

Minutes of December 10, 2019 Germantown Town Board Public Hearing on Proposed Local Law No. 4 of 2019 Amending the Code of Ethics to Abolish the Town Board of Ethics and Appoint Columbia County Board of Ethics for the Town of Germantown commencing at 7:00pm.

Present: Supervisor Beaury  
Councilwoman DuFresne  
Councilman Kukon  
Councilman Sullivan  
  
Town Attorney, Corinne Smith

Absent: Councilman Moore

Recorded by: Temporary Town Clerk, Charlene Diehl

The Supervisor led the Pledge to the Flag.

Motion to open the Public Hearing made by Councilman Kukon with a second by Councilwoman DuFresne, with all in favor and none opposed.

The Clerk read the Notice of Public Hearing for the proposed Local Law.

Supervisor Beaury said that the town has had a hard time finding volunteers to serve on their Board of Ethics and that this law is for the Columbia County Board of Ethics to be implemented to hear any matter on ethics.

Supervisor Beaury asked for public comments regarding the law and none were forthcoming.

Motion to close the Public Hearing made by Councilman Sullivan with a second by Councilman Kukon, with all in favor and none opposed.

Minutes of December 10, 2019 Town Board meeting, held in the Germantown Town Hall, 50 Palatine Park Road, Germantown, New York, commencing after the Public Hearing of Local Law No. 4 of 2019 commencing at 7:00pm

Present: Supervisor Beaury  
Councilwoman DuFresne  
Councilman Kukon  
Councilman Sullivan  
  
Town Attorney, Corinne Smith

Absent: Councilman Moore

Recorded by: Temporary Town Clerk, Charlene Diehl

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

Motion to approve the November 12, 2019 meeting minutes made by Councilman Kukon, seconded by Councilwoman DuFresne, with all in favor and none opposed.

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

**Written Communications to Town Clerk**

No written communications to relay.

Motion to amend the agenda not to go into executive session made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

**Old Business**

Nothing to report.

**New Business**

Supervisor Beaury read the Resolution Adopting Local Law No. 4 of 2019 proposed Local Law No. 4 of 2019.

TOWN BOARD  
TOWN OF GERMANTOWN  
COLUMBIA COUNTY, NEW YORK

RESOLUTION ADOPTING LOCAL LAW

Dated: December 10, 2019

**WHEREAS**, Local Law No. 4 of 2019, a local law amending the code of ethics to abolish the Town board of ethics and appoint the Columbia County board of ethics for the Town of Germantown, a copy of which is annexed hereto, as revised, was laid on the desks of the members of the Town Board for at least 10 days; and

**WHEREAS**, a public hearing on said revised local law was duly noticed and held on December 10, 2019; and

**WHEREAS**, Article 18 of the General Municipal Law requires the governing body of each town to adopt a code of ethics that sets forth for the guidance of its officers and employees standards of conduct reasonably expected of them; and

**WHEREAS**, in accordance with General Municipal Law § 808, in the absence of a municipal board of ethics, the Board of Ethics for the County of Columbia shall render advisory opinions to officers and employees of the Town of Germantown with respect to the provisions of the General Municipal Law pertaining to municipal officers' and employees' conflicts of interest,

and with respect to the Town of Germantown's Code of Ethics.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Germantown that Local Law No. 4 of 2019 amending the code of ethics to abolish the Town board of ethics and appoint the Columbia County board of ethics for the Town of Germantown is hereby adopted.

On a motion by Councilwoman DuFresne, and seconded by Councilman Kukon and having been approved by a majority of the Board, this Resolution was declared duly adopted by the Town of Germantown Town Board.

Dated:

\_\_\_\_\_  
Joyce Vale, Town Clerk

TOWN BOARD  
TOWN OF GERMANTOWN  
COLUMBIA COUNTY, NEW YORK

Local Law No. 4 of 2019

**A LOCAL LAW AMENDING THE CODE OF ETHICS TO ABOLISH THE TOWN BOARD OF ETHICS AND APPOINT THE COLUMBIA COUNTY BOARD OF ETHICS FOR THE TOWN OF GERMANTOWN**

**BE IT ENACTED** by the Town Board of the Town of Germantown as follows:

**SECTION 1. TITLE.**

This Local Law shall be entitled "A Local Law Amending the Code of Ethics to Abolish the Town Board of Ethics and Appoint the Columbia County Board of Ethics for the Town of Germantown."

**SECTION 2. AUTHORITY.**

This Local Law is adopted pursuant to the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York) and Article 18 of the General Municipal Law.

**SECTION 3. PURPOSE AND INTENT.**

This Local Law amends the Town of Germantown's Code of Ethics to abolish the Town's Board of Ethics. In accordance with General Municipal Law § 808, in the absence of a municipal board of ethics, the Board of Ethics for the County of Columbia shall render advisory opinions to officers and employees of the Town of Germantown with respect to the provisions of the General Municipal Law pertaining to municipal officers' and employees' conflicts of interest, and with respect to the Town of Germantown's Code of Ethics.

**SECTION 4. AMENDMENT OF LOCAL LAW NO. 3 OF 2019.**

Section 25 of Local Law No. 3 of 2019 is hereby amended and replaced in its entirety as follows:

**SECTION 25. BOARD OF ETHICS.**

The Board of Ethics of the County of Columbia shall render advisory opinions to officers and employees of the Town of Germantown with respect to the provisions of the General Municipal Law pertaining to municipal officers' and employees' conflicts of interest, and with respect to the Town of Germantown's Code of Ethics.

**SECTION 5. SEVERABILITY.**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional shall not affect the validity or

enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect.

## **SECTION 6. SUPERSESION.**

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes any inconsistent provision of state or local law to the extent necessary to give this Local Law full force and effect.

## **SECTION 7. ENACTMENT.**

This Local Law shall take effect immediately upon filing with the Secretary of State.

Motion to adopt Local Law No. 4 of 2019 made by Councilwoman DuFresne with a second by Councilman Kukon. A roll call vote was taken:

Supervisor Beaury:	Yes
Councilman Sullivan:	Yes
Councilman Kukon:	Yes
Councilwoman DuFresne:	Yes
Councilman Moore:	Absent

Supervisor Beaury reported that a dog kennel playground was gifted from the Germantown Parks Commission. The board agreed this was a great thing and has been long awaited.

Motion to accept the dog kennel playground from the Germantown Parks Commission made by Councilwoman DuFresne with a second by Councilman Sullivan, with all in favor and none opposed.

Supervisor Beaury distributed pictures to the board of a marble sign that Bill and Susan Droege would like to put in the Cheviot Cemetery next year. There is space for the sign that will say Cheviot Cemetery, Germantown New York 1710. The board is amenable to the proposal.

### **Supervisor's Report**

- Winter Stroll – was well attended and a date for next year will be determined shortly.
- History Department will be doing readings from Palatine Days with the Bard Archeology Field school students on December 14, 2019 at 12:30pm at the Germantown Library.
- Blood Drive December 21, 2019 from 8:30 – 12:30pm at the Activity Building.
- Year End Meeting December 26, 2019 at 6:00pm.
- Reorganizational Meeting January 2, 2020 at 6:00pm.
- Amtrak Fences and Gates will have a Scenic Hudson Public Meeting on January 4, 2020 from 10:30 – 12:00pm at the Activity Building.

Councilman Sullivan asked about the agenda for the Amtrak meeting and Supervisor Beaury said they will be looking for alternate access sites and the meeting should be well attended.

### **Public**

No comments.

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

Meeting closed at 7:14pm.

Respectfully submitted,