

Minutes of July 10, 2018 Germantown Town Board meeting, held in the Germantown Town Hall, Germantown, NY, commencing at 7:00pm.

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

Recorded by: Deputy Town Clerk, Donna Diehl

Supervisor Beaury opened the Town Board meeting and led with the Pledge to the Flag.

Motion to approve the June 12, 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 Moore, seconded by Councilman Sullivan, with all in favor and none opposed.

Written Communications

Deputy Town Clerk received a petition signed by 56 people for the removal of a particular person from a Board. Signed petition will be on file in the Town Clerk's office.

There are 2 letters on file in the Town Clerk's office from Genette Picicci Oehlke.

Maintenance by Councilman Sullivan

- helped Highway department with blacktop, oil and stone.
- mowing and weed eating.
- helped get the grounds ready for the fireworks and helped with the clean up afterwards.
- thanks to Keil's for lending their gators for the fireworks event.
- thanks to the County for the use of their light towers.
- ordered mulch for the playground which should be here in a week or two.
- Will be installing a Call Before You Dig split-rail fence and should have the first half up by July 23.

Dog Control

No report this month.

Highway

- Paved East Camp Road as per schedule, south end of the municipal parking lot and entrance to ball field; thanks to Colarusso for the great job.
- Oil and stone on Old Saw Mill, Orr Road, Hunterstown Road, Orchard Road; thanks to Gorman Brothers.
- Just finished shoulder work and backing up driveways on East Camp.
- Working on weed-eating, guiderails and signs and starting on cutting back while it's dry.
- Town's roadside mowing tractor was back for one day but still has an overheating issue; Kiehl's and John Deere are working together to diagnose and fix the problem. John Deere is now giving the town an additional 2-year warranty on the tractor.

Sewer

- Average flow 20,000 gallons per day.
- Pump 2 was removed, rebuilt and replaced in Pump Station #1, RBC #2 is being worked on.
- NYS PESH (Public Employees Safety & Health Division) made an unexpected visit to the plant; have not yet received a report but George has made a list of some of their concerns that he is working on now.

Supervisor Beaury said the town had received a letter from the New York State Department of Taxation and Finance regarding the town's assessment which is currently at 85% and asked the town's Assessor, Ralph DelPozzo to speak on the Tax Equalization Rate for 2018.

Mr. DelPozzo said the state would like Germantown to be at 100%; the last revaluation was 7-8 years ago, and the Town Board needs to determine if another revaluation will be done. There is no penalty if the town does not do one.

Presentation by Henry Swartz, Deputy Director of Columbia County Emergency Management regarding the Columbia County Multi-jurisdictional Hazard Mitigation Plan. Mr. Swartz discussed the purpose and benefits of the plan. The plan has been approved by FEMA and can be reviewed on Columbia County Sheriff's Website, Emergency Management Division, at the bottom of the page.

Supervisor Beaury said a resolution to adopt the plan will be put on the agenda for next month.

Motion to enter Executive Session at 7:40pm to discuss the employment history of a particular person, 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.

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

Motion to come out of Executive Session at 7:56pm made by Councilman Moore, seconded by Councilman Sullivan.

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

Motion to re-open Town Board meeting made by Councilwoman DuFresne, seconded by Councilman Kukon.

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

Old Business

The proposed Local Law #2 regarding alternate members to the Zoning Board of Appeals and the Planning Board.

Supervisor Beaury and the board agreed they would like more time before making a decision. The Supervisor asked the new town attorney to look into the matter and advise the board what their options are.

Motion to table the proposed Local Law regarding alternates to the Planning Board and ZBA made by Councilman Moore, seconded by Councilman Kukon.

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

Building and Planning Board fee schedule. Councilwoman DuFresne had a listing of surrounding town's fee schedules provided to her by the former CEO and mentioned increasing Germantown's fees gradually to bring Germantown up to par. This is the second time the board has discussed this matter and this time focused on fees for the Planning Board and ZBA. The board discussed and arrived at the following proposed fee schedules:

- Site plan \$100.00
- Minor subdivision \$100.00 for one lot /\$75.00 per additional lot

- Major subdivision \$150.00 prelim/\$200.00 for final approval; \$75.00 per additional lot
- Lot line adjustment \$ 75.00
- Special Use Permit \$ 75.00
- Area Variance \$ 50.00/plus cost of certified mailings
- Use Variance \$ 50.00/plus cost of certified mailings
- Int \$ 50.00/plus cost of certified mailings
- SEQR no change as applicants required to establish an escrow account

Motion to hold a Public Hearing on August 14, 2018 at 6:30pm to present/adopt the proposed fee schedules made by Councilman Moore with a second by Councilwoman DuFresne.

