

Minutes of the June 16, 2008 Germantown 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, Sonja Smelyansky

Recorded by: Town Clerk, Charlene Diehl

Supervisor Brown opened the meeting and led the Pledge to the Flag.

Motion to approve the previous month's minutes made by Councilwoman Lamberta and seconded by Councilman Smith, with all in favor and none opposed.

Councilwoman Snyder made a motion to authorize a budget transfer of \$921.32 from Account 1620.4 to 1620.2 for Buildings to cover the costs for the improvements to doors and windows, and seconded by Councilman Craig.

Supervisor Brown: Aye                      Councilwoman Lamberta: Aye  
Councilman Smith: Aye

Motion to pay audited bills from the abstract was made by Councilwoman Snyder, and seconded by Councilwoman Lamberta.

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

The Clerk notified the board of a seminar that may prove beneficial to the Zoning and Planning boards and also read a letter of thanks from Peter Davies and Mark Scherzer to the Germantown Fire Department for recently putting out a fire that had occurred on their property.

### **Department Updates**

#### Highway:

- First pass of mowing has been done;
- Hot-patching with blacktop on broken spots is occurring;
- 50 feet of rusted-out galvanized pipe on Maple Avenue has been replaced;
- Brakes were replaced on the '93 International dump truck

#### Sewer:

- Maintenance situation at Pump Station #2 is being addressed and quotes for the repair of the pump are being gathered;
- Calibration of flow meters being done;
- Average gallons per day: 27,000

Supervisor Brown noted that excess water in the Sewer plant will be looked at and discussed at July's meeting after the engineer and attorney look at the situation.

Maintenance:

- Lake ready for swimming, with the buoys and docks in;
- Windows and doors arrived June 3<sup>rd</sup> and are being installed now;
- Grills being retrofitted;
- Trail is ready;
- Supplies for summer have been ordered

Anthony stated his intent of looking into replacing the tables in the Activity Building. He warned residents in the park to watch out for 'wet paint' signs, as painting is occurring in different locations. He alerted residents that the Little League snack bar had been broken into recently, and if anyone has any information or sees something suspicious in the park to please let someone from the town or the police department know. Anthony reminded folks to keep their dogs on a leash.

Supervisor Brown said that the Parsonage flower show is coming up so Anthony will be sprucing up to prepare for that. Mr. Brown also said the police are looking into the theft/break-in of the Little League snack bar.

Police Department:

- 189 hours were logged in for the month of May

Police Chief Rekow let Kay Abraham know that the Police Commissioners have her letter and a response is being worked on.

Park Commission:

Mike George said that he met with Dave Helsley on June 2<sup>nd</sup> about putting in a new refreshment building in when the baseball season is over.

Mr. George got 3 bids for the basketball courts to be installed and wants the board to authorize the purchase totaling \$1851.56, which includes poles, concrete and stencils for 1 full-size and 2 half-size courts. He said the boards, rims and nets were donated, they will be picking up the supplies to save the delivery charge, and volunteers will help install the courts, with plans to have it ready for Camp Palatine. There will be a 9-foot half-court for smaller kids, and parking will still be available at the Activities Building.

Motion made by Councilwoman Snyder to approve the Parks Commission request to purchase the necessary equipment for the basketballs courts, totaling \$1851.56, and seconded by Councilwoman Lamberta.

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

Mr. George elaborated on Anthony's statement about the tables in the Activities Building and said they'd like to use \$600 raised from the baseball signs toward the 10 tables that will be lighter and easier to clean than the current tables. Anthony will be gathering quotes and the Parks Commission would like the board's permission to spend the money.

Motion made by Councilwoman Lamberta authorizing the Parks Commission to spend \$600 towards replacing the tables in the Activities Building, and seconded by Councilwoman Snyder.

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

Supervisor Brown explained that although there had been cuts in Parks funding from the county, the county had taken the hit and supplied money from non-used funds to supplement the cuts.

*Economic Development Committee* - Supervisor Brown said he will wait for Corrine Curry to be at next month's meeting for any information to be shared.

