

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

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

Recorded by: Town Clerk, Joyce Vale

Motion to approve the March 13, 2018 Town Board meeting minutes made by Councilwoman DuFresne, seconded by Councilman Sullivan, with all in favor and none opposed.

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

### **Written Communications**

Town Clerk announced the resignation of Jay (James) Trapp as Building Inspector and the resignation of Rao Gaddipati from the Planning Board.

### **Town Department Reports:**

#### **Maintenance** by Councilman Moore

- Waiting on National Grid for the electrical connection at the Parsonage.
- Clean up at the Anchorage.
- Working on ball fields, getting ready for Little League.
- Helped Highway department put in the Cheviot docks.
- SKU Electric repaired exterior light at highway garage.
- Turning water on, on Monday.
- Starting to get everything out for summer.

#### **Dog Control**

- 1 case ruling
- 2 lost dogs both found.

#### **Building & Code Enforcement** by Councilwoman DuFresne

- 1 Single Family Residence application.
- 1 Animal housing.
- 1 Barn renovation
- 1 Interior renovation.
- 2 Residential C of O issued.

#### **Highway** by Councilman Kukon

- Cheviot docks are in.
- Anchorage docks scheduled to go in the week of the 16<sup>th</sup>.
- Road sweeping is done.
- Wood chipper is fixed cleaning up storm damage.
- Highway department would like to go to the summer hours starting April 30<sup>th</sup> – August 30<sup>th</sup> 6:00am- 4:30pm.

The Town Board tabled the Highway department summer hours until the next meeting.

Motion to table the Highway department summer hours to the next Town Board meeting made by Councilman Moore, seconded by Councilman Kukon.

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

- The highway department will be hot patching winter damage.
- Went down to Anchorage dock last week with Anthony and cleaned the ramp and parking lot of wood and debris.

**Sewer** by Councilman Sullivan

- Average flow is 24,000 gallons per day.
- Received 9 call before you dig requests.
- New flow chart recorder has been installed on pump #2 and flow meters have been recalibrated.
- Pump station #2 will be closed from Pump station #1 and rebuilt.

**Police** by Officer in Charge DuBois

- Sex offender task force in Hudson. Looking for a place to move the sex offenders from Rensselaer County.
- Logged in 19.5 hours last month.
- Recruit graduated last Saturday.

**History**

No report this month.

Motion to accept department reports made by Councilman Moore, seconded by Councilman Kukon.

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

## **Old Business**

The Notice of Adoption of Resolution Subject to Permissive Referendum was submitted timely to the Columbia Paper but the paper did not publish it. Motion to adopt the Confirming Resolution Approving the Establishment of an Extension to Germantown Sewer District No. 1 made by Councilman Moore, seconded by Councilman Sullivan.

Made by Roll call by the Town Clerk:

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

Supervisor Beury read the following:

### **CONFIRMING RESOLUTION APPROVING THE ESTABLISHMENT OF AN EXTENSION TO GERMANTOWN SEWER DISTRICT NO. 1, PURSUANT TO SECTION 209-e OF TOWN LAW, SUBJECT TO PERMISSIVE REFEREDUM**

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, no additional capital cost is proposed for the Extension to the Germantown Sewer District No. 1; and

WHEREAS, the hook-up fees include a \$15.00 permit and inspection fee plus the cost of construction of any required lateral connection as described in the Extension Report; and

WHEREAS, according to 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; and

WHEREAS, an order was duly adopted by the Town Board on February 13, 2018 reciting a description of the boundaries of proposed Extension, the fact that said Extension Report was on file in the Town Clerk's office for public inspection and specifying the time and place where said Town Board would meet for the purpose of holding a public hearing to consider the same; and

WHEREAS, said Town Board has duly considered said Extension Report for the creation of the Extension of the Germantown Sewer District No.1 and;

WHEREAS, pursuant to Section 209-e of Town Law, the Town Board may authorize an extension of the sewer district only after it hears evidence given at a public hearing held in the manner prescribed in Section 209-d of Town Law and determines that it is public interest to authorize such creation; and

WHEREAS, notices of such public hearing was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of publication and posting has been duly presented to said Town Board; and

WHEREAS, such public hearing was duly held on March 13, 2018, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said Extension Report and the evidence given at said public hearing; and

WHEREAS, the Town Board as lead agency has heretofore determined the proposed project to be unlisted action pursuant to the State Environmental Quality Review Act, has reviewed a Short Environmental Assessment Form, and has determined that the implementation of the Extension, as proposed, will not result in any significant environmental effects; and

