

Minutes of July 19, 2010 Public Hearing by the Germantown Town Board for Gtel's Franchise Agreement, held at the Germantown Town Hall, Germantown, NY, commencing at 6:30pm.

Present: Supervisor Roy Brown
Councilwoman Graceann Lamberta
Councilwoman Joan Snyder
Councilman Joel Craig

Not Present: Councilman Jeremy Smith

Recorded by: Town Clerk Charlene Diehl

Supervisor Brown led the Pledge to the Flag and introduced Bruce Bohnsack from Gtel who was there to present the cable television franchise agreement.

Mr. Bohnsack presented the following highlights regarding the new franchise agreement that the board had reviewed from the distribution of the document at the previous month's meeting:

- The new system is going well. It's been a tough year to bring new IP service to fruition and some changes have been made along the way but Gtel is on track with the changeover.
- Approximately 2-3 installations are being done a day now, as the company is working around vacations during the summer.
- Gtel is looking to do more fiber optics in the future.
- The fiber lines being installed are buried alongside other service lines, which means no big trench in the property owner's lawn.

Supervisor Brown closed the public hearing at 6:35pm.

Respectfully submitted,

Minutes of July 19, 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
Town Lawyer Jason Shaw

Not Present: Councilman Jeremy Smith

Recorded by: Town Clerk Charlene Diehl

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

Motion to approve the June 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 Councilwoman Lamberta and seconded by Councilman Craig.

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

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

- Nothing to report

Department Updates

Highway Department – reported by Joan Snyder

- Second pass of mowing is nearly complete;
- Over 2 miles of road has been oiled and stoned on Viewmont Road;
- Ditching and shaving banks on Old Sawmill Road is complete;
- Patching Hot Mix on some roads has been done;
- Anthony has been working on getting the Salt shed stained before the weather changes;
- Dales Bridge Park has been mowed; will be helping Anthony on moving camping platforms there in the upcoming week;
- A guide rail will be installed on Anchorage Road in the upcoming week.

Police Department – reported by Roger Rekow

156.50 hours of patrol time was worked in for the month of June.

Park Patrols: Cheviot –30 times, Anchorage – 30 times, School –27 times,
Palatine Park – 28 times, Dales Bridge – 22 times

Commissioner Rekow told the board that historically at this time of the year the town has sponsored cadets at the Police Academy. His recommendation is that the town not sponsor any cadets this year due to the lack of positions for cadets to go once they're sponsored. There has not been any availability for law enforcement positions at any county or state police departments.

Councilwoman Lamberta agrees with Commissioner Rekow's recommendation.

Sewer – reported by Joan Snyder

- Average daily flow for the month was 20,000 gallons per day;
- 4 'Call Before you Dig' requests were received for the month;
- working with the new Bank of Greene County tracing and mapping sewer lines.

Parks & Maintenance – reported by Anthony Cidras

- tilled sand at the beach and playground;
- pulling water chestnuts from the lake;

- clay has been spread at the ball field; waiting for Little League to get in touch;
- speakers were removed from the cupola and painted;
- routine maintenance was done on the skag mower;
- rope railing was installed at Dales Bridge park;
- UV systems were serviced.

Anthony presented 3 estimates for paint for the Sand & Salt shed buildings, with the money coming from the General Fund. He told Supervisor Brown he expects to be finished by August 30th.

Motion to approve the purchase of materials for the Sand and Salt shed buildings made by Councilwoman Snyder and seconded by Councilwoman Snyder.

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

300th Celebration – reported by Joel Craig

- A meeting is scheduled for July 20th at 6:30;
- 10,000 rack cards have been printed and placed at businesses throughout the county;
- the library featured lectures on Palatine history;
- an archaeology project is underway – they are excavating the area around the Parsonage and some interesting artifacts have been found;
- look for the updated issue of the Palatine Packet, which will feature upcoming events;
- website has been updated;
- Analemma project is ongoing;
- 300th anniversary merchandise is available at merchants throughout the town;
- the Salt shed will be used as a projection display for artwork that was submitted to the anniversary committee; they will determine how the painting will go.

Economic Development – presented by Roy Brown

- New show opened on Saturday, which drew a great crowd. Corinne is looking for volunteers to sit at the show, email her at ArtSpace@gtel.net;
- Thanks to Austin for assisting in the display of the artwork at the gallery.

Rezoning Committee – reported by Joel Craig

- The committee met on July 5th to review the subdivision regulations; they are putting the final touches on the draft;
- A meeting on August 17th is planned with the Town Board, Planning Board and Zoning Board.