*Hazardous Mitigation Committee*: Councilman Smith said a report will be passed to the committee on July 8<sup>th</sup> at 7:00pm but a public meeting will need to occur before the board can approve it - Public Hearing scheduled for July 17<sup>th</sup> at 7:00 pm.

*ReZoning Committee*: Councilman Craig said one meeting had occurred since the last board meeting, with highways, driveways and streets still the focus of their discussion. The next meeting is scheduled for Monday at 7pm. The Request for Proposal (RFP) for the consultant has been released, and is due back by July 11<sup>th</sup>. Mr. Craig wants to assure everyone that the committee is doing the work - the consultant reviews everything to make sure things are done correctly, but the product is 'home-grown'.

Councilwoman Lamberta stated her concern about spending the money on a consultant at this point given the economy, and that it's a different time now than when the plan was originated. She thinks the board should hold back until the future is a little more certain, that local government is responsible to the people and should help them, not burden them as she feels this will do. She said the town has a completed plan, as required by New York State, but doesn't feel now is the time to implement/approve the plan.

Councilman Craig responded that this has been put off for many years and won't get cheaper - large properties are being put up for sale and developers could come in, and he doesn't think the town should be using 30-year old zoning. There are lots of things in the current planning and zoning that don't work and should be addressed.

Supervisor Brown said he and Councilwoman Snyder had completed the PACE University land-use leadership program and that he had mentioned the economy and if the town would be better served by holding back or moving forward. The advice he got was to continue moving forward with the process and that this is a good time to do it.

In response to the question of what kind of impact can a planner have given the cap of \$20,000, Councilman Craig said that will be part of the response to the RFP - to see what we can get for the money.

Councilwoman Lamberta suggested that folks lobby her; she wants to vote the way the townspeople want her to.

Supervisor Brown wants to see what the responses are in the RFP and the discussion was tabled until more information can be gleaned from them.

*Keep Farming Committee:* There hasn't been a recent meeting. Councilwoman Snyder asked Kay Abraham about any plans to have a Farmer's Market in the Activity Building parking lot on Saturdays, but Kay said nobody had come forward to show any interest in it.

Town Junk Law: Bruce Bohnsack has a draft of the Junk Law to pass to the board and the Re-Zoning Committee. He will take part in any conferences or sub-committees on the topic and said if we're to have economic development we need to implement a Junk Law. This law is based on New York State law and a copy will be put on the web site and available in the Clerk's office so folks can review it before a public hearing is scheduled to present it.

Councilman Smith sought and received confirmation that this draft supersedes the one the Safety Committee presented a year ago.

Councilwoman Snyder said that right now the town allows private dumps, and Supervisor Brown said the lawyer is looking into a referendum to address such issues.

### **Old Business**

Supervisor Brown said he had received comments on the draft Police Policy manual and will send them back to the Safety Committee for review and potential inclusion.

Councilman Smith said that Nadine Rumke has agreed to be Co-Chair of the Anniversary celebrations committees. The overall aim is to put Germantown on the map, with as much fun and activities as can be organized. 3 grants are being applied for and the Germantown Central School (GCS) is applying for one as well. The Henry Hudson replica ship will be coming up the river next year and though there is no place in Germantown to dock the ship, Mr. Smith wants local residents with boats to go out to visit. Celebration costs will be requested for next year's budget.

Councilman Smith said that Tara Sullivan of the Quadricentennial Commission will be coming to the next board meeting and will have the logo to present.

Mr. Smith spoke about the 300<sup>th</sup> anniversary celebration and he hopes to have a steering committee meeting by the end of July. The basic plans include:

- Update history of Germantown - oral histories and fun things to do;
- Looking for every organization in Germantown to come up with an idea of what they want to do - wants everyone to participate;
- Octoberfest in the Park - on or around the date the Palatine's landed

He said the Steering Committee would mostly do grant writing and lend assistance as needed.

Councilman Smith said the Hudson River Greenway has issued a request for grants for waterfront improvements and he feels that Germantown should start thinking now about how the town wants to develop it's waterfront.