WHEREAS, this resolution is intended to confirm the resolution entitled "IN THE MATTER OF THE ESTABLISHMENT OF EXTENSION TO GERMANTOWN SEWER DISTRICT NO. 1, IN THE TOWN OF GERMANTOWN, IN THE COUNTY OF COLUMBIA, STATE OF NEW YORK PURSUANT TO ARTICLE 12-A OF THE TOWN LAW; A RESOLUTION APPROVING THE ESTABLISHMENT OF AN EXTENSION TO GERMANTOWN SEWER DISTRICT NO. 1, PURSUANT TO SECTION 209-e OF TOWN LAW, SUBJECT TO PERMISSIVE REFERENDUM" approved March 13, 2018.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Board of the Town of Germantown, Columbia County, New York, as follows:

Section 1. Upon the evidence given at the public hearing referred to above, it is hereby found and determined as follows:

- a. The notice of hearing was published and posted as required by law and was otherwise sufficient;
- b. All the property and property owners within the proposed Extension of the Germantown Sewer District No. 1 are benefited thereby;
- c. All the property owners benefited are included within the limits of said proposed Extension of the Germantown Sewer District No. 1.
- d. The proposed Extension of said Germantown Sewer District No. 1 is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof.

Section 2. The Town Board hereby approves the establishment of the Extension of Germantown Sewer District No. 1 with the boundaries of the Germantown Sewer District No. 1 as so extended to be as described in Exhibit A attached hereto and hereby made a part hereof.

Section 3. The Town Board hereby approves such other action on the part of the Town Board with relation thereto as may be required by law, all as more fully described in the Map, Plan and Report.

Section 4. No additional capital cost is proposed for the Extension to the Germantown Sewer District No. 1.

Section 5. 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 6. This resolution shall take effect thirty days after adoption, unless there shall be filed with the Town Clerk a petition signed and acknowledged by the owners of taxable property situate in the Sewer District or proposed Extension thereof, as shown on the latest completed assessment roll of said Town, in number equal to at least five percent of the total number of such owners, or by one hundred of such owners, whichever is the lesser, protesting against this resolution and requesting that the matter be submitted to the owners of taxable real property situate in said Sewer District and proposed Extension at a referendum in the manner provided by the Town Law.

Section 7. The Town Clerk is hereby authorized and directed to cause to be published at least once in the Columbia Paper, the official newspaper of the Town, and to be posted on the sign board of the Town maintained pursuant to the Town Law, not less than ten (10) days following the date hereof, a notice which shall set forth the date of adoption of this resolution and contain an abstract thereof, concisely stating its purpose and effect and specifying that this resolution was adopted subject to a permissive referendum.

The question of adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

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

Motion of adopting resolution made by Councilman Moore, seconded by Councilman Kukon.

Councilman Sullivan gave the update on the ballfields. Met with Roma Fence for the south field back stop and fences. Supervisor Beaury spoke with Sue Brown, Superintendent of GCS and Sue is asking the Town Board to let them use the softball field because the school softball field is under major construction. The school will be helping us prepping and maintaining the field.

Motion to approve GCS use of softball field for 2019 season with no major changes in specs made by Councilman Moore, seconded by Councilman Sullivan.

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

The Comprehensive Plan was returned from the Columbia County Planning Board and the Town Board is prepared to adopt it. There will be a public hearing on May 8, 2018 at 6:45pm.

Motion to set date and time at May 8, 2018 at 6:45pm for a Public Hearing regarding adoption of the Comprehensive Plan made by Councilman Moore, seconded by Councilman Sullivan.

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

Councilman Kukon: Aye  
Councilman Sullivan: Aye

Supervisor Beury said the fee schedule for building permits will be tabled at this time.

Supervisor Beury gave an update for the street lights is warmer weather is needed for the work to be done.

### New Business

- Appointment of Emil Ericson Jr. to the Planning Board to complete the term of a member that resigned and is effective April 10, 2018 through December 31, 2021.

Motion to appoint Emil Ericson Jr. to the Planning Board made by Councilman Sullivan, seconded by Councilman Moore.

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

Motion to form AD Hoc Committee to interview candidates and recommend to the Town Board an alternate member for appointment to the Planning Board made Councilwoman DuFresne, seconded by Councilman Kukon.

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

Supervisor Beury will reach out to ZBA. ZBA member to named later.

Councilman Moore and Councilman Sullivan volunteered to be on the committee.

Motion to appoint Sam Harkins, Code Enforcement Officer, with an annual salary of \$10,000 which will be prorated for a mid-April start, effective April 10, 2018, made by Councilman Moore, seconded by Councilwoman DuFresne.

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

The Waterfront Committee finished their study and was submitted to NYS. There is a copy in the Town Hall and at the Library. The Waterfront Committee is asking the Town Board to review it then approve it after Department of State. Supervisor Beury is meeting with DEC and the Waterfront Committee on Friday to review projects. There will be a rally to fight the fences on April 22<sup>nd</sup>, Earth Day from 12-2pm at Lasher Park. Supervisor Beury commented it has come a long way in a few weeks. For more information check out the website [gatesgate.org](http://gatesgate.org)

- Waterfront fundraising

The Germantown Park Commission will meet with Tony Albino. Tony has spoken to Town businesses. Money would go towards waterfront projects. Councilwoman DuFresne and treasurer will attend meeting as well. Supervisor Beury would like a few more people on that board.

