

Minutes of September 14, 2021 Germantown Town Board meeting, held in the Germantown Town Hall 50 Palatine Park Road 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 the August 4, 2021, and two August 10, 2021 workshop meeting minutes and the August 10, 2021 regular meeting minutes made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

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

### **Written Communications**

Councilman Sullivan read an email from Christina Bohnsack on the Mooring Proposal. This email is on file in the Town Clerk's office.

### **Old Business**

- Draft Solar Law. Discussion of draft solar law and whether Germantown should consider adding maximum lot sizes like Livingston or Clermont. In Jen Crawford's opinion, she said the Town might not want to include a maximum size as it would be considered unreasonably burdensome for larger scaled projects [in Article 10 review]; some larger scale projects have a larger budget and can be more conscientious with mitigation measures. Supervisor Beaury said he would like for Corinne to look at Livingston's and Clermont's solar laws before we finish drafting ours just to get a sense of what other towns are doing. Corinne will look at Livingston's and Clermont's laws and agreed this is the time to consider additional changes to the proposed law. Councilman Christian is reluctant to have a hole in the zoning where smaller projects get up to a certain size and are then prohibited. Councilmember Suarez understands protecting the farmlands, but she does not to make it impossible for the larger scaled projects and we could make provisions for the way we want those projects to play out. Supervisor Beaury thanked Jen and Corinne for all the work they have done on this and suggested that the Board looks at max acreage before the next meeting. Councilmember Suarez wanted to confirm that the Board was only talking about looking at maximum lot size and not prohibiting solar in specific zones. Jen added that in the current draft, Tier 3 projects are prohibited in NR, the three hamlet zones, and the scenic viewshed overlay. Councilman Christian also suggested revising the definition of Tier 3 in the draft and increasing the tree cutting look back time to 10 years, which is currently 1 year in the draft. Discussion of the lookback period and what is reasonable. Jen said it is feasible to get orthoimagery and that it is atypical for an applicant to do any clear cutting before submitting an application. Discussion of definition for Mature Forested Land and allowing clearing of scrub brush. The Town Board will address this next month and circulate to the Town Planning Board and County Planning Board at that time.
- Discussion about 5G Towers. Supervisor Beaury asked Jen if she has heard about 5G towers? Jen hadn't heard anything about 5G towers. Councilmember Suarez thinks this should be addressed in re-zoning. Supervisor Beaury said right now we have no requirements. Councilman Sullivan asked if they could put them anywhere? Councilman Christian said Ulkla shows activity for 5G towers. Supervisor Beaury will put this back on the agenda for next month if anything is uncovered.

- Discussion about masks and social distancing. Supervisor Beaury said all the Board of Supervisors meetings are all virtual through January 15, 2022 and you must wear a mask in the County buildings. Councilmember Suarez said we should require masks. Councilman Kukon would like the Town Board meetings in person. Councilmember Suarez agrees with Councilman Kukon but not opening the meetings to a room full of people. Supervisor Beaury will update the sign on the door. Supervisor Beaury said they will make similar provisions for Planning and Zoning meetings in person. Councilman Sullivan asked if the executive order gives the option for board members to be virtual and still count as being present? Corinne said if the board members want to participate via zoom the public notice should be drafted accurately stating either in person or via zoom and this would count as a quorum. Supervisor Beaury asked what to do with the applicants for the Planning and Zoning boards should they be on zoom. Councilmember Suarez maybe to give the applicants a choice. Supervisor Beaury said the chairs can talk to the applicants and use their discretion. Supervisor Beaury asked what about the committee's meetings? Councilmember Suarez said leave that up the committees. Councilman Sullivan thinks most of them are doing them hybrid.

Motion to enter into Executive Session at 7:44pm to discuss personnel and litigation issues made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

Motion to come out of Executive Session at 8:31pm made by Councilman Kukon, seconded by Councilmember Suarez, with all in favor and none opposed.

### **New Business**

- Discussion about new protocols for board vs. committee meetings.
- Motion to adopt Tentative Budget (FY 2022)  
Motion to adopt the 2022 Tentative Budget made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.
- Budget workshop October 5<sup>th</sup>, 2021, at 6:30pm.
- Preliminary budget to be on agenda for October 12, 2021 Board meeting.
- Public hearing on Preliminary Budget before November 9, 2021 Board meeting.

Motion to approve the budget workshop time and date made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

### **Supervisor's Report**

- New laptop and monitor to be installed in October.
- Next meeting is October 12, 2021 at 7:00pm.

### **Comments from Councilmembers**

Councilman Christian said the Roe Jan Park Grant was submitted to Greenway- waiting to hear. Councilman Christian said Christina's email about the mooring proposal is in the public comment stage at the Army Corp of Engineers and they are hoping they can do something in the meantime. Supervisor Beaury asked if Councilman Christian wanted a workshop for this matter? Councilman Christian said it would be helpful. Councilmember Suarez said would provide more feedback.

Workshop for the mooring proposal is September 29, 2021, at 6:30pm under the Pavilion.  
Motion to hold the workshop for the mooring proposal made by Councilman Christian, seconded by Councilman Kukon, with all in favor and none opposed.

Councilman Kukon thanked Councilmember Christian for working on the park.

Supervisor Beaury said the final report for Local Champions was submitted today.

### **Public comments**

Jen Crawford asked about in-person vs. virtual for the LWRP public information session. Supervisor Beury said everyone will be required to wear masks and seating will be spaced out.

Martin Overington wanted to thank the Town and Supervisor Beury for 9/11 event and the high-profile people attending. Martin supports the letter from Christina. Help save the beautiful views of the Hudson River.

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

Meeting closed at 8:47pm.

Respectfully submitted,