Supervisor Brown said Jason Shaw's office provided a recommendation on creating a new Code of Ethics, and that a copy of the proposal will be available in the Clerk's office.

Ray Darling, representing Tectonic, spoke about the sidewalk project. He said the project would replace deteriorating sidewalks and curbs and put a path through Palatine Park. He went through the process and explained it's a federally funded project. The county will reimburse the town for replacement of a culvert on Main Street. Tectonic has reviewed the proposal and recommended authorizing Foit Albert to begin a survey and start design work shortly thereafter.

Motion to approve Foit Albert to move ahead and begin a survey and start design work made by Councilwoman Snyder and seconded by Councilman Smith.

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

Supervisor Brown said a public information meeting will be held to get public feedback as part of the scope of services by Foit Albert.

Mr. Brown and Ray from Tectonic are looking to do Phase 2 of the project and will present information when they know more. There is a grant due at the end of next week, with the same funding sources as Phase 1. In response to a question of whether costs of supplies are impacting the project, Mr. Darling said they're looking at alternatives to some parts of the project to save money.

Supervisor Brown spoke about a computer purchase for the town, specifically a laptop for himself, and that the current computer he uses would be reformatted for the Highway Department to use. He had 3 estimates: \$603.44 for a Dell laptop, which is less than the state bid, \$817 and over \$1,000 for the 3<sup>rd</sup>. He mentioned that June 18<sup>th</sup> was the last day to purchase the Dell since it was a special they were running, and wanted the board's approval.

Motion made to purchase a Dell laptop for Supervisor Brown for \$603.44 by Councilwoman Snyder and seconded by Councilman Craig.

Supervisor Brown:	Aye	Councilwoman Lamberta:	Aye
Councilman Smith:	Aye		

### New Business

Robert Beaury, a teacher at the Germantown Central School, said that 35 students from his classes had attended various meetings at the Town Hall, as part of his curriculum requirement, and would like the board's permission to continue his requirement for the next school semester. He mentioned that he's also teaching a class at Columbia-Greene Community College and would like the board's ok to have student interns at the Town Hall. He will be working with the Guidance Direction to make the internship a part of the class curriculum.

Otto Leuschel, a resident of Staatsburg, who is a 17-year veteran grocer with Whole Foods, announced that last week he had signed a contract to purchase the Central Market in Germantown. He said there's not a lot to tell at this point, but he's excited about the opportunity to provide a 7-day a week grocery store and will be spending the next few months talking to residents to see what they would like to have in a local grocer. He hopes to open the doors by October 1<sup>st</sup>.

Supervisor Brown said the board supports him, is excited about the prospect and will provide any support he needs. Councilwoman Lamberta suggested he speak with the seniors and he mentioned that Corinne would be working with him to set up meetings with groups in the community. Councilman Craig suggested local produce and Mr. Leuschel said he had met with Supervisor Brown and Todd Erling from the county and will be reaching out to Chuck Abraham as well; his goal is to have a store that has 1-2 acceptable items in each category, and local produce is his highest priority.

Bruce Bohnsack commended the board on the new sign for the municipal parking lot and said his company has adopted the same color scheme and thinks it would be nice if all the local businesses had similar signs.

Mr. Bohnsack mentioned his wish to install a Web cam at the Anchorage/Lasher Park site - a wide-angle view of the launch site and mountains to showcase the Hudson River. He believes it will be an aid to boaters and a general plus for the town and anticipates making it into a channel when the cable upgrades. He stated the camera would be waterproof, the video would not be live, and he'd like to tap into the town's power supply at the Anchorage. Councilwoman Snyder asked about using Cheviot and Mr. Bohnsack said the power is easier to access from the Anchorage. Supervisor Brown suggested a Town of Germantown web-site link.

Motion to approve installation of a camera and electrical access at the Anchorage/Lasher Park site for Gtel made by Councilman Smith and seconded by Councilman Craig.

