

Minutes of June 12, 2018 Public Hearing to adopt Local Law #2 of 2018 regarding alternate members to the Planning Board and Zoning Board of Appeals held in the Germantown Town Hall, Germantown, NY, commencing at 6:55pm.

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

Recorded by: Town Clerk, Joyce Vale

Supervisor Beaury opened the Public Hearing and led with the Pledge to the Flag.

Motion to open the Public Hearing to adopt Local Law #2 of 2018 regarding alternate members to the Planning and Zoning Board of Appeal made by Councilman Moore, seconded by Councilwoman DuFresne, with all in favor and none opposed.

Town Clerk read the following:

Notice of Public Hearing Regarding the Enactment of a Local Law Authorizing Use of Alternate Planning Board and Zoning Board Members
PLEASE TAKE NOTICE that the Town Board of the Town of Germantown shall hold a public hearing on June 12, 2018 at 6:55pm in the evening at the Town Hall 50 Palatine Park Road, Germantown, NY 12526, concerning the enactment of a local law authorizing use of alternate planning board and zoning board members.

Supervisor Beaury opened the floor to public comments.

Ellen Jouret Epstein from Viewmont Road is opposed to adopting Local Law #2 on its face, because it effectively would unseat a duly appointed planning or zoning member. Ms. Epstein feels it is being rushed and was not available for review until today. Ms. Epstein feels questionable appointment of the planning board alternate member over four other candidates one of which is a civil engineer. Ms. Epstein is wondering why the Board would put itself in a position of making a questionable decision? Ms. Epstein's letter and petition are on file in the Town Clerk's office.

Margaret DellaCioppa has been a Planning Board member for 14 ½ years and has only missed 5 meetings. Ms. DellaCioppa questioned section 3 of the law in regards to missing a meeting and not being able to part take.

Tal Rappleyea answered her saying an alternate would participate but when it comes time to vote the alternate takes the back bench and the member will vote.

Melinda Reichlin was surprised that a certain person was appointed to the Economic Development Committee and that this same person was appointed as alternate to the Planning Board. Councilwoman DuFresne said this was a personal attack. Ms. Reichlin then asked when and where was this position advertised. She was also upset to know that the alternate could vote. Ms. Reichlin thinks this appointment should be voided and Local Law #2 of 2018 should be reviewed before adoption.

Norman Mintz feels there is enormous pressure on Zoning and Planning Boards. Mr. Mintz feel the Town Board should take time to review this urgent matter.

Steve Reynolds suggested person spend a year on the boards for preparation and experience before being able to participate.

Joe Guida finds a problem with calling the alternate right before a meeting. Mr. Guida asked that the alternate would sit in and automatically gets to vote? Tal Rappleyea responded by saying the alternate would sit in until they were not needed any more and the sitting member of the board gets to vote.

A resident read a Section 3 of Local Law #2 which she disagreed with.

Supervisor Beaury said there seems to be some disconnect on what was written and what was intended by the board.

Margaret DellaCioppa has an example from the Department of State from the Town of Orchard Park which she will present.

Supervisor Beaury thinks the proposed law should be examined more carefully. The purpose behind it is to address a problem for the ZBA. There have been times the ZBA has not been able to meet for lack of a quorum. Appointing an alternate is a step in the right direction. Now the question is when can they participate.

Supervisor Beaury said they were going to table this for a month and would like all comments in writing.

Councilwoman DuFresne said the public was given the opportunity to talk and they had very accusing comments.

Billy Kimmel said forgive them for being so hostile they just want some transparency.

Councilman Sullivan said instead of fighting we should be working together.

Martin Overington asked how a person would get on the Planning Board?

Councilwoman DuFresne said the applicants went through an interview process.

Joe Guida is a member of the ZBA and he says getting a quorum is a problem. Joe suggested making a law if you have two absences a year, you should step aside.

Martin Overington disagrees with the Local Law #2 and he agrees with what Ellen Jouret Epstein said.

Genette Piccici Oehlke stated this is personal. Genette said she has the skills and the background and was interviewed for the position.

Supervisor Beaury suggested any written comments be given before next month's meeting.

Motion to close the Public Hearing made by Councilman Moore, seconded by Councilman Sullivan, with all in favor and none opposed.

Public Hearing closed at 7:29pm.

Respectfully submitted,