

Minutes of March 15, 2010 Germantown Town Board meeting, held at the Germantown Town Hall, Germantown, NY, commencing at 7:00pm

Present: Supervisor Roy Brown  
Councilwoman Graceann Lamberta  
Councilwoman Joan Snyder  
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 February town board meeting minutes made by Councilman Craig and seconded by Councilwoman Snyder, with all in favor and none opposed.

Motion to approve paying audited bills made by Councilman Smith and seconded by Councilwoman Lamberta.

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

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

- Easter Egg Hunt in Clermont on April 3<sup>rd</sup> at the Clermont Village Green
- Rabies Clinic on April 17<sup>th</sup> at the Kellner Family and Youth Activity Building;

Motion made by Councilwoman Lamberta to go into Executive Session to discuss a personnel and contract matter, which was seconded by Councilman Smith. All in favor and none opposed.

Motion to come out of Executive Session regarding a personnel and contract matter was made by Councilman Smith and seconded by Councilwoman Lamberta, with all in favor and none opposed.

### **Department Updates**

**Highway Department** – reported by Joan Snyder

- docks being put in at Cheviot this week and in the processing of setting up an appointment for the Anchorage-state still hasn't gotten back to Rich;
- still working on clearing up brush and dead trees;
- pipe replacement and ditching will start when the weather and ground is drier;
- road brooming will start next week as it's been raining;
- Road-side clean up will be April 8<sup>th</sup> with the Cub Scouts and volunteers;
- as soon as the blacktop plan opens the highway crew will be digging up soft spots to replace due to frost damage.

**Sewer** - reported by George Sharpe

- average daily flow is approximately 37,000 gallons;
- 11 "Call Before you Dig" calls were received;
- 2 home inspections were done, with 4 more to go;
- grinder pump was replaced from one of the two spares;
- working on the Fingar property but it needs to dry up more. Councilwoman Snyder confirmed he is keeping Mr. Fingar updated on his progress.

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

- truck went in for service this past month-had a problem with the 4-wheel drive;
- all supplies needed for the summer have been ordered and received;
- all bathrooms needing maintenance have been done in the Activity Bldg.;
- routine maintenance done on UV systems in Town Hall and Activity Bldg.;

- one more furnace unit to be installed which will be in the Highway garage;
- met with NYSERDA about implementation of solar panels on the building and discussion of doing a presentation about the solar panels that will be given at the school. Students will be able to visit on one day while the panels are being installed to ask any questions they may have. They also discussed the possibility of putting the process on the web page, and being able to show the energy being created by us and used by us.

Supervisor Brown mentioned literature he had received about solar and about solar being brought to the Highway garage and will get the information to Anthony. There are 3-4 billion dollars available for solar projects and perhaps this will work into the scheme of Anthony's project.

Councilman Craig mentioned to Anthony that the electricity for the Anchorage seemed to be unusually high for the past month, and Anthony will look into it.

Supervisor Brown asked about the clay for the fields and Anthony responded that he has the information and needs the ok to make the phone call for the purchase. The minimal cost to do both fields will be approximately \$4,500, which was budgeted for. Councilman Craig said for Anthony to give them the nod as to when the order is coming in and he'll see about getting some help to spread it. Anthony said the delivery would be done in three trips, as there are different types of clay used for the fields.

Motion for Anthony to move forward on purchasing clay for the fields for \$4,500 was made by Councilman Craig and seconded by Councilwoman Snyder.

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

Councilman Smith asked about the project to scare the geese from the lake and Anthony said he has to get the propane tanks that will be used to make the banging noise and will alert 911 when he is about to begin.

**Police Department** – reported by Roger Rekow

127.50 hours of patrol time was logged in for the month of February. 9 tickets were given and 15 warnings.

Park Patrols: Cheviot –29 times, Anchorage – 39 times, School –25 times, Palatine Park – 23 times, Dales Bridge – 12 times

Supervisor Brown asked for an update on the cadets' progress at school, and Commissioner Rekow said they are scheduled to graduate at the end of next month.

**Park Commission** – reported by Tim Otty

- spring cleanup of the ball fields will be scheduled around delivery of the clay being ordered by Anthony;
- May 15<sup>th</sup> will be the Plant Sale and Town-Wide Yard sale, and May 1<sup>st</sup> is the deadline for signing up/registering; Tim would like to promote it as a bigger event, a "Come to Germantown and Spend the Day".
- Meetings were held with Southern Columbia County Little League and Denis Crawford from the Soccer League. Bill Muirhead has volunteered to represent Southern Columbia County Little League.
- Tim is available at the Town Hall every Thursday from 1:00-3:00pm;
- Tim is seeking input for developing a Request for Proposal (RFP) for a long-range, long-term plan for Germantown Parks, and is looking for volunteers to help with the proposal.
- Parks meetings will be the 2<sup>nd</sup> Thursday of the month but the time has yet to be determined;
- Austin Sullivan will be running the Summer program again this year and Tim assures the board there wont' be pond weeds in the swimming area for the kids this year;

- Boy Scouts were asked by the 300<sup>th</sup> committee about planting pine trees on park lands but Tim wants to hold off until after the RFP is done to see where the trees should go per the long-range plan.
- April 30<sup>th</sup> there will be a spaghetti dinner fundraiser at the Kellner Youth & Activity Building whose proceeds will go towards the Oktoberfest.