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

Germantown Police Department – Supervisor Beaury reported that a review of the Police Department had been made by consultant Harry Corbett, a retired NYS police superintendent.

Mr. Corbett did an assessment of the Police department as a follow up to the assessment done in March 2015 by Peter Volkman. Mr. Corbett pointed out the areas that need to be addressed. There is no difference in what is expected from a part-time or full-time police department according to Mr. Corbett they would all have the same training, professionalism and withstand scrutiny should there ever be a problem. Supervisor Beaury stated that in 2018 police departments all around the country are in scrutiny for their actions and in a small town, like anywhere else, there is also a possibility something could go wrong. Supervisor Beaury said as a Town Board they have the responsibility to the tax payers to make decisions about what is a comfortable level of risk or liability with a small police force. Supervisor Beaury gave some background on the police department from last year’s report: that there was very little patrol, less than \$140.00 was spent on gas with not a lot of time on the road and there is more to it. Supervisor Beaury asked the Town Board to allow the public to see a redacted version of the report.

Motion to put the redacted Police Assessment Report on the town’s website made by Councilman Kukon with a second by Councilman Moore.

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

Supervisor Beaury asked the town attorney to redact it and then the report will be put on the town website for public viewing.

The Town Board discussed holding a Public Hearing on July 18, 2018 at 5:30pm to be immediately followed by a Special Town Board meeting regarding the Police Assessment Report and next steps in the process.

Motion to hold a Public Hearing on July 18, 2018 at 5:30pm to be immediately followed by a Special Town Board meeting regarding the Police Assessment Report and next steps in the process made by Councilman Sullivan with a second by Councilwoman DuFresne.

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

Attorney Corrine Smith said that if the Town Board does anything further regarding abolishing the police department they will require a Local Law and there will be a Public Hearing.

Waterfront Committee presentation on grant opportunities and potential permit application by Kaare Christian. Mr. Christian said there are 3 things that they would like to go over tonight, one of which is applying for a grant, and they had been working on looking for a consultant to write the grant. Supervisor Beaury said that this grant could cost up to \$100,000. Mr. Christian said that they are in a good position for it not to cost that amount, that the committee has done a study and their goal is to do it for less. Kaare said the committee has only received one solid

proposal from Delaware Engineering and will revisit this issue in the spring of 2019. Supervisor Beaury commented that grants are expensive and very complicated and asked how much would the grant cover? Kaare said about half would be covered by the grant. Supervisor Beaury said when they take another look at the proposal in the spring that all the details need to be worked out by the committee.

The second item Mr. Christian brought up was the repair to the sea wall at Lasher Park. They prepared the required DEC permit to run by the people at DEC and did not see any problems with this. This morning Jen Crawford met with Rich Jennings on the costs for the town doing the work on this project and Rich said he estimated \$500.00 in materials and a half day of work for his crew putting material on the sea wall and to get the sea wall back to where it should be. Mr. Christian asked for the Town Board's permission to move forward getting the DEC permit. There was some discussion on the cost of materials and labor and the Board approved the project, subject to a maximum cost of materials in the amount of \$1,000, and further subject to the availability of Town employees to complete the project.

Motion to approve the Supervisor to file the permit application with the appropriate agencies made by Councilman Sullivan with a second by Councilman Kukon.

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

The third item Kaare mentioned is that the town owns property just north of Cheviot Park, Ice House Landing, which right now is undeveloped. The committee has come up with a plan and they would like the Town Board's permission to keep going with this plan. Mr. Christian said it is a historic and unique site. The committee would like to make it a water accessible park. Greenway would be providing a lot of the funding for it and they are not looking for town funding. They are asking for two days of town help along with volunteers clearing the property. There was discussion on the process.

Motion to proceed with the Ice House Landing funding application made by Councilman Sullivan, seconded by Councilwoman DuFresne.

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

Discussion was held on parking restrictions regarding long-term parking of trucks and/or cars in the Municipal Parking Lot as well as long-term parking at the Anchorage. Attorney Corrine Smith will write up a draft.