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

Mr. Bohnsack also mentioned that although his company, Gtel, had been paying for the cameraman and taping of the town board meetings, he can't fund the taping forever and asked the board to take over paying for the taping beginning in August. He said the response from the community has been positive and encouraged the board to use the money the town receives for franchise fees to fund the project. Councilwoman Snyder said a lot of people in the community can't afford basic cable and would rather use the in-house video equipment they have now and expend the franchise funds in other ways. Councilman Craig said the quality difference between the cameraman-recorded meetings and those used with the town's equipment are night and day; he'd like to see the cameraman-recorded meetings continue. Mr. Bohnsack said the franchise fees were meant for the town to enhance the cable for the community and this would be a good use of the money, and suggested Councilman Craig and Councilwoman Snyder speak with the cameraman to negotiate a fee to bring back to the board. The issue was tabled until the July meeting to give the board a chance to discuss.

Supervisor Brown spoke about the recently published New York State Commission on Local Government Efficiency & Competitiveness report - there are some great ideas in the document and there are things the town could consider implementing. Councilman Smith provided the board members a summary and mentioned property assessments being done at the county level, some town officials (Highway, Tax Collector, Town Clerk) being appointed rather than elected positions, consolidation of justice courts between communities and consolidating towns (Clermont, Livingston and Germantown) as things the town may want to look into. He also wants the board to look at having police protection done by the Sheriff's Office instead of having its own force, as a potential savings factor.

Councilman Craig said these issues should be part of ongoing discussion and he's still trying to address the impact of the report. Supervisor Brown said Columbia County hired a group to review ramifications of having central assessing and the report is due in August. He can't say until the report is in, but the county is looking to move to county assessments instead of individual towns being responsible. The county supervisors haven't had a real chance to sit down and digest all the information contained in the report but it's something that needs to continue being looked at. Mr. Brown said he would provide information as it comes in. Councilman Smith said the issue needs to stay on the front burner and Supervisor Brown should continue talking to the other supervisors to see if any cost savings can be generated.

Councilman Smith gave a brief summary of the New York State Property Tax Commission/Suozzi Report and said the document is complex and difficult to understand and mostly applies to school districts. He is unsure as to where this issue is going considering there is opposition from the unions regarding the levy cap, and he doesn't think Albany will end up adopting the plan. Mr. Smith thinks school and town taxes should be paid from income taxes and suggests the board tell the Association of Towns and the Legislature they should consider the income tax issue rather than using property tax.

#### Resolution #31 - Land Use Leadership Alliance Training Program

WHEREAS, comprehensive planning, land use regulation and the review and approval of land development proposals are among the most important functions of local governments in the State of New York;

WHEREAS, members of local administrative boards such as the planning board, zoning board of appeals, and conservation advisory boards consider and dispose of many important applications for permits, variances and interpretations of local land use regulations;

WHEREAS, local legislative bodies are authorized to use their delegated authority under state law to adopt a wide variety of land use regulations, controls and incentives to provide for the balanced and harmonious development of the community;

WHEREAS, land owners, developers and leaders of local civic organizations are regularly involved in testifying regarding matters pending before these legislative and administrative bodies;

WHEREAS, knowledge of the authority of local governments regarding land use control and responsible decision-making regarding these matters is important to the quality of life and future success of the communities; and



- Garden Club Flower Show - June 21st
- Business Forum with the Town Economic Development Committee and Columbia-Hudson Partnership to talk about what types of businesses we currently have, what we don't have, and how to attract them to Germantown - June 19<sup>th</sup> at 7:00pm at Activity Building;
- How to Survive Fuel Oil Crisis forum - June 26<sup>th</sup> at 7:00pm at Activity Building;
- Germantown Community Day & Fireworks display being held on June 28<sup>th</sup>. The grounds open at 12:00 with swimming at the lake, music, vendors and the fireworks display around 9:45;
- Resident forum to discuss working with developers in our community on July 24<sup>th</sup>. The developers will talk to the board and community about what to expect and how to work with Building developers to bring what the community wants to our town;
- Municipal Parking sign is in and being displayed at the board meeting. The bench has arrived and the town is waiting for the Martha Lorenz-VanAllen memory plaque to arrive. The board is hopeful that after the July 4<sup>th</sup> holiday the project can be started and completed in a few days
- the County marked off a handicapped parking spot in front of the Post Office, with the town assuming responsibility for future paint markings. More spots will be made available in the future.