Supervisor Brown said Tim has a great agenda and he supports it. Tim said the Parks program certainly produces some athletes and time spent with the youth shows.

### **300<sup>th</sup> Celebration** –reported by Jerry Smith

- Meeting on March 2<sup>nd</sup> and banners should be going up in April on Main Street and Palatine Park Road. Mr. Smith expressed thanks to Bruce Bohnsack and Gtel for their assistance in hanging the banners. This will be the first sign for the town of the upcoming celebration;
- Palatine Area Ministries in Southern Columbia will be holding a Lenten hymn sing March 24<sup>th</sup> at 4:00 at the Reformed Church
- Two organists from the Olde Dutch Church in Kingston will be coming to the Reformed Church on April 18<sup>th</sup> and will play contemporary music from the Palatine Migration in the early 1700s;
- Painting the mural on the Salt shed is anticipated to start by May 1<sup>st</sup>;

Councilman Smith said that there is a plan to build a new path from Maple Avenue to the kitchen entrance at the Parsonage. He will bring quotes to the board once he secures them for the project.

Supervisor Brown asked what the flags will look like and Councilman Smith verbally described them.

Councilman Craig asked about the potential of using the mounting frames for future events after the 300<sup>th</sup> celebration and Councilman Smith said they could certainly be used again.

Local businesses were solicited for financial aid for the celebration committee and about \$750 has been collected so far; the committee is grateful for all donations received. He would rather wait until the list is longer to name all the businesses that have contributed.

### **Rezoning Committee** – reported by Joel Craig

The committee met the previous Saturday for about 4 hours. There is one more topic left to discuss on April 12<sup>th</sup> at 6:00 and then the plan is to prepare a draft for the town and planning boards' review. The draft will be put on the web site and a public hearing will be held to discuss the content. A synopsis will be done outlining the changes for the residents to review as well.

Councilwoman Lamberta said she wants the people in Germantown to know this is an important piece for them to get involved in as it will change many things in the town and if you want your input known, make sure you attend the meetings. Have your questions ready and the committee will be ready to answer them.

### **Old Business**

Supervisor Brown brought up the 97 Crown Victoria police car and that last month the vote had been deadlocked as to the disposition. He checked with the county about selling it on their website and they thought \$2500-\$3500 would be the range of what the town could get for it. The board needs to decide what they want to do, either dispose of the vehicle via county auction or keep it as a municipal vehicle.

Councilman Craig said the ongoing costs should be looked at versus the money which could go to the ball fields, the Oktoberfest celebration, or the Economic committee and he is opposed to keeping the vehicle for part-time use.

Councilwoman Lamberta said the Code Enforcement Officer doesn't have a vehicle and letting him use it would most likely be less costly than him submitting mileage for reimbursement, and it should be considered as a municipal vehicle to be used for the town.

Councilman Smith shares Councilman Craig's views and thinks having a magnetic decal for the Code Enforcement Officer to use on his personal vehicle while doing business for the town is best, as the town has enough vehicles and he doesn't feel it's needed.

Councilwoman Snyder approximated the gas use for a year at \$1200 for the Code Enforcement Officer, and suggested they try it for a year to see how it work out and then sell the vehicle if the board votes on it. Supervisor Brown said he would be agreeable and if the need and usage isn't there at the end of the year it could be auctioned off.

Supervisor Brown asked the town lawyer if the town was liable if the Code Enforcement Officer gets in an accident while on official business driving his personal vehicle. Mr. Shaw said that yes, the town would be liable, as the Code Enforcement Officer was acting for the town while driving his own vehicle.

Councilwoman Snyder made a motion to keep the 97 Crown Victoria as a municipal vehicle for a year, and Councilwoman Lamberta seconded the motion.

Supervisor Brown:	Aye	Councilwoman Lamberta:	Aye
Councilwoman Snyder:	Aye	Councilman Craig:	Nay
Councilman Smith:	Nay		

Supervisor Brown said he had spoken with the town's insurance agent about the insurance premium and by raising the deductible on buildings and contents to \$2500 it would save approximately \$250, and that raising the excess liability to \$3 million/\$6 million aggregate would add \$78 to the premium. The refunds the town will receive from NYMIR will pay the additional premium for years to come.

Motion to change the insurance property deductible on all buildings and contents to \$2500 and increase the excess liability and additional \$1 million made by Councilman Smith and seconded by Councilwoman Snyder.

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

Supervisor Brown brought up the Independence Day Celebration and said that attendance at the event has been down the past few years, as we're in competition with other towns and villages who are now hosting Independence Day events. He suggested foregoing the July 4<sup>th</sup> event and use the funds allocated for it on the Oktoberfest, which we should focus on.