Amy Davison from Economic Development and Advisory Committee will be reaching out to anyone would like to participate or if anyone is unaware of the first event community pot luck local businesses dinner. A meet and greet is scheduled for April 30<sup>th</sup> at 5:30pm at the Town Hall. Supervisor Beury said we need to re-do the municipal parking lot. There is a quote but we don't have the money which is \$40,000. Ms. Davison has some ideas for fund raising and may get some donations.

- Would like a study on Route 9G where the speed limit is 55mph to reduce speed limit to 35mph. Would need to speak with the Traffic safety board then go to NYS. Councilman Sullivan agreed if it doesn't cost anything. Councilwoman DuFresne doesn't like it and to enforce what is there now. Billy Kimmel thinks speed limit in the hamlet should be reduced. Billy said trucks speed by and there have been multiple accidents in front of his house.

Motion to send the study of speed reduction on 9G to NYS and a second study on Main Street to Columbia County made by Councilman Moore, seconded by Councilman Sullivan.

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

### **Supervisor's Report**

- New Help Wanted Link on Town Website.
- Rabies Clinic at the Activity Building on Saturday, April 14<sup>th</sup>, 2018 (Cats 10-11am and Dogs 11am-12pm).
- NYS Public Service Commission Public Hearing at CGCC on Tuesday, April 17, 2018 regarding the March 2018 Winter Storm and related Power Outages [www.dpr.ny.gov](http://www.dpr.ny.gov)
- Town Campus Beautification Committee meeting, April 22<sup>nd</sup>, 2018 (noon-2pm)
- Rally at Lasher Park on Sunday, April 22<sup>nd</sup>, 2018 (noon-2pm)
- Roeliff Jansen Kill fourth annual fundraiser on Saturday, April 28, 2018 (rain date April 29, 2018) starting at 9am at Elizaville Falls.
- River Sweep on Saturday, May 5<sup>th</sup>, 2018 (9am-noon)
- Presentation by Susan Brown, Superintendent of Schools, on May 8<sup>th</sup>, 2018.
- Town-wide Yard Sale on Saturday, May 19<sup>th</sup>, 2018.
- Germantown Garden Club Plant Sale under the Pavilion on May 19<sup>th</sup>, 2018, starting at 8am.
- Fireworks on Saturday, June 30<sup>th</sup>, 2018 (rain date July 1<sup>st</sup>, 2018) Gates open at 4pm.
- Next Town Board meeting May 8<sup>th</sup>, 2018 at 7pm.

### **Public**

Ellen Jouret Epstein handed the Town Clerk a list of signatures in opposition to any proposal that seeks to make changes to the town zoning laws, rules and regulations that would permit commercial events in currently agricultural and residential only zoning districts, including but not limited to weddings, parties, meetings, family reunions and corporate events.

Pamela Wallace is concerned about the three articles in the Columbia Paper about the town planner and escrow account. Ms. Wallace said the vote happened without the planner. Councilman Moore said the planner decided not to come. Supervisor Beaury said escrow is not an issue. Supervisor Beaury also said it is not uncommon for the Planning Board to allow an applicant to prepare a preliminary environmental impact statement because this applicant has the resources to pull all the information together. The preliminary document was delivered to the Planning Board in advance of their workshop. The Planning Board voted unanimously after revising the document. Tal Rappleyea and the Planning Board took four hours and went through it page by page at the workshop.

Karen Targrove was at several of the meetings and feels the Planning Board did what was legal and was the best decision for the town. Ms. Targrove said more board members wanted more insight on behalf of the town.

Amy Davison said the new committee will help to bring new businesses to town. Ms. Davison said there are a lot of lessons to learn from the Dollar General zoning maps show commercial history of other businesses.

Pamela Wallace said this should be made clear in the Comprehensive Plan.

Billy Kimmel doesn't like the Dollar General. Mr. Kimmel would like to revisit the idea of using the old telephone booth for an information board. Billy will send an email to Supervisor Beaury about this.

Councilman Moore suggested the businesses put a sign board saying additional parking.

Supervisor Beaury would check into the legal requirements.

Margaret DellaCioppa would like to see the town wide yard sale made into more and maybe involve the town businesses.

Billy Kimmel said **aroundgermantown.com** is going to post all the information.

A resident suggested looking into fixing the fences at the Dog Park when they were doing the Little League fences.

Martin Overington reminded everyone the "Fight the Fences" rally on Sunday starting at 11am.

Janet Crawford mentioned the D'Souza's house fire and the Lions Club was collecting donations for the family.

Karen Targrove suggested that local businesses put out a collection jar, which was very successful in Red Hook.

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

Meeting closed at 8:23pm.

Respectfully submitted,