

Minutes of July 23, 2019 Special Town Board meeting, held in the Germantown Town Hall, 50 Palatine Park Road, Germantown, New York, commencing at 7:00pm.

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

Absent: Councilman Moore

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 regarding Ethics Law/Local Law No. 3 of 2019 made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

Town Clerk read the following notice:

PUBLIC HEARING  
TOWN OF GERMANTOWN

Notice is hereby given that the Town Board of the Town of Germantown will hold a Public Hearing on Tuesday, July 23, 2019 on Ethics Law (Local Law No. 3 of 2019) at 7:00pm to be followed immediately by a Special Board meeting held in the Germantown Town Hall, 50 Palatine Park Road, Germantown, New York.

Supervisor Beaury said the floor will be open to the public for comments whether for or against.

Supervisor Beaury asked Town Clerk if there were any written letters or comments.

There is a letter from Carole Neville opposed to the Ethics Law.

Town Clerk said there was an email from Michael Saia stating he was in support of the proposed Ethics Law.

There are written comments from Jen Crawford to be addressed at the next meeting.

These letters and emails will be on file in the Town Clerk's office.

Supervisor Beaury opened the floor to the public for comments either for or against the Ethics Law.

Jaia Orient spoke in behalf of herself and her husband Joshua and she thanked the Town Board for their concerns about ethics in town. The main concern is with Section 9B that it seems unnecessary and one sided. The Orient's also have concerns with Section 27B & D. Ms. Orient also stated to call for recusal in Section 9B the very general reasons to not recuse in section 10.2 combined with the high penalties in Section 27 makes it seem very dangerous to serve on a board. Jaia asked the Town Board to take deeper look at the language and the implications of this law for the people trying to serve the town on various boards.

Melinda Reichlin agreed with what Jaia Orient said. Ms. Reichlin also noted that people have opinions and people do change their mind.

Pamela Wallace is glad that the town is thinking about ethics law and then asked who had written the Ethics Law? Corinne Smith answered by saying that she had written the law. Ms. Wallace is concerned with Sections 4, 9, 10A and 27. Ms. Wallace also said this law terrifies her.

Arthur Schiff read a brief piece from the Town of Webster regarding ethical issues in land use law. Mr. Schiff gave the Town Clerk the document.

Kaare Christian had concerns with the wording in Section 9B and he also commented on Section 9C and Section 10 having to do with the town board and recusal. Kaare's thoughts on Section 17 conflicts of interest should be more specific regarding the county and the town. He also had concerns about Section 25. Kaare thanked the town for looking into improvements. Mr. Christian gave the town clerk information for a Model Code of Ethics for Local Government.

Martin Overington does not support this Ethics Law.

Joe Guida said that this was long overdue and needs work.

Steve Reynolds asked about indemnification.

Tony Albino thanked the town board but said there are serious flaws and the law would not withstand a judicial challenge. Tony also said the law could be re-written and Section 9B is not clear.

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

Public Hearing closed at 7:32pm.

Supervisor Beury stated the feedback is very important the board has a lot to consider and there will be answers to these questions at the next meeting.

Next issue:

#### **Old Business**

- LWRP application. The application will be submitted on Thursday.

Supervisor Beury read the following resolution:

**TOWN BOARD  
TOWN OF GERMANTOWN  
COLUMBIA COUNTY, NEW YORK**

**RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO NYS  
ENVIRONMENTAL PROTECTION FUND LOCAL WATERFRONT REVITALIZATION  
PROGRAM ("EPF LWRP")**

**Dated: July 23, 2019**

**WHEREAS**, the Department of State's Local Waterfront Revitalization Program, funded under Title 11 of the Environmental Protection Fund, provides matching grants on a competitive basis to eligible villages, towns, cities, and counties located along New York's coasts or designated inland waterways for planning, design, and construction projects to revitalize communities and waterfronts; and

**WHEREAS**, the Germantown Waterfront Committee, in consultation with the Town Board, has prepared an LWRP Grant Application to request funding for development of an LWRP in the amounts set forth in the Application annexed hereto and made a part hereof as if fully set forth at length herein; and

**WHEREAS**, the 2019-2020 EPF LWRP Applications are due July 26, 2019.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Town Board of the Town of Germantown hereby directs and authorizes the Supervisor in coordination with Kaare Christian as Chairman of the Germantown Waterfront Committee to submit the EPF LWRP Application as annexed here to NYS.

On a motion by Councilman Sullivan 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.

Roll call by Town Clerk:

Supervisor Beaury:	Yes
Councilman Sullivan:	Yes
Councilman Kukon:	Yes
Councilwoman DuFresne:	Abstain

Councilwoman DuFresne abstained herself because she is an officer of the Parks Commission, which had submitted a letter of support for the LWRP application.

Motion to authorize Supervisor to enter into a contract with film company, subject to approval of Town attorney made by Councilwoman DuFresne, seconded by Councilman Kukon, with all in favor and none opposed.

Next meeting is August 13, 2019 at 7:00pm. Public Hearing at 6:30pm.

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

Meeting closed at 7:39pm.

Respectfully submitted,