

Minutes of June 12, 2018, Germantown Town Board meeting, held in the Germantown Town Hall, Germantown, NY, commencing at 7:30pm.

Present: Supervisor Beaury  
Councilman Moore  
Councilwoman DuFresne  
Councilman Kukon  
Councilman Sullivan

Recorded by: Town Clerk, Joyce Vale

Motion to approve the May 8, 2018 Town Board meeting minutes made by Councilwoman DuFresne, seconded by Councilman Kukon, with all in favor and none opposed.

Motion to pay Town audited bills made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

**Written Communications** by Town Clerk

Town Clerk summer hours starting July 1<sup>st</sup>- September 1<sup>st</sup> are:

Monday- Closed  
Tuesday- 8am-12noon  
Wednesday- 5-8pm  
Thursday- 8am-12noon  
Friday- 9am-12noon  
Saturday- 9am-12noon

The bins are in the lobby for the Senior shredding of documents by the County from June 11<sup>th</sup>-29<sup>th</sup>.

**Maintenance** by Councilman Sullivan

- Non-stop mowing and weed eating.
- Shut down the heat and changed all of the filters.
- Helped with the Municipal parking lot.
- Serviced the mowers.
- Treated the lake twice.
- Help flag for the Highway department.
- Thank you to Colarusso and Sons for donating material and labor for lower entrance of the park that leads to the ballfield.
- Will be scheduling summer help next week.

**Dog Control**

No reports this month.

**Sewer** by Councilman Kukon

- Average flow for the month is 20,000
- Received 15 call before you dig requests.
- Sludge holding tank has been emptied.
- Draining and cleaning the clarifier tanks.

**Police**

No report this month.

**History**

No report this month.

At this time there was a presentation by Roy Brown, chairman of the Board of Fire Commissioners and Chief Mike Lawson regarding new apparatus. The commission statement is to develop a long-term plan for Germantown Fire District assets and apparatus to provide the district with high quality fire and rescue protection. The NFPA has a mandatory 10-year retirement for all protective elements. The 2017 year in review is there are 36 active qualified fire department members. A new rescue pumper will cost the tax payers approximately \$650,000 cost per \$1,000 (0.13 or \$13.00 per \$100,000) Replacing aging equipment starting with a truck over 10 years old. Reducing the number of vehicles in the district. Lower ISO rating for district residents and businesses. Comply with NFPA standards 1901, 1901D and 1911.

Roy Brown announced this year Germantown will be hosting the Firefighters Convention in July. There will be 42 companies attending. Roy also mentioned there will also be a public presentation the first Tuesday in August at the firehouse.

Councilwoman DuFresne asked who do they sell a used fire truck to?

Roy said golf clubs or farmers will buy them. Mike said towns that don't have much money would buy them too.

Next there was a presentation from Robert Flores of Delaware Engineering on the recent inspection of the Waste Water Treatment Plant by the DEC. Mr. Flores said that when DEC came to inspect the WWTP RBC #2 was not working and the plant was issued a rating of "marginal". The tank is divided into two parts and the one side is down. The waste water can be treated but there is no back up. Flores stated the board should approach this as an emergency repair. Darlington Equipment Company provided a quote of \$8,000 to fix the RBC and can potentially cost \$26,000, depending on what is wrong. There was discussion on the cost and timeline and the board agreed with the assessment by Flores and authorized Delaware Engineering to get the work done. Councilman Moore indicated he might know someone that can do the work and said he would report to Supervisor Beaury tomorrow morning.

Motion to go into executive session at 8:10pm to discuss the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person made by Councilman Moore, seconded by Councilman Kukon, with all in favor and none opposed.

Motion to come out of executive session made by Councilman Moore, seconded by Councilman Sullivan, with all in favor and none opposed.

Supervisor Beaury:	Aye
Councilman Moore:	Aye
Councilwoman DuFresne:	Aye
Councilman Kukon:	Aye
Councilman Sullivan:	Aye

Motion to re-open Town Board meeting made by Councilman Sullivan, seconded by Councilwoman DuFresne, with all in favor and none opposed.

