

Minutes of September 21, 2009 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 Jason Shaw

Recorded by: Town Clerk Charlene Diehl

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

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

Motion to approve paying the audited bills from the abstract made by Councilman Craig and seconded by Councilman Smith.

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

Motion to go into Executive Session to discuss ongoing litigation was made by Councilwoman Lamberta and seconded by Councilwoman Snyder.

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

Motion to come out of Executive Session made by Councilman Craig and seconded by Councilwoman Lamberta.

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

Motion to allow the Town Attorney to resolve matters discussed in Executive Session made by Councilwoman Lamberta and seconded by Councilwoman Snyder.

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

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

- note of thanks from Palatine Manor residents to board for recent outing;
- note of thanks to Supervisor Brown from Laura Zeliph for the experience she had as a student intern;
- upcoming flu vaccine information for residents October 13<sup>th</sup> at Livingston Town Hall;
- reminder that Hunting licenses are on sale

**Department Updates**

**Highway Department** - reported by Joel Craig

- winter working hours for the crew are in effect, 7:00-3:30;
- ditches were cleaned on Cheviot;
- Maple Avenue Extension has been done with crossover pipes;
- DEC has been contacted about removing the docks

**Sewer** - reported by Joan Snyder

- average daily flow - 26,000 gallons;
- repairs will start shortly on Pump Station #2;
- 38 sewer inspections have been done so far, and Supervisor Brown and Councilwoman Snyder accompanied them

**Parks & Maintenance** - reported by Anthony Cidras

- weed-eating was done on the playground and tree stumps removed;
- refrigerators in Activity Building have been shut down;
- walk-in cooler was shut down, but the school had to use it as a back up;
- mowing and weed-eating;
- mowing deck to Ford tractor was worked on;
- worked on permit application for pond stocking;
- removal of beach equipment has been started

**Police Department** – reported by Commissioner Roger Rekow

- 152 hours of patrol time logged for August

Councilman Craig asked Commissioner Rekow to request that officers patrolling keep an eye on campaign signs, in case of vandalism.

**Economic Development** - reported by Corinne Curry

- Picture Books by the Crews family will exhibit at ArtSpace on October 9<sup>th</sup>, and many of their works will be displayed;
- Opening reception on October 9<sup>th</sup> at 5:00pm;
- Gallery sitters are needed – please contact Corinne – schedule will be left at the town hall;
- October 24<sup>th</sup> is Discover Germantown Day: the library will be participating and holding a book sale and there will be an end-of-season farmers market in the parking lot;
- Open House will be held at Central Market and all businesses will be open for Discover Germantown Day.

**Re-Zoning Committee** - Reported by Joel Craig

- Committee has been going through the Table of Uses and Joel appreciates all the expertise gathered at the meetings.

**300/400 Anniversary** – reported by Jerry Smith

- Focus is on the first two weekends in October 2010 for the town's 300<sup>th</sup> anniversary festivities;
- Ana lemma proposal will not use the school property to place the sculpture on, as there is no site available for general public access per the school superintendent. There was also concern voiced about vandalism and access on school grounds. This stonewall will be built recording Germantown's history, and the school students can be brought to the wall.

Councilman Smith requested board approval to place the stonewall at the original proposed location at the back of the lake. Time is of the essence due to the need to record the movement of the sun for a year. Mr. Smith doesn't anticipate this project costing the town any money and hopes to involve students and summer program participants next year.

Mike George, representing the Parks Commission, expressed his concern about upkeep and maintenance of this wall over the long term, and Councilman Smith said it would be the Park's responsibility to mow around the sculpture.

Councilman Smith proposed that the board approve the group to begin markings recording the sun's movement and made a motion, which was seconded by Councilman Craig.

Supervisor Brown: Aye                      Councilwoman Lamberta: Aye  
Councilwoman Snyder: Nay/Opposed

## **New Business**

Proposed budget workshops: October 8, 13, 20, 27 at 7:00pm at the Town Hall.

Supervisor Brown said that two bids were received for emergency repairs to Pump Station #2, which include installing a new valve box and two new check valves. The fence and blacktop repair are not included in this estimate, which is to do the repair that Environmental Conservation is very concerned about.

Motion to approve using the unexpended sewer fund balance of \$29,850.00 to make the required repairs to Pump Station #2 made by Councilwoman Snyder and seconded by Councilman Craig.

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

Councilwoman Snyder said that two sewer rent requests for reduction were received for 210 Main Street and 285 Main Street, concerning debt service only. After her investigation into the matter, she requested the board approve them.

Motion to reduce the debt service sewer rents for two residences made by Councilwoman Snyder and seconded by Councilwoman Lamberta.

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

Councilman Smith said he had received calls from Palatine Manor residents concerned about the quality of their water and the overflow of sewer in one of their corridors.