### Open to the Public

Emily Choinsky and other students read a letter speaking out against the recently imposed rule prohibiting children 12 and over from attending Camp Palatine. They attend and participate in events to support the town and why should they be punished for the acts of a few unruly children. They presented a petition that has been signed by children and parents asking the town board to reverse the decision.

Supervisor Brown said the decision to not allow children 12 and over from attending Camp Palatine had not been made lightly. There were some incidents at the park last year that necessitated law enforcement to be called in. The town is currently looking at what to offer teen children versus the younger children and feels there is a safety issue with mixing the older kids in with the younger ones. He is working to put something together but can't promise anything at this point.

Councilman Craig said he wasn't informed about this decision until after it had been made and is disappointed that word didn't get out prior to petitions being placed in local businesses. He thinks the town should provide something for teens and offered to volunteer to chaperone if necessary. Councilman Smith shares Mr. Craig's views and understands the difficulties presented last year and would like to find some way around this. He thanked the students for their presentation and suggested that parents also come up with some ideas on how a program for older kids can be managed and resolved; the answers shouldn't just come from the board, ideas should come to the board as well.

Councilwoman Snyder said the younger kids shouldn't be mixed in with the older kids and feels the counselors should be older as well. The town has responsibility for these children when they're on park property and feels the board should have been notified prior to the implementation of this change, and that something

should be offered for the older children. She stands behind Supervisor Brown's decision, and the board should act on a solution.

Supervisor Brown apologized for not coming up with solutions before this situation arose and said he is looking at a fee schedule for non-community participants and is trying to work toward a solution.

Mike George told the board that the Cub Scouts appreciated the town letting them use a float for the parade this year and would like to be able to use it next year.

Mr. George also asked residents to support the car wash being held July 19<sup>th</sup> at the Activity Building to support the 27<sup>th</sup> BCT - NYS National Guard in Afghanistan. He also asked for items to be donated for packages to send overseas - baby wipes, hotel bottles of shampoo, seasoning packets - for Operation Support Our Soldiers. If you know of a soldier overseas, please contact Mike George and he will ensure they get a package from Germantown as well.

The Cub Scouts will be holding a moving up ceremony Saturday, July 19<sup>th</sup> from 3:00-5:00pm at the Activity Building.

Art Schiff urged Supervisor Brown to think about the issues surrounding the purchase of the Ockawamick School for the County and said there are deficits to the proposal as well as lack of public transportation.

Larry Osgood spoke about NationalBridges.com, a web site that contains a survey of bridges, and the fact that the Route 9G bridge is considered structurally deficient. Supervisor Brown indicated he has a meeting with the Department of Transportation (DOT) to discuss repairs beginning in 2009, and that DOT has rented space in our hamlet to work on projects. He will pass information along on this situation as he receives it.

Kay Abraham wanted to thank Police Commissioner Rekow and Supervisor Brown for setting up a meeting to discuss her concerns about the draft Police Policy manual. She stated the quality of the cameraman-recorded meetings is much better and the board should consider the value of having the meetings recorded and shown. Mrs. Abraham also would like the board to reconsider the budget allocation for the planner consultant, as that's an investment in the future and should be taken seriously.

Councilwoman Lamberta agreed with Mrs. Abraham and said board members should take spending public money into consideration.

Councilwoman Snyder said that seniors in town are concerned about the high cost of fuel and she thinks the board should hold off on hiring a planner now to focus on other cost-savings measures.

Mike George mentioned Friday Nite Activity Nights and said he'd like approval from the board to move forward and seek support from volunteers. Councilman Craig thinks a meeting on the subject should be held first before trying to implement the idea.

Motion to adjourn meeting made by Councilman Smith and seconded by Councilwoman Lamberta, with all in agreement and none opposed.

Next town board meeting is Monday, July 21<sup>st</sup> at 7:00pm.

Respectfully submitted,