

Minutes of April 9, 2019 Germantown Town Board meeting, held in the Germantown Town Hall, 50 Palatine Park Road, Germantown, NY, commencing at 7:00pm.

Present: Supervisor Beaury  
Councilman Moore  
Councilman Kukon  
Councilman Sullivan

Town Attorney: Corinne Smith

Absent: Councilwoman DuFresne

Recorded by: Town Clerk, Joyce Vale

Supervisor Beaury opened the meeting and Led with the Pledge to the Flag.

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

Motion to approve the March 12, 2019 public hearing and regular meeting minutes made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

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

#### **Written Communications to the Town Clerk**

No communications.

At this time there was a presentation on the Germantown Farmer's Market by Stacylyn Himelright. Lauren from Marsh Meadow Farm helped with organizing the event was also present. Ms. Himelright started by saying that she and her husband James own a farm on Ford Road and on Dales Bridge Road. Stacylyn had given an outline of her plan, market rules and a chart with what each vendor will be bringing for the Farmer's Market to the Town Board members. Councilman Kukon thinks this is a great idea. Councilman Sullivan said it is long overdue. Supervisor Beaury thinks the plan is extremely thought out. Some discussion on if the Farmer's Market will be held under the pavilion. Supervisor Beaury asked if there were vendors to participate? Councilman Moore asked if there was an alternate location in case other events were taking place under the pavilion on the same date as the Farmer's Market? Supervisor Beaury will check with the insurance company. Corinne will check out the outline.

A motion was made by Councilman Moore, seconded by Councilman Sullivan, with all in favor and none opposed to amend the agenda and skip the executive session stated on the agenda.

#### **Old Business**

- Appointment of particular person(s) to the Planning Board. Councilwoman DuFresne and Councilman Sullivan will be on the interview committee along with somebody who has served either on the Planning or Zoning Boards. They have 6 applications and 2 of the 6 applications had been interviewed before. Anyone who is interested in serving should submit a letter of interest by the deadline, April 30, 2019.

#### **New Business**

- Intern for History Department. At the request of Tom Shannon, Town Historian, a Bard student will be offered an internship with the History Department. Ethan Dickerman will be doing research on some of the early families in Germantown. He is looking to be paid \$500.00. Ethan will be making a presentation after his internship is done. Supervisor Beaury will check with the accountants to determine his status for tax purposes.

Motion to appoint Ethan Dickerman to an internship made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

- PRISM program at Ernest R. Lasher Park with no cost to the Town or boaters. Run by the Cornell Cooperative Extension is from May 24<sup>th</sup>- September 2<sup>nd</sup>, 2019. This is a voluntary program they will be examining the undersides of boats to assist boaters with their knowledge of invasive species in the Hudson River.

Motion to approve the PRISM program made by Councilman Moore, seconded by Councilman Sullivan, with all in favor and none opposed.

- Request to purchase a Root Grapple. Councilman Sullivan and Councilman Kukon will discuss with Rich. The Town Board tabled this purchase until next month.
- Summer hours for full-time staff (6am-2:30pm, May 6<sup>th</sup> through August 30<sup>th</sup>)

Motion to approve summer hours for full-time staff made by Councilman Moore, seconded by Councilman Kukon, with all in favor and none opposed.

### **Supervisor's Report**

- Construction on the WWTP. The closing will be late May or early June which will give us the money to start the construction.
- State aid will not be received in 2019 (\$12,780). The Governor took it out of the budget and this will impact the Town's budget.
- Amtrak public information meeting (May....TBD). Supervisor Beaury reminded everyone that Amtrak withdrew their application with NYS but will re-submit it. NYS DOT requested several dates for the public information meeting. Supervisor Beaury stated that we should prepare a presentation for us to state our case. There was discussion on the wrought iron fence.
- Rabies Clinic April 13, 2019, 10am-noon (Activity Building).
- Lion's Club Pancake Breakfast, April 14, 2019, 8am-11:30am (Activity Building)
- Easter Egg Hunt, April 14, 2019, 11:30am (Activity Building, sponsored by the Library).
- Roadside clean-up, April 23, 2019, 8am (rain date: April 25<sup>th</sup>).
- Canoe Race, April 27, 2019, 9:30am (starts at Elizaville Falls and ends at Roe Jan Club).
- River Sweep, May 4, 2019, 9am-noon (rain date: May 5<sup>th</sup>) (starts at Lasher Memorial Park).
- Garden Club Plant Sale, May 11, 2019, 8am
- Town Wide Yard Sale Day/Car Wash/Odyssey Sub Sale/Village Stroll, May 18, 2019
- Next meeting May 14, 2019 at 7:00pm.