Park Commission – reported by Roy Brown

- Camp Palatine is in full swing;

Old Business

Supervisor Brown referenced the public hearing that had been held prior to the town board meeting regarding the Gtel Franchise Agreement that Bruce Bohnsack had presented to the board. He said that a copy of the document is available in the Town Clerk's office for those wishing to review it, and the Clerk read the following:

This agreement is entered into this 19th day of July 2010, by and between the Town of Germantown, hereinafter referred to as "Grantor," a municipal corporation duly organized under the laws of the State of New York, and Hilltop Communications, Inc., a New York Corporation with its principal place of business located at 210 Main Street, Germantown, NY 12526, hereinafter referred to as "Grantee," for the purpose of setting forth the terms under which Grantee shall construct, operate, and maintain a Video Delivery System in the municipality in Columbia County, State of New York governed by Grantor.

WHEREAS, Grantor is empowered to grant and renew franchises for the installation, operation and maintenance of cable television systems within its boundaries by virtue of the authority granted to it by the Cable Communications Policy Act of 1984, as amended by the Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996, (together, the "Cable Act") and the rules and regulations promulgated thereunder, by the rules and regulations of the New York State Public Service Commission, by its power to regulate and control the public streets, alleys, and rights-of-way, and by its general police powers; and

WHEREAS, Grantor and Grantee have a mutual desire to enter into a non-exclusive agreement setting forth the terms and conditions under which Grantee will provide cable television service to Grantor; and

WHEREAS, the construction, maintenance and operation of said cable television system involves the use and occupation of Grantee and its principals, have been considered and approved by the Grantors; and

NOW, THEREFORE, in compliance with the franchise standards of the New York State Public Service Commission, Grantor hereby grants a non-exclusive franchise to Grantee to construct, operate, and maintain a Video Delivery System within the Town; provided, however, that the rights and privileges accorded by said franchise are fully subject to the rights and conditions.

Jason Shaw said the agreement is fairly well regulated by the Public Service Commission (PSC) and is a pretty straightforward document. What the franchise pays to the town depends on what the franchise collects in fees.

Motion to approve the Gtel/Hilltop Communications franchise agreement as presented made by Councilwoman Snyder and seconded by Councilwoman Lamberta.

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

Supervisor's Report

- Supervisor Brown said he spoke with Jerry Smith, who is expected to be home from the hospital within the next ten days;
- 2011 Budget requests have gone out and he would like them returned as soon as possible so the budget workshops can begin sooner. He would like to start them in August.
- Striping of the road in town will begin soon. The municipal parking lot has been striped and the County will be repainting the fog lines and center lines on town and county roads in Germantown. The road will shift in front of the phone company so parking spaces can be established in front of the phone company to the post office.
- The County came through and repaired storm water drains along Main Street in preparation of the striping.
- Supervisor Brown and Councilwoman Snyder will be attending a Sidewalk project meeting with DOT in the next week in Poughkeepsie and they're hopeful the town can continue forward with the project.
- The summer camp is up and running, with more campers than last year, especially in the Pre-K Program.
- The lake is open for swimming during posted hours and when lifeguards are on duty.
- Thanks to Anthony for his work in replacing the swings.
- Gutters on the Germantown Parsonage have been replaced after a recent theft. The new ones have been secured more so than in the past and police patrols are watching the building and others in town.
- Germantown Economic Development Committee is working with the Columbia County Economic Development Corporation to assist the town with a Technical Assistance grant for Main Street planning, which business-wise means the hamlet area, Main Street and Palatine Park Road.
- There was a bike rally recently in town, with rest areas staged at Palatine Park, Dales Bridge and Wire Road.

Open to Public

Brittany Dufrane said she thinks that Germantown should have a dog park, with a suggested location between Main Street and the Activities Building in the park. That area is already maintained and she believes the community would benefit and that lots

of people share that interest. She presented a proposal to the board members and said she will work with the board to develop the dog park. She has commitments from people interested in the dog park, and funds to establish it would be raised by the committee with no cost to the town. The dog park would also be a good way to bring people into the community.

In response to the board's concern about liability, the town's lawyer Jason Shaw said there shouldn't be a liability issue to the town as they have dog parks in New York City with no problems.

Supervisor Brown let the audience know he met with Mr. Gordon, DOT's Acting Regional Director and requested more signage and updates on the progress of the bridge repair. Mr. Brown said there was really no response from DOT other than everything is on schedule

The next town board meeting is August 16th at 7:00pm.

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

Meeting adjourned at 7:45pm

Respectfully submitted,