

Minutes of July 20, 2009 Germantown Town Board meeting, held at the Germantown Town Hall, Germantown, NY, commencing at 7:00pm

Present: Councilwoman/Deputy Supervisor Joan Snyder
Councilwoman Graceann Lamberta
Councilman Joel Craig
Councilman Jeremy Smith
Highway Superintendent Rich Jennings
Town Lawyer Sonja Smelyansky, representing Jason Shaw

Not Present: Supervisor Roy Brown

Recorded by: Town Clerk Charlene Diehl

Deputy Supervisor Snyder opened the meeting and led the Pledge to the Flag.

The members of the Germantown Police Department were in attendance to meet the town board members. Officer-In-Charge Mike Lawson introduced Sergeant Brian Dubois and the following Officers:

| | |
|---------------|---------------|
| Chris Bleau | Ryan Chase |
| Brian Bednar | Ben Doty |
| Arceni Polyak | Cliff Weigelt |
| Ryan Scalera | John Brailey |
| David Pulcher | |

The board thanked the Department for their service.

Councilman Smith stated he has concerns for establishing correct rules for amending minutes, as he would like a synopsis of a statement made by a member of the public expanded to a more detailed description. He had requested in an e-mail to Supervisor Brown that the town lawyer be consulted to render an opinion on the correct way to request an amendment of the minutes.

Ms. Smelyansky, representing Mr. Shaw, explained that any amendment to minutes made in public session have to be made via motion and include the statement the requesting council member wanted to replace the existing one with.

After discussion, the council members indicated they would like a chance to review the existing minutes and the portion that Councilman Smith wanted to replace his language with.

Resolution #30 - Budget Transfer

WHEREAS, the Town of Germantown has established a budget for 2009 for all departments including the Sewer District; and

WHEREAS, funds for Sewer Department engineering were not include din the 2009 sewer budget for needed repairs and on-going maintenance, and;

WHEREAS, the Town Board should establish an engineering budget line \$1440.4 for repairs under the guidance of a qualified engineering firm; and

NOW, THEREFORE BE IT RESOLVED that the Germantown Town Board of Germantown, New York hereby approves the establishment of an engineering budget line for FY 2009 and authorizes a budget transfer in the amount of \$10,000.00 from the Sewer District Fund Balance and;

BE IT FURTHER RESOLVED that \$5,000.00 in Sewer District Account 9710.7 be transferred into Sewer District Account 8130.45 of the FY 09 budget.

Following an inquiry from Councilman Smith, Councilman Craig said the budget transfer was necessary for generator repairs which were unanticipated as well as to prepare for changes to Pump Station #2. These are unbudgeted expenses for work the town has to do.

A motion to approve the budget transfer was made by Councilman Craig and seconded by Councilwoman Lamberta.

Councilwoman Snyder: Aye

Councilman Smith: Aye

Motion to approve paying the bills from the abstract presented made by Councilman Smith with a second by Councilman Craig.

Councilwoman Lamberta: Aye

Councilwoman Snyder: Aye

Communication - Town Clerk (letters available at the Clerk's Office)

- the Village of Tivoli will hold a summer concert on July 21st at 7:30pm at the Tivoli Village Hall;
- electronic correspondence received from William Dawe commending the town for the spectacular fireworks presentation on July 4th.

Department Updates

Highway Department - reported by Joel Craid

- ditching and cutting has been done on Maple Avenue;
- mowing has occurred between the frequent rain storms;
- preparing to oil and stone the roads;
- new guard rail installed on Viewmont Road.

Sewer - reported by Joel Craig

- work at the plant will hopefully begin in the next few weeks;
- Councilman Smith went on a tour of the plant and agreed that painting of the tanks was necessary;
- Supervisor Brown and Councilman Craig met with DEC earlier in the month about the repair situation at the plant and discussed possible remedies;
- letters will be going out soon to home and business owners on the sewer inspections that will take place.

Councilman Smith reminded the board that a fairly detailed report will be needed for upcoming budget planning to determine what the town's commitment will need to be. Councilman Craig said he and Supervisor Brown are in discussion with the county regarding long-range plans for the sewer.

Parks & Maintenance - reported by Anthony Cidras

- worked with George to get the lake ready for the summer;
- work done on filters and UV system again;
- sand tilling along the lake was done again;
- high tide brought in debris at the Anchorage which was removed;
- two basketball backboards and rims were installed;
- permits for grass carp was received from DEC;
- a maple tree struck in a storm was removed from Dales Bridge;
- thanks to Steven Balazs and Gtel for replacing light bulbs at the Anchorage;
- thanks to Mike George for his assistance to Anthony.

Councilman Smith asked if the grass carp would present a problem to folks fishing in the pond and Mr. Cidras answered that the grass carp won't bite at the bait.

