

Minutes of July 13, 2021, Germantown Town Board meeting held in the Germantown Town Hall 50 Palatine Park Road, Germantown, New York and via Zoom, commencing at 7:00pm.

Present: Supervisor Beaury
Councilman Sullivan
Councilman Kukon
Councilmember Suarez
Councilman Christian

Town Attorney, Corinne Smith

Recorded by: Town Clerk, Joyce Vale

Supervisor Beaury welcomed everyone and Led with the Pledge to the Flag.

Motion to open the meeting made by Councilman Kukon, seconded by Councilmember Suarez, with all in favor and none opposed.

Motion to approve June 8, 2021, Solar workshop minutes, June 8, 2021 Local Law workshop minutes and the June 8, 2021 regular meeting minutes made by Councilman Kukon, seconded by Councilman Sullivan with all in favor and none opposed.

Motion to pay audited bills for July 2021 made by Councilmember Suarez, seconded by Councilman Sullivan, with all in favor and none opposed.

Written Communications to the Town Clerk

None

Finance, update

The Town of Germantown is to receive the first half of \$186,000 in a few weeks and the next half will come 12 months from now and will be put in a separate account in the bank until the Town receives guidance on how to spend it. The Town can either spend on Broadband wastewater and water infrastructure. As more guidance is released, we can look into the best uses of this money.

Motion to amend the agenda to pass amendments and adjustments to the 2021 adopted budget made by Councilman Kukon, seconded by Councilmember Suarez, with all in favor and none opposed.

Supervisor Beaury said there was an adjustment to the budget bringing the state aide line to \$5,000. A couple of other lines were adjusted; they were all income. Adjustments to Bond, Principal & Interest.

Town Clerk roll call voting:

Supervisor Beaury: Aye
Councilman Sullivan: Aye
Councilmember Suarez: Aye
Councilman Kukon: Aye
Councilman Christian: Aye

Old Business

- Resolution to grant an easement to National Grid subject to a permissive referendum.

**TOWN OF GERMANTOWN
COLUMBIA COUNTY, NEW YORK
July 13, 2021**

WHEREAS, the Town Board previously approved the installation of a new EV charging station at 50 Palatine Park Road, Germantown; and

WHEREAS, National Grid has requested an easement on Town-owned property at 50 Palatine Park Road, Germantown necessary to install a pole and anchor for the EV charging station as detailed in the Grant of Easement and Sketch attached hereto; and

WHEREAS, the Town Board declared itself lead agency, determined that this is an Unlisted Action, and issued a Negative Declaration for the proposed action pursuant to SEQR.

NOW, THEREFORE, BE IT RESOLVED:

1. That the execution of said easement is subject to permissive referendum;
2. That the Town Board finds the easement necessary and authorizes the Supervisor to execute same and any other documents necessary to carry out the intent of this resolution subject to the permissive referendum; and
3. That the Town Clerk with assistance from the attorney for the Town is hereby authorized and directed to publish an abstract of this resolution in the Register Star, and post to the Town sign board and website within 10 days.

The motion to adopt the resolution was made by Councilperson Sullivan, seconded by Councilperson Suarez, and duly adopted by the following vote:

Roll call by Town Clerk:

Supervisor Beaury	Aye
Deputy Supervisor Sullivan	Aye
Councilmember Christian	Aye
Councilmember Kukon	Aye
Councilmember Suarez	Aye

Supervisor Beaury said the EV Charging Station will go in near the beach house and that the public can file a petition.

Motion for the Town be Lead Agency made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

Supervisor Beaury read the following SEQR

Agency Use Only [If applicable]

Project:

Date:

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing:	X	
a. public / private water supplies?	X	
b. public / private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

***Short Environmental Assessment Form
Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

“X” Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town Board, Town of Germantown

7/13/2021

Name of Lead Agency

Date

Robert Beaury

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)

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- Motion to appoint Phil Salvatore as a Skilled Laborer for the DPW made by Councilman Sullivan, seconded by Councilmember Suarez, with all in favor and none opposed.
- Motion to appoint Penny Penoulis as a counselor for Summer Camp made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.
- Motion to authorize the Supervisor to apply for ARPA Funds made by Councilmember Suarez, seconded by Councilman Sullivan, with all in favor and none opposed.
- Discussion about removing the Shed and leaving the concrete pillars. The shed was put on the Auction website and received a top bid of \$12,000 and was purchased but the buyer needed permits to transport it and decided not to proceed. The Town received 2 bids to demolish it. 1.) \$1,845 plus removing the concrete 2.) \$2,640. Town Board agreed to remove building and leave the pillars. Motion to award the bid to Visage to remove the shed made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.
- Update the cost of Oil and Stone road work. The increase in price \$29,000 to \$32,000.
- Draft Solar Law. Supervisor Beaury said they have a draft Solar Law courtesy of Jen Crawford. The Town Board will review the draft then there will be a workshop in August to try to finalize the draft. Then the draft will be sent to the Planning Board then to Columbia County Planning Board then a Public Hearing will be held then the Solar Law will be passed.

Motion setting workshop for Solar Law on August 10, 2021, at 6:30pm made by Councilman Sullivan, seconded by Councilmember Suarez, with all in favor and none opposed.

Motion setting workshop for Energy Audit on August 10, 2021, at 6:00pm made by Councilman Sullivan, seconded by Councilmember Suarez, with all in favor and none opposed.