### **Old Business**

Adoption of the Final Order Establishing the Extension of the Sewer District.  
FINAL ORDER ESTABLISHING THE EXTENSION TO SEWER DISTRICT  
NO. 1 PURSUANT TO SECTION 209-f OF TOWN LAW

WHEREAS, the Town Board of the Town of Germantown, Columbia County, New York (the "Town") adopted a Map, Plan and Report in 1995 ("1995 Map, Plan and Report") establishing Sewer District No. 1 in the central hamlet area; and

WHEREAS, the Town Board of the Town of Germantown, Columbia County, New York (the "Town") has caused a Map, Plan and Report for Germantown Sewer District No. 1 Amendment dated December 4, 2017 (the "Extension Report") to be prepared by Delaware Engineering, D.P.C., a competent engineer duly licensed by the State of New York, and filed in the office of the Town Clerk of the Town of Germantown and submitted to the Town Board; and

WHEREAS, the Extension Report provides for the establishment of an Extension to the existing Germantown Sewer District No. 1 in the Town , to add seven parcels of property to the existing District and to expand the District boundary in the Town of Germantown, Columbia County, New York; and

WHEREAS, an order was duly adopted by the Town Board on February 13, 2018, reciting a description of the boundaries of a proposed extension, the improvements proposed, the maximum amount proposed to be expended for said extension and improvements, the fact that said Extension Report and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, the Town Board as lead agency has heretofore declared the proposed project to be an unlisted action pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

NOW, THEREFORE, BE IT HEREBY ORDERED, by the Town Board of the Town of Germantown, as follows:

Section 1. The establishment of an extension to the existing Sewer District is hereby approved in the Town of Germantown, situate wholly outside of any incorporated village or city, and bounded and described as set forth at Exhibit A attached hereto and incorporated herein by reference.

Section 2. The sewer extension hereinabove referred to shall be constructed as set forth in the said order calling a public hearing. No additional capital cost is proposed for the extension to the Germantown Sewer District No. 1. The hook-up fees will include a \$15.00 permit and inspection fee plus the cost of construction of any required lateral connection as described in the Extension Report. The estimated total annual cost to the typical property within the Germantown Sewer District No. 1 and the Extension is \$594.00 per unit. The Extension Report describing the extension is on file in the Town Clerk's office and is available for public inspection.

Section 3. The Extension is consolidated with the existing Sewer District No. 1. The method of apportioning the costs of the Sewer District including the Extension is to assess the costs entirely against the lands benefitted thereby, and to assess, levy and collect costs from the several lots or parcels within such benefitted area in just proportion to the amount of benefit which the improvement shall confer upon such lots or parcels.

Section 4. Within ten (10) days after adoption of this order, the Town Clerk shall record with the Clerk of the County of Columbia and file with the Office of the State Comptroller in Albany, New York, copies of this order, certified by said Town Clerk.

Section 5. This resolution shall take effect immediately.

Motion to adopt resolution made by Councilwoman DuFresne, seconded by Councilman Kukon.

Roll call vote by the Town Clerk:

Supervisor Beaury:	Aye
Councilman Moore:	Aye
Councilwoman DuFresne:	Aye
Councilman Kukon:	Aye
Councilman Sullivan:	Aye

The board discussed the composition of the Police Commission and that the commission has more members than the police department has officers. Supervisor recommended abolishing the Police Commission and stated that under NYS Town Law the police department could report directly to the Town Board.

Supervisor Beaury read the following:

**TOWN OF GERMANTOWN  
RESOLUTION  
JUNE 12, 2018**

WHEREAS, the Town of Germantown has heretofore established a Town Police Department; and

WHEREAS, The Town Board of the Town of Germantown is authorized by NYS Town Law Section 150 to appoint a Board of Police Commissioners to perform the duties and responsibilities set forth therein and has heretofore done so; and

WHEREAS, the Town Board deems it to be in the best interest of the Town to abolish the aforementioned Board of Police Commissioners; and

WHEREAS, the Town Board deems it in the best interest of the Town to exercise the powers conferred upon it by Article 10, Section 150 of NYS Town Law.

NOW THEREFORE IT IS HEREBY

RESOLVED, that pursuant to the requirements of NYS Town Law Section 150 (2), the Town Board hereby dissolves the current Board of Police Commissioners;

BE IT FURTHER RESOLVED, that the Town Board shall exercise the powers conferred upon it by Article 10, Section 150 of NYS Town Law

Motion to abolish the Board of Police Commissioners made by Councilman Sullivan, seconded by Councilman Kukon.