Police Department – reported by Roger Rekow

- 303.5 hours of patrol time were logged for the month of June

Commissioner Rekow had the answer to an inquiry at last month's meeting on how many officers started in Germantown and went on to other law enforcement agencies, the number is 18.

Mr. Rekow said he had a request for sponsorship for two cadets to the Police Academy and that August 1st is the preliminary screening day this year. He was asked how many officers we have now and he said there are six paid positions, which include Officer-In-

Charge Lawson and Sergeant Dubois. From January through June of this year, there were 650 paid hours and 752 unpaid hours, due to having these cadets with us.

Upon the recommendation of Officer-In-Charge Lawson and Police Commissioner Rekow, a motion was made by Councilwoman Lamberta to offer sponsorship at the Police Academy and appointment to the Germantown Police Department as cadets to O'Neil Omar Diaz and Justin Kutski, and seconded by Councilwoman Snyder.

Councilman Craig: Aye Councilman Smith: Aye

Economic Development - reported by Corinne Curry

A meeting is scheduled for July 21st at 10:00am

300/400 Anniversary - reported by Jerry Smith

- meeting held on July 14th - small attendance but two board members were in attendance;
- brochure will be published by year's end which will outline events and a detailed program particularly for the first two weekends in October 2010; preliminary brochure could be available this summer;
- press releases planned to reference the 300th birthday

Councilman Smith mentioned the Parsonage and the state of disrepair it is in and that essential maintenance must be provided. He has submitted a letter to Supervisor Brown to be sent to a number of local residents who will be asked to join a group to be called "Friends of the Parsonage". In these difficult economic times it isn't possible for the town to provide the sufficient funds necessary to maintain the building and a "friends of" organization is a popular approach to maintain important buildings and other historic sites. Mr. Smith suggests that once this organization is established the towns should discuss with them how responsibility for the Parsonage can be handed over from the town to the new organization. Before this is done a review will be done of the terms under which the Ekerts gave the building to the town.

Councilman Smith introduced Dea Archbold and Kurt Holsapple who made a presentation on the building of an Analemma on park grounds. Tracking of the sun's angle in the sky would be tracked for a year and a corresponding stone wall would be built along a shadow path marking events important to the Paletines and the community. A model of the project would be built so that people would have an idea of the finished project.

Mr. Smith indicated the tentative location of the outdoor sculpture would be by the Activity Building. This will not be a town project to come out of existing funds; the intent is to raise money through donations/fundraising. The board will need to give its approval to move forward, as the sculpture will be on town grounds, and the group will look to the town for a donation of a pole for the project.

Councilwoman Lamberta said she wasn't sure if the town can decide where to place this sculpture now and she is looking to avoid the same problems that occurred during the planning of the 9/11 memorial, whose location has yet to be determined.

Councilman Smith expressed concern about waiting too long to go forward with this, as the sun has to be charted for a year before the sculpture can be built, and that location is preferable due to sun exposure. It was agreed to wait until there was a full board to vote on this issue.

Roger Rekow suggested that the group work with the school as they have a class whose students take daily weather readings and this would be a good opportunity for them. Ms. Archbold and Mr. Holsapple agreed that the school grounds could be a possible location for the sculpture project. The group is looking for donations and anyone wishing to get rid of stone on their property should get in touch with them.

Preliminary research has been started to see if we could twin Germantown with a town in the German Palatinate. They would be sister cities, the town would twin with original city or town, and Councilman Smith is looking for the board to approve moving ahead with this idea.

Motion made for the anniversary committee to move ahead with locating a twin city in the German Palatinate made by Councilman Smith and seconded by Councilwoman Lamberta.

Councilwoman Snyder: Aye Councilman Craig: Aye

Councilman Smith indicated a logo is being developed for the anniversary, and the idea is to have the logo painted on the Highway Garage once an artist is found.

Councilwoman Lamberta stated her concern about the maintenance. Councilman Smith said the project will be no cost to the town and the logo will be tasteful. Councilman Craig said he thought putting the logo on the salt shed would be more appropriate, as Supervisor Brown has long-range plans to cover the garage façade. Mr. Smith said he was okay with putting the logo on the salt shed.

Councilman Smith reported there is also discussion about having kids paint murals on the Activity Building, possibly depicting early 18th century dress, once some local artists are found to assist with the project.

Another plan underway is to have banners on a number of telephone poles in town which reference the 300th birthday. The approval process is underway with Gtel and National Grid.

On the first Sunday in October 2010 there will be a concert of local performers including early 18th century hymns and songs by the Donna Diehl choir. Harold Farberman has agreed to compose a special piece celebrating the Palatine arrival, hopefully with local musicians.

A notice will be posted shortly on Channel 35 calling on residents who have artifacts on the history of the town to contact a member of the History Department. The artifacts do not have to be Palatine related. Councilman Smith wanted to emphasize that the department wants to make copies of the artifacts which remain the property of the owner.