Supervisor Brown said that officially the town has no responsibility to Palatine Manor but they respond to incidents that occur and Councilwoman Snyder has been in contact with the board at Palatine Manor. The water has been tested and falls within acceptable guidelines. Mr. Brown said he is writing a letter to Carr Management and local legislators to address the situation.

Councilman Smith said he wants to make it clear that the board is doing all they can and asked Councilwoman Snyder to look into the water matter further.

Councilwoman Snyder said the Germantown Garden Club has 2010 calendars, depicting the town's history, on sale now and they can be purchased at the Town Hall. The Food Pantry is in need of donations, as winter is approaching, and volunteers are needed as well.

## **Supervisor's Reports**

- September 24 – Business Roundtable meeting at Town Hall at 7:00pm;
- October 1 – Roundtable discussion with Assemblyman Pete Lopez at 7:00pm at the Town Hall – Livingston and Clermont residents have been invited as well;
- Supervisor Brown and Councilman Craig are meeting on Thursday with David Robinson, the consultant from the county, regarding the Waste Water Treatment Plant;
- October 17 – Golden Gathering at Columbia Greene Community College from 9:30-12:30. The Office of the Aging and the Health Department will have representatives in attendance.

## **Open to Public**

Mike George said there would be a Parks Commission meeting Monday, October 5<sup>th</sup> at 7:00pm.

On November 7 the Cub Scouts will be placing bags on residents' mailboxes as part of Scouting for Food Drive. On November 14 they will be picking up donated goods, which

will go to three local food pantries. Last year town residents donated three pick-up trucks of food.

October 18 from 8:00-11:00 the Cub Scouts will host a pancake breakfast.

Nan Elliot let the audience know that Germantown News continues though she is no longer the contact point, and Austin Sullivan should be contacted for any information that should be included in the newsletter.

Ms. Elliot stated she was happy to see the community spirit displayed at the meeting and questioned if public comment at the town board meetings was restricted to the end of the meeting. Supervisor Brown responded in the affirmative and said that the board sets the meeting rules for the year at the January re-organizational meeting.

Arthur Schiff asked for clarification of rules and ordinances for political signs and that his understanding is the signs can be placed 16 feet from the center line of the road. He also stated his understanding that per the Commission on Open meetings the public can attend and comment at budget workshops.

Supervisor Brown and lawyer Jason Shaw responded that there are no town laws pertaining to campaign signs and that officers would have to know the different laws in order to enforce them.

Mr. Brown said that residents are welcome to attend budget workshops but have no right to comment. Commenting on the budget would come at the public meeting held on the budget before the board votes on the budget.

Ellen Epstein questioned why two of the most scenic roads in the town are littered with National Grid poles and doesn't know or understand how the poles came to be installed, and do utility companies have a blanket right to do what they want? She asked what the process was and that there was no presentation of the visual impact this would have and if the town has any ability to shape this or future projects like it.

Supervisor Brown said that, to his knowledge, discussions had been ongoing for three years between National Grid, Taconic Farms and the Highway Superintendent. June of this year was the first time that National Grid approached the town with the plans.

Town lawyer Jason Shaw said the issue is if the town has any approval authority and he is not aware of any town that can tell a utility company they can't replace lines and poles.

Councilman Smith said he believes something is wrong with the way this was done and that National Grid should use the opportunity to put lines underground, as it would save money in the long run.

Dorothy Montague agrees with Ellen that no process was gone through and the town board has failed to put through the Comprehensive Plan, which would have an impact and be a guideline to go by, since we have no base to go on.

David Forman said he knows that National Grid has been responsive to residents' resistance to the poles which shows that the town would have a say and he doesn't think it's too late as National Grid workers have indicated the plan wasn't fully thought out.

Councilwoman Lamberta said she spoke with Mr. Rossi at National Grid and was told the cost to bury the cable is prohibitive and that Taconic Farms is paying the bill for this project.

Corinne Curry remembers the meeting and thinks the town was snowed and had no opportunity to reflect on what was going on before the work began.

Larry Osgood remarked that he knows of land at the corner of Hilltop Rd and County Rte 8 where the location of the poles will be changed due to the landowner refusing to allow them access to the property.

Jason Shaw said there are two ways the power company gets right of ways to place their poles: one is to buy access and the other is to exercise eminent domain. Mr. Shaw said that having a Comprehensive Plan in place would not impact the situation as that has to be done via zoning requirements, and that he feels if the town knew what was going to happen, more information would have been requested.

Tim Otty said that Governor Paterson's request to FEMA for money to build a wheelchair accessible ramp at the American Legion was turned down. They will not prevent this from attaining their goal and will raise the \$6,500 themselves through fundraising. They are looking for approximately 20 telephone poles to build the ramp.

Martin Overrington confirmed that the meeting on the Wastewater Treatment Plan was regarding repairs only, and that sewer residents would be informed of anything major coming up.

The next town board meeting is October 19<sup>th</sup> at 7:00pm.

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

Respectfully submitted,