Councilman Sullivan would like to schedule a Town Board workshop. The Board agreed to have a workshop on April 30, 2019 at 6:30pm.

### **Public**

Dale Hinkein had a Traffic & Safety Commission County Board meeting last week and Route 9G will be black topped from the round-about to the Bank of Greene County. Also, Northern Blvd and Woods Road will be re-claimed and re-blacktopped. Dale said he put in a request to do away with the passing zone on 9G from Woods Road to East Camp Road Extension right passed the school.

Matthew Greismer from the firm Freeman & Howard representing Genette Piccici Oehlke spoke in regards to the zoning code for farm related businesses. Mr. Greismer went on to say that Germantown is an agricultural community and according to the Comprehensive Plan farming is different today than it used to be. Mr. Greismer said that neighboring towns recognize this law. Mr. Greismer also said the applicants will go through the planning process. Attorney Greismer asked the Town Board to consider this law. Mr. Greismer read letters from Elizabeth Frank, Amy Jo Davison and Margery & Nate Cole that support farm related businesses.

Ellen Epstein Jouret said this law is about high impact party events and not about ag business as they are stating. Ellen is opposed to this law.

Genette Picicci Oehlke read a list of permitted uses from the Zoning & Subdivision Law Book. Ms. Picicci Oehlke said that the Town Board has ignored her proposed farm related business law for 2 years. Genette said before she can even get on the Town Board agenda that she will have to pay \$8,000 in order to send out the required notices to all affected property owners about her proposed law and feels like this is discriminatory.

Supervisor Beaury responded by saying that Genette decided to file a petition on her own and did not come to the Town Board on this matter. Since she chose to file a petition, Genette will have to follow the rules regarding petitions. Supervisor Beaury also added that the Town is in litigation over a zoning issue. At this time, the Town Board is not interested in revising the zoning law. In the future the Board is considering forming a zoning committee to consider revisions to the Town's zoning law.

Corinne stated that the Town is in active litigation regarding a zoning issue and that the Town Board is not interested in considering the proposed law and revising the zoning law at this time. Corinne added that when the Board does take up its zoning law, it may look at incorporating some of these recommendations.

Matthew Greismer said the Article 78 does not affect this proposed law and the ability of the Town to look at this farming law.

Corinne Smith stated that the Board wants to look at all zoning issues comprehensively as part of a re-write.

Matthew Greismer wants on the record that Corinne's firm having represented somebody opposed to the Commercial Law in the past.

Corinne said that she would talk to Matthew after the meeting and that all conflicts were disclosed to the Town and resolved before her firm was retained. There is no conflict of interest.

Supervisor Beaury said he does not agree that there is a conflict of interest.

Genette said this farm law will grow out tax base. Genette would like the Town Board to reconsider.

Julie Oehlke said this law will give land owners flexibility with use of their land.

Vern Oehlke said he and his family were born and raised in Germantown and Vern wants to keep Germantown where families can live and grow here.

Dale Hinkein said on May 4<sup>th</sup> the Germantown Fire Company is having a chicken and rib barbacue.

Edward Hull owns land in Germantown. In 5 years he is retiring and he would like to farm to bring in extra income but he doesn't want to be limited.

Genette is asking the Town Board for options and flexibility.

Supervisor Beaury stated that the Town Board is very supportive of farms and agriculture and that we have talked about revising the zoning many times. This is something the Town Board will look at in the future.

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

Meeting closed at 8:14pm.

Respectfully submitted,