The anniversary committee has contracted with Professor Christopher Lindner of Bard to prepare a map of Germantown that will have overlays showing how the town has progressed over the past 300 years.

Some of the committee members have joined a cross-river team that will be looking at cooperation with the Historical Society of Saugerties who are also celebrating the arrival of the Palatines to West camp.

Contact has been made with the German Embassy in Washington DC and the committee is hopeful that senior people from their representatives in the US will be able to join in some of the celebrations.

Deputy Supervisor Snyder thanked Jerry and the anniversary committee for all the work they are doing.

Emergency Preparedness - reported by Tim Otty

- the committee needs to get money for additional assets;
- American Legion is not being sold and will be made ADA compliant, including a covered ramp, and made into a shelter. There are quite a few shelter managers at this point.
- needs help preparing a list to advance the Shelter Within program;
- generator hook-up is needed, as well as some way to charge electronic devices for people.

Bid Opening for 1988 Dodge Pickup

The Clerk reported that one bid had been received for the 1988 Dodge Pickup truck that the town had put out for bid, and opened the submission from Columbia Landscape Corp. who offered \$350 for the vehicle.

Motion to accept the bid for \$350 from Columbia Landscape Corp. for the 1988 Dodge Pickup truck 'as is' made by Councilman Craig and seconded by Councilwoman Lamberta.

Councilwoman Snyder: Aye Councilman Smith: Aye

Deputy Supervisor Snyder confirmed that no bids had been received for the Crown Victoria car that the town had also put out for bid, and said that Columbia County has a website to put surplus vehicles for sale on and suggested the board consider it.

Motion to contact the Columbia county website to list the Crown Victoria made by Councilwoman Snyder and seconded by Councilman Craig.

Councilwoman Lamberta: Aye Councilman Smith: Aye

Councilman Smith proposed putting a link for the dog leash law and the town junk law on the town website as well as ordinances for folks to access. Councilman Craig said this can be included in the redesign of the website which is being done.

Councilman Smith reported on the energy audit and that NYSERDA sent the grant money to be used for solar panels on the Pavillion. The Activity Building will be switched to propane so they will have power for emergency preparedness and the bids and everything is laid out. This funding will help with key items on the list from the energy audit.

Councilwoman Lamberta requested a moment of silence to show solidarity for Bowe Bergdahl, the officer taken hostage by the Taliban.

Councilman Smith brought up the discussion from the end of last month's meeting and said that there is no material benefit for continuing the debate and proposed a resolution stating the commitment of the town board to the traditional values that make our country great which include respect and recognition of diverse cultures, racial and ethnic backgrounds, freedom to worship or not, respect for age and youth, differences in sexual preferences, concern for civility in the public sphere and tolerance for each other as people, neighbors, friends and workers.

Councilwoman Lamberta said this resolution appears to indicate that people in Germantown are disrespectful and don't care and she doesn't agree. She also doesn't agree with the inference of the resolution that the town board needs to tell its residents how to behave.

Councilman Smith said the resolution was drafted as a result of an unpleasant and difficult debate and he stands by this resolution and bringing this business to an end. He is still not satisfied with how things ended but his proposal is to bring this to an end. Councilwoman Snyder said she has lived in Germantown for a long time and doesn't feel she has to put her name on a resolution for people to know her beliefs.

Councilman Craig said he doesn't see anything different from the beliefs stated or anything wrong with the reaffirmation. Councilwoman Lamberta feels its broadbrushed with a very negative attitude.

Councilman Smith made a motion to accept the resolution reaffirming the town board's beliefs and was seconded by Councilman Craig.

Councilwoman Snyder: Nay Councilwoman Lamberta: Nay

The motion was not passed

Resolution #31 - Justice Court Grant Application

WHEREAS, the Germantown Justice Court wants to apply for a Justice Court Assistance Program grant from the New York State Office of Court Administration for upgrades to the Town Court,

NOW THEREFORE BE IT RESOLVED that the Germantown Town Board hereby grants the Town Justice Court authority to apply for the maximum amount available for grant funding from the Justice Court Assistance Program from the New York State Office of Court Administration this 20th day of July, 2009

Motion to approve the Town Justice Court to apply for the maximum amount available for grant funding from the JCA Program made by Councilman Smith and seconded by Councilman Craig.

Councilwoman Lamberta: Aye Councilwoman Snyder: Aye

Resolution #31 - Establishes Rules and Regulations for Public Access to Records of Town of Germantown

WHEREAS, the New York State Public Officers Law, Article 6, the Freedom of Information Law, governs public access to records of governmental agencies, including towns and other municipalities in the State of New York, and

WHEREAS, Section 87 of the Public Officers Law requires municipalities to adopt rules and regulations regarding records access that are in conformity with Article 6 of the Public Officers Law;

NOW, THEREFORE BE IT RESOLVED, that the Town of Germantown adopts the following rules and regulations pertaining to access to records maintained by the Town.