Roll call vote by Town Clerk:

Supervisor Beaury:	Aye
Councilman Moore:	Aye
Councilwoman DuFresne:	Aye
Councilman Kukon:	Aye
Councilman Sullivan:	Aye

Motion to rescind the appointment of police officer Damon Fili made by Councilwoman DuFresne, seconded by Councilman Sullivan.

Roll call vote by Town Clerk:

Supervisor Beaury:	Aye
Councilman Moore:	Aye
Councilwoman DuFresne	Aye
Councilman Kukon:	Aye
Councilman Sullivan:	Aye

Agreement made with the Columbia County Sheriff's Department regarding security.

Motion to authorize the Supervisor to enter into an agreement with CCSO made Councilman Kukon, seconded by Councilman Sullivan.

Supervisor Beaury:	Aye
Councilman Moore:	Aye
Councilwoman DuFresne:	Aye
Councilman Kukon:	Aye
Councilman Sullivan:	Aye

Update for fee schedule for building permits for 2018.

There was discussion among the Town Board members regarding certain types of building permits and different cost changes to these permits. Councilwoman DuFresne revised the building permits schedule from comments of the Town Board members. Fee schedule will be discussed at the board meeting on July 10, 2018.

### **New Business**

Motion to appoint Amy Davison to the Zoning Board of Appeals as an alternate member effective June 12, 2018 made by Councilman Sullivan, seconded by Councilman Kukon.

Supervisor Beaury: Aye  
Councilman Moore: Aye  
Councilwoman DuFresne: Aye  
Councilman Kukon: Aye  
Councilman Sullivan: Aye

Sewer bill adjustments.

Motion for sewer bill adjustments on two vacant properties made by Councilman Sullivan, seconded by Councilman Kukon.

Supervisor Beaury: Aye  
Councilman Moore: Aye  
Councilwoman DuFresne: Aye  
Councilman Kukon: Aye  
Councilman Sullivan: Aye

The board discussed problems with timely publication by the Columbia Paper. There were two instances this year where Public Notices weren't published timely, leading to delay and additional expenses in order to conduct town business. The paper was asked to explain the process it follows, in writing, but nothing has been received by the town. Councilman Sullivan said that we only have 2 choices of newspapers. Supervisor Beaury suggested to change to a newspaper that publishes every day so that if a Notice was not published on a given day it could be published the next, as opposed to the Columbia Paper which publishes once per week.

Motion to change official newspaper to the Register Star made by Councilman Kukon, seconded by Councilwoman DuFresne.

Supervisor Beaury: Aye  
Councilman Moore: Aye  
Councilwoman DuFresne: Aye  
Councilman Kukon: Aye  
Councilman Sullivan: Aye

Waterfront Committee presentation by Christina Bohnsack. Ms. Bohnsack gave an update on the grant applications. One of the applications are to make Ice House Landing. Application to Roe Jan Park on Greenway Bike Trail. Application to DEC for minor repairs to Lasher Park. Final. Christina also mentioned the committee had discussed an Osprey platform at Lasher Park and to re-open swimming at Palatine Park. There will be a water chestnut clean up on Saturday from 9am-2pm. Christina said there is no update regarding Amtrak gate and fences.

The board discussed considering restrictions on storing construction materials and long-term parking of trucks and/or cars in the Municipal Parking Lot now that it has been paved and lined. Supervisor Beaury talked about no storage of construction materials on any paved part of the lot. Councilwoman DuFresne stated no overnight parking. The board tabled the issue of long-term parking of trucks and/or cars in the Municipal Parking lot until further study can be done.

Motion to prohibit storing construction materials in the Municipal Parking Lot made by Councilwoman DuFresne, seconded by Councilman Kukon.

Supervisor Beaury: Aye  
Councilman Moore: Aye  
Councilwoman DuFresne: Aye  
Councilman Kukon: Aye  
Councilman Sullivan: Aye

Split-rail fencing along Palatine Park Road. Councilman Sullivan said he has watched kids running in the field and feels this is very dangerous and will keep the kids out of road. Councilman Sullivan said he has received a quote for the length of the two fields of \$1,500 for the materials and Anthony will install the fence.