Councilman Smith said his concern is whether the town could still get the fireworks for the Independence Day celebration at this late date. He would like to get the residents opinion about what kind of event to have next year.

Councilwoman Snyder said she has been approached by numerous residents in town who are upset the Independence Day celebration will not be held this year, as it has been for many years. Her suggestion is to use the money for the parks and playgrounds instead.

Councilman Craig said he is torn between the two events and wishes the discussion had started earlier so they could pull both events off, but doesn't think at this point both events could be coordinated.

Supervisor Brown said it's not too late but he believes the town should concentrate on the Oktoberfest, and he doesn't think there are enough volunteers to pull both events off successfully.

Motion to curtail the Independence Day celebration this year and put all efforts into the 300<sup>th</sup> celebration made by Supervisor Brown and seconded by Councilwoman Lamberta.

Supervisor Brown:	Aye	Councilwoman Lamberta:	Aye
Councilwoman Snyder:	Nay	Councilman Craig:	Aye
Councilman Smith:	Aye		

Supervisor Brown has received requests for BBQ areas near the Activity Building, and would like the board to consider purchasing a couple of charcoal grills for the area.

Councilman Smith asked where the money would come from and Supervisor Brown said he will need to discuss it with Anthony to see if any grills could be brought up from Anchorage or Dales Bridge, otherwise it will come from Building money.

Motion to purchase barbecuing grills to be placed between the pond and the Pavilion was made by Supervisor Brown and seconded by Councilwoman Snyder.

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

Supervisor Brown requested that the board review the proposed Building and Zoning Permit Fee schedule he had given them copies of for discussion at the April board meeting.

### **New Business**

Matt Griesemer, representing David Stocks, made a request on his client's behalf for the town to grant an easement for his residential property on Woods Road along the Hudson River. In December a minor subdivision was approved parcels and installing power to the three parcels means running 700 feet of overhead lines through a densely wooded area that gullies into a stream to put in unsightly lines. They contacted National Grid about alternative placement and there is an existing pole on town-owned property near the Wastewater treatment plant that could be used.

National Grid told the gentlemen that it would be feasible to install one pole and put overhead wires, about 100 feet of wire which would cross over the town-owned property and then put in 100 feet of underground wire, but they need an aerial easement from the town. He distributed photographs and maps of the areas to the board members.

Supervisor Brown suggested that the board members and town employees discuss the situation based on the photographs and maps. Mr. Shaw advised the board that there is a provision in the law to get an aerial easement and it would be subject to a permissive referendum. He suggested getting more information and confirmed with Mr. Griesemer that the easement would be for National Grid and not the property owner directly. Supervisor Brown said he would speak with the local representative from National Grid about the matter as well.

Councilwoman Snyder reminded the board that the VFW and American Legion get a yearly check from the town for flag maintenance at the cemeteries, and she wants to make sure it's on the abstract for next month so they will get their money early this year.

### **Supervisor's Report**

- congratulations to the Germantown Girls Basketball Team who recently won the CHVL Class D title;
- congratulations to the Germantown Boys Basketball Team who recently won the CHVL Class D title regionals, and are currently in the states;
- a few years ago, Supervisor Brown applied for and received a three-town grant working with the towns of Clermont and Livingston and there is currently a Code and Comprehensive Plan Draft as it pertains to the towns which will help to market the three towns to prospective businesses and a public hearing will be held at some point to discuss it. Thanks to the Land Conservancy for their assistance in putting the draft together.

- a draft organizational chart has been distributed to the board members for discussion at the next town board workshop;
- Supervisor Brown met with several folks from Department of Transportation to talk about Rte 9G bridge and the Linlithgo bridge which will be undergoing repair. It's currently slated to have one lane open at a time but a decision to close the road may be made. There is a meeting scheduled with representatives from the fire departments, EMS, police department, Germantown and Hudson school districts and county and town representatives to discuss the potential closure and if the decision is made to close it Supervisor Brown will pass the information along.

Councilman Smith said that Hudson Valley magazine did a feature recently on education in the Hudson Valley and Germantown did extremely well in education and showed great improvement, and he believes scholastic achievements should be celebrated as well as athletics, which Supervisor Brown and the board agreed with.

Councilman Craig suggested the article could be mentioned to area realtors as a selling point for Germantown, as the town has been getting the short shift in real estate.

### **Open to Public**

Tim Otty wanted the board to know that accountability of Parks monies will be something he'll present to the board every month, which he omitted from his previous report to the board. He also said that the web site GreatSchools.com allows comparisons of schools, and the recent article in Hudson Valley magazine makes Germantown look more attractive to families.

April 10<sup>th</sup> there will be a roast beef dinner at the American Legion Hall.

April 11<sup>th</sup> there will be a pancake breakfast.

Brian DuBois said he has observed in his walks through the park that someone is cutting trees from the park. He said that the Southern Columbia Little League organization won't be playing majors in Germantown and is counting on the board and Tim to make some waves to resolve this.

Town Board workshop is April 5<sup>th</sup> at 6:00pm.

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

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

Meeting adjourned at 8:35pm.

Respectfully submitted,