Motion to approve the resolution establishing Rules and Regulations for Public Access to Records maintained by the town made by Councilman Smith and seconded by Councilman Craig.

Councilwoman Lamberta: Aye Councilwoman Snyder: Aye

Supervisor's Report

- application coming to the town to find structures on properties for assessment purposes;
- a meeting will be held from 4-7pm on September 17th at 325 Columbia Street in Hudson on local concerns for the physical health care needs of the community. Dr. O'Leary will speak with the town board in August to discuss suicide prevention in the community.
- low income and senior homeowners looking for assistance in home repairs are encouraged to contact the Columbia County Office of Aging;
- Office of Aging is seeking volunteers for Meals on Wheels;
- Columbia County Health Department reminds everyone that Columbia County is the number one county in the state for Lyme Disease and that residents should be vigilant about checking for ticks.

Deputy Supervisor Snyder said that the final numbers for the July 4th celebration will be complete in a few weeks and that many statements congratulating the town for its event have been received by Supervisor Brown.

Next year the Independence Day celebration/fireworks will be held on July 3rd. A car show, entertainment and fireworks are being planned for the celebration. Deputy Supervisor Snyder read the names of those who volunteered at the celebration and thanked them for helping.

Councilwoman Snyder also thanked the sponsors for their support of the Independence Day celebration: Palatine Park Pizza, Upstate Auto, Chickie's, Zanchelli Bus Company, County Route Repairs, Hudson Mobil Homes, Taconic Farms, Floweld, Keil, Floral Innovations, Ralphs Country Realty, Ben Funk, First Niagara and Colarusso and Sons. Mrs. Snyder also thanked Floral Innovations for the floral arrangement on display in the meeting room.

Councilman Smith thanked Councilwoman Snyder for coordinating the volunteers and reminded residents that there will be two events to look forward to next year: July 4th and Octoberfest.

Open to Public

Nan Elliott asked if it would be possible for the board to hold special one subject meetings in order to vote on items instead of all at one meeting. She also mentioned Germantown News, which she coordinates, and its purpose of getting information out to the public. Once school is back in session it will be easier to have the Germantown News posted, and she requests that people send her information to be put into the monthly publication. She mentioned having experience with the twin cities initiative the Celebration committee wants to get involved in and that it can involve some monetary expenditures.

Arthur Schiff verified with the board the reason for Officer-In-Charge Lawson and Sergeant Dubois sitting in the back of the courtroom and confirmed that if officers are in uniform they are on duty.

Ginny Sibbison expressed her concern about having armed officers in the courtroom during the meeting.

Larry Osgood said he finds nothing offensive to the citizenry in the civility resolution that was not passed and agrees with Councilman Craig that in difficult times a reaffirmation of our basic values is a good thing and he is puzzled why it was not passed.

Tim Otty mentioned the American flags throughout the town that are unserviceable and should be turned in to the American Legion to be replaced. It bothers him to see the flags hanging tattered and torn as he wants to see the town looking nice and the tattered flags detract from that.

Nan Elliot said she has lived in Germantown 32 years with the last few spent in London and coming back she is shocked that what she moved away from is not what she came back to and seconds Larry Osgood's sentiment that you can never reaffirm what we believe in too often.

Councilwoman Snyder mentioned a ticket from the July 4th raffle, 735668, that was not claimed yet and asked that the winner contact the town. She also mentioned the Parks program and that over 170 registrations were received and she appreciates Austin Sullivan's work on coordinating the program.

Martin Overrington asked about the sidewalks and if residents in the sewer system will need to do anything regarding the inspections and will they be notified if they have to.

Councilman Craig said that the sewer inspection will make residents aware if they have rainwater running into the sewer system and there is nothing for them to do regarding the inspections.

Mr. Overrington mentioned his pleasure about the NYSERDA audit and the town receiving solar panels. He feels the town should let the school kids and others in the community see the future of power as an educational tool and he offers his assistance if it's needed.

Councilman Smith asked Anthony Cidras to add the status of energy audit recommendations to his monthly Parks report.

Betty Ahrens inquired as to how much money has been spent this year on Police Officer uniforms and Councilwoman Snyder said she would get back to her with the answer.

Tim Otty mentioned a Southern Columbia County Little League event recently held at the Activity Building and organizations that donate checks monthly to the town and inquiries he has received about where the money goes through the Parks Commission.

He was told it goes into the General Fund and then into the Parks line item. He feels the commission needs to get the parks program going again as a viable organization is needed.

Councilman Smith said the Parks Commission should have a rendering of where donations for the Parks go to.

The next town board meeting is August 17th at 7:00pm.

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

Respectfully submitted,