Motion to approve cost of up to \$1,500 for 300' of split-rail fencing along Palatine Park Road made by Councilman Sullivan, seconded by Councilman Kukon.

Supervisor Beaury:	Aye
Councilman Moore:	Aye
Councilwoman DuFresne:	Aye
Councilman Kukon:	Aye
Councilman Sullivan:	Aye

Motion to surplus and sell York rake and auger made by Councilman Sullivan, seconded by Councilwoman DuFresne.

Supervisor Beaury:	Aye
Councilman Moore:	Aye
Councilwoman DuFresne:	Aye
Councilman Kukon:	Aye
Councilman Sullivan:	Aye

Councilwoman DuFresne asked if there are plans to repair the strip between sidewalks because one of the town machines creates ruts. Supervisor Beaury said he will discuss this with the Maintenance staff.

### **Supervisor's Report**

Supervisor Beaury asked for some ideas for the old Welcome to Germantown sign. Supervisor Beaury said could we put the sign in the municipal parking lot, at least temporarily, so that we can get it out of the maintenance shop. We can agree on a final spot at some point.

- Street lights are installed.
- Change in office hours for the summer for the Town Clerk.
- Beautification Committee will be painting the beach house, Town Hall then the Activity Building by the end of the summer.
- Community Day, May 19, 2018 and May 26, 2018 very successful.
- Memorial Day commemoration and festivities May 28, 2018 was very good.
- Tony's Boats. Tony Albino said the kids and parents liked the remote-control boats. An anonymous donor will contribute \$1,000. If successful they will have boats races next year. Supervisor Beaury and Councilman Sullivan thanked Tony.
- Summer camp sign-ups now through June 23, 2018.
- Potluck Supper, Sunday, June 10, 2018, 3-6pm at the Activity Building. Was a good get together hope to make it an annual event.
- Fireworks on Saturday, June 30, 2018 (rain date July 1, 2018) (Gates open at 4pm)
- Fire Company Parade, Saturday July 28, 2018. 42 companies will be in attendance. Start time for the parade is 5pm.
- Next Town Board meeting is July 10, 2018 at 7pm. There will be 2 public hearings that day as well, times not set yet.

### **Public**

Steve Reynolds said there must be a way the 3 boards can work together about appointing members. Steve said under the past Supervisors they would have informal conversations between the chairman of the Planning board or ZBA about applicants to be appointed to the Planning board or ZBA. Steve is asking the Town Board if they would reconsider this. He also said that Supervisor Beaury told him the appointments are done now by a point system. Supervisor Beaury said let us process this.

A resident said thank you for reviewing Local law #2. The 3 articles in the Columbia Paper were very critical on our town.

Steve Savoris asked why there is no noise ordinance and would the Town Board consider some type of noise ordinance? Mr. Savoris said his neighbor is screaming all day and all night. Supervisor Beaury said that the screaming neighbor is not a noise ordinance issue, that it is an issue for law enforcement. Mr. Savoris wants the Town Board to be aware of this.

Sarah Saul said a few months ago at the meeting for the Commercial Event Law there were not many people in attendance and she wants the information to get out to the community. Ms. Saul suggested putting a description on the website and that it's coming up. Councilwoman DuFresne said the draft was on the website. Supervisor Beaury said there needs to be proper notice that's why we made change with the newspaper tonight. Councilman Sullivan said there is a need to get the word to the people.

Dawn Albino thanked the Town Board. Ms. Albino asked why the public hearing is not on the town calendar? Dawn said it would be helpful if these were on the town calendar. Supervisor Beaury said we are updating the website daily.

Amy Davison said the interviewing committee did a good job. Ms. Davison had a suggestion that maybe someone from all 3 boards should be on the committee next time. Amy also thanked the Town Board for the good job they had done in the past 6 months.

Billy Kimmel said he posts information on **aroundtown.com** which also has a link to the town website. Billy would also like to see some kind of sound ordinance like pertaining to construction. Supervisor Beaury said he is hearing more and more on this subject and suggested to maybe hold a workshop.

Steve Reynolds said they adopted a noise ordinance in Tivoli. Supervisor Beaury asked Steve to find out the details and they would talk about more next month.

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

Meeting closed at 10:00pm.

Respectfully submitted,