security and the potential extensive costs involved; he said it bothers him a bit in that he thought the procedures were successful and safe to date.

Supervisor Brown informed the audience that the Office of Court Administration (OCA) had come down to analyze the court facilities and that they are getting tougher on security issues, such as lighting in the parking lot. He and Austin are working with Judge Beaury on a grant to improve the facilities; several recommendations have been made and he is confident that Judge Beaury is on top of this in working on the grant. Mr. Brown said that the OCA is looking at every court facility in the state.

Councilwoman Snyder said she had read the article on consolidation of towns in the Association of Towns May 2008 issue and feels that government consolidation doesn't improve efficiency, the domestic migration loss is far below that of New York City's and that it discourages residents from relocating and increases house prices. She said she has a copy for those interested in reading the report and recommendations.

Councilman Smith said he had read the same article and had a totally different opinion. He believes the author had other motives for writing the article and most importantly the report's conclusions were based on data obtained from analyzing situations in large municipalities and not those from smaller communities such as Germantown that make up most of New York administrations.

Supervisor's Report

- budget estimate forms will go out to Department Heads this week;
- the town made a profit of \$121.86 from the Community Day Fireworks celebration;
- Judge Beaury has approached Supervisor Brown about internships in Town Hall and has five students who are interested. Mr. Beaury will get back to Mr. Brown with the details, but the intent is to have the students perform between 20 and 30 hours of internship service from September through December.
- there was a Town Hall meeting at Palatine Manor last week. A lot of issues came up for our representatives on hand, Senator Steve Saland and Bill Gannon from Assemblyman Pete Lopez's office, including how to make Palatine Manor a smoke-free residence.
- there were two public hearings last week, one on the proposed Junk Law and one on the updated Ethics Policy manual. Correspondence and minutes will be forwarded to the proper committees or town attorney, as mentioned earlier.
- County-sponsored resolutions continue to be put in the Town Clerk's office for residents to review.

Supervisor Brown said that New York State Department of Transportation sent the town a questionnaire with the explanation that the Governor's request to agencies to cut their budget is leading them to look at the sidewalk project status; the State is looking to cut back on some of its promises or to delay projects for up to two years. The town has the money already for the Dales Bridge Grant and has filled out the questionnaire. Germantown is moving forward with the project and Supervisor Brown is confident the town will keep the funding.

Open to the Public

Ellen Epstein wanted to put in a plug for the Comprehensive Plan, i.e. the bike path, and said she hopes the town will build one even if we don't get the grant. She wants to keep communication going to continue the process of establishing a bike path. Councilman Smith said the bike path could be incorporated into the River-site project.

Ms. Epstein also informed Supervisor Brown and the board of a resident who has concerns about development at Dales Bridge since he is an adjoining land owner. Supervisor Brown responded that the next time the committee meets he will invite the landowner so he is kept apprised of the situation. He has also asked the surveyor to look at the Dales Bridge boundaries and Ellen responded that other residents had not been contacted either so Mr. Brown may want to let them know. She also said she appreciated Councilman Smith's comments regarding the Association of Towns article and its author.

Corinne Curry said that she had an idea earlier for the 300 and 400 anniversaries and the bike path. She suspects that businesses and individuals would like plaques placed throughout the bike path saying their support had happened.

Sally Saul thanked Supervisor Brown for attending the LaFarge meeting regarding air contamination and unmonitored emissions. She also requested that the town look into an ATV and motorcycle noise ordinance instead of a resolution regarding animal waste.

Supervisor Brown replied that he was glad to help in getting support for an air monitoring device, if not in Germantown, in Columbia County. It was recommended to LaFarge that they donate funds to install an air monitoring device, and the Department of Environmental Conservation had said one was coming off-line and they were redirecting it to Columbia County. Mr. Brown said that Hudson may be the best location, but it was unclear at this time where the device would be placed in the county, and that the air monitor doesn't check mercury levels.

The next Town Board meeting will be September 15th at 7:00pm

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

Respectfully submitted,