New Business

- Motion to accept Court Audit (2020) results and authorize Supervisor to file with OCA made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed. Supervisor Beury commented audit came out perfect.
- Discussion regarding Cannabis law and opt out option. Supervisor Beury said municipalities have the option to opt out of the Cannabis law. He said if the Town opts out, they will see no tax income. Corinne said to opt out, the board has to do it by December 31st. Corinne also said if they decide to opt out, they can always opt back in at a later date but cannot opt out at a later date. The Board discussed it and decided not to opt out.

Motion to not opt out on the Cannabis Law made by Councilman Sullivan, seconded by Councilmember Suarez, with all in favor and none opposed.

- Discussion about 5G towers. Corinne said the current zoning does address larger cell towers and it doesn't address the smaller cell 5G structures. The smaller towers are placed on telephone poles or on boxes in easements or along the road. Corinne said the zoning could be amended for location modification to address some of these issues. This topic will be on the August agenda.
- Motion to approve Anti-Hate Resolution.

Supervisor Beury read the following resolution:

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

RESOLUTION AGAINST HATE

Dated: July 13, 2021

WHEREAS, recently as a nation we have witnessed an increase in violence based upon a person's religion, race, gender identities, sexual orientation, nationalities, economic status, and political affiliation; and

WHEREAS, here in the United States communities that have been built with the guidance, assistance and leadership that is inclusive of peoples of all races, religions, nationalities, gender identities, sexual orientations, economic status, and political affiliation are more successful; and

WHEREAS, the Town of Germantown Town Board continues to maintain that all people of our community have the right to feel safe and be treated equally and with respect and dignity regardless of their race, religion, nationality, gender identity, sexual orientation, economic status, and political affiliation.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Germantown, on behalf of our community members, do hereby state that Germantown reaffirms our commitment to a status of inclusion for all races, religions, nationalities, gender identities, sexual orientations, economic statuses and political affiliations; and

BE IT FURTHER RESOLVED that on behalf of all residents of the Town of Germantown we maintain our position that violence of any kind is unacceptable and condemn any act of aggression, hostility, or violence against any member of our community based upon race, religion, nationality, gender identity, sexual orientation, economic status, or political affiliation.

The question of the adoption of the foregoing Resolution was duly put to vote, which resulted as follows:

Roll call by Town Clerk:

Supervisor Beaury	Aye
Deputy Supervisor Sullivan	Aye
Councilmember Christian	Aye
Councilmember Kukon	Aye
Councilmember Suarez	Aye

This Resolution having been approved by a majority of the Board, the same was declared duly adopted.

Motion to approve Anti-Hate Resolution made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

- Discussion about purchasing a Chipper. Supervisor Beaury said the Chipper is old and the purchase price of a new one is approximately \$54,000. It would take up to 8 months to get it.

Motion to authorize purchase of Chipper made by Councilmember Suarez, seconded by Councilman Sullivan, with all in favor and none opposed.

- Discussion about cooling/heating station. Supervisor Beaury said we are a Red Cross shelter, but the Activity Building will only be used as a daytime shelter. Supervisor Beaury will be meeting with the Red Cross coordinator and Director of CC Emergency Management and will give the Board an update.
- Discussion about Shade Structure program. Councilmember Suarez has a letter from Doris Dubac in regard to residents sponsoring memorial trees to put in some of our parks. Supervisor Beaury thinks it is a wonderful idea. Doris would also like sponsored park benches placed in different parks.
- Discussion about Roe Jan project and Greenway Grant. Councilman Christian said a group have been working on a kiosk design for Roe Jan Park similar to the kiosk at Cheviot park. Councilman Christian said the group noticed other projects that need to be re-done at the Roe Jan Park to make it more usable. Greenway has set aside money for projects relating to trail amenities. The list includes a kiosk. Adding Wi-Fi which GTel will supply if a solar system was created to power it. Putting a stairway to the camping platform. Martin Overington would like to make that an Eagle Scout project. Councilman Christian noted that because the park is located on the Empire Bike Trail, they would like to add a bike rack and bike tools on cables. Lastly, they would like to add a solar cell phone charging station. Councilman Christian gave all the information to the Town Board. Councilman Christian said they will ask for Town Board approval once the grant is applied for.

Supervisor’s Report

- Recent storm damage to Hunteertown Road and lower Main Street. Supervisor Beaury said they can apply for a grant to do a study regarding storm water and its impact on the sewer system. Delaware Engineering is working on the grant.
- Thank you to sponsors for Summer Camp- Supervisor Beaury thanked Kukon Brothers LLC, Marchisio Properties and Sunshine Smiles for their generous gifts for the Summer Camp program this year.
- Alta contract signed. LWRP committee now has a planner.
- Empire State Ride July 27, 2021- coming through Germantown approximately 250 riders. GCS will be used as a rest stop.
- Next meeting August 10, 2021, at 7:00pm preceded by 2 workshops one at 6:00pm on the Energy Audit and the other workshop at 6:30pm on the Solar Law.

Comments from Councilmembers

Councilmember Suarez thanked the library and GEDAC for the movie nights.

Councilman Kukon said it was great to meet in person again.

Comments and questions from the public

Martin Overington said he likes the Owl system. Martin suggested to get rid of the shed and leave the floor to use as a stage. Martin also said at the Roe Jan electric to the building without a pole would it be simpler or cheaper than using solar. David Helsley said he thinks the power is on the south side of the road and crossing the road would be a code violation.

Martin thanked the Town and the highway department for the work they did after the rainstorm.

Kathy Overington grateful to Denis and Phil for filling in the pothole.

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

Meeting closed at 8:25pm

Respectfully submitted,