The Auger and York rake are up for auction. Minimum bid for the Auger is \$300.00 and minimum bid for the York rate is \$1,500.00.

The split rail fencing will be started on July 17, 2018 and should be done in a couple of weeks.

Ball field fencing was put on hold. Discussion was held on when to start fences at the ball field and it was suggested the Board seek bids in January 2019.

Old Business

Supervisor Beaury brought up the Noise Ordinance. Councilman Moore is not in favor of it. Councilwoman DuFresne doesn't see how it is possible without a decibel meter. Councilman Kukon is not in favor of it. Councilman Sullivan is neither here nor there about it. Supervisor Beaury's biggest concern is how to enforce it. More discussion on this subject was held. Town Board agreed to pass on any action regarding the Noise Ordinance.

A motion was made to approve a change in hours for an employee, from four ten-hour days to five eight-hour days effective July 9, 2018, by Councilwoman DuFresne, seconded by Councilman Moore.

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

Supervisor's Report

- Waste Water Treatment Plant repairs update: RBC#2 repairs started June 22, 2018. Pump station emergency repairs made March 26 and March 29, 2018 in the amount of \$12,210.
- Supervisor Beaury thanked Tony Albino for arranging a contribution from an anonymous donor in the amount of \$1,000.00 for remote-controlled boats for use at Palatine Park. The boats were put in the water today and the kids at camp loved them and want more. Tony gave Janet the list of boats to buy.
- Inspection by Columbia County Health Department on June 19, 2018 and we passed.
- Unexpected inspection from NYS PESH at the WWTP on June 21, 2018, they will be sending their report within 4-6 weeks.
- Summer Camp started July 9, 2018; we have over 180 kids ranging in ages from 3-12.
- The July 4th Fireworks were held on June 30, 2018; approximately 1,500 people attended, which was less than expected. Supervisor Beaury thanked all who volunteered for this event. Special thank you to Janet Crawford for putting it all together.
- Certificate of Recognition will be awarded to the family of Ernest Clifford Bower, of Germantown, on Monday, July 23, 2018 at 9am at 401 State Street.
- Not much to update regarding Amtrak Fences and Gates. The Permit process was put on hold until Amtrak holds meetings with Supervisors as well as the general public. Kaare Christian said the Waterfront Committee had a few suggestions for safety and Supervisor Beaury asked for the ideas to be given to him as soon as possible so that he is prepared for the meeting with Amtrak and State officials.
- The Fire Company Parade will be held Saturday, July 28, 2018 with fireworks at Palatine Park. Dale Hinkein said there will be no parking in the village and there will be other road closures starting around 3:00pm. Roads should re-open around 7:00pm after the parade is over. The Board asked for more details about which roads will be closed and Dale said he will ask the Fire Company to provide them.
- Next Town Board meeting will be held, August 14, 2018 at 7pm. There is a Public Hearing scheduled for 6:30pm prior to the Town Board meeting.

Public

A resident asked if Supervisor Beaury would introduce the new Town Attorney and Supervisor Beaury introduced Corrine Smith to the audience.

Julie Oehlke thanked the Town Board for their dedicated service. Ms. Oehlke then stated that there is a clear conflict of interest in hiring a firm that has been retained by some residents of the town in private interests before the public boards and bodies of the town. Supervisor Beaury said there is no conflict of interest and this firm represents the Town of Germantown only.

Joe Sultan is concerned about the proposed Commercial Event Law. Supervisor Beaury said there is no proposed Commercial Event Law and that this issue was given over to the Planning Board for advice and recommendations to the Town Board.

Pamela Wallace is excited about Tony's boats and the lake. Ms. Wallace is asking the Town Board to consider making the lake accessible for swimming again. Ms. Wallace thinks this is a good idea for families. Councilwoman DuFresne said the Park Commission looked into this 8-9 years ago and it would cost approximately \$100,000 to clear the lake up. Supervisor Beaury said they would have to take a more detailed look into this and could put this into the budget for next year. Supervisor Beaury also said for general labor for a season would be a cost of \$25,000.

Kaare Christian said that Christina Bohnsack asked him to announce that there will be a public meeting on storm surge in Poughkeepsie tomorrow night.

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

Meeting closed at 9:40pm.

Respectfully submitted,