

Minutes of January 9, 2024 Germantown Town Board meeting, held in the Germantown Town Hall, 50 Palatine Park Road, Germantown, NY and via Zoom, commencing at 7:00pm.

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

Town Attorney, Corinne Smith

Recorded by: Town Clerk, Joyce Vale

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

Motion to approve the December 12, 2023 public hearing, December 12, 2023 board meeting, and December 28, 2023 year end meeting minutes made by Councilman Kukon, seconded by Councilmember Suarez, with all in favor and none opposed.

Motion to pay the audited bills for December 2023 with 2023 funds and bills for January 2024 with 2024 funds made by Councilman Kukon, seconded by Councilman Sullivan, with all in favor and none opposed.

#### **Written Communication to the Town Clerk**

Town Clerk received year end reports from History and Building departments.

#### **Old Business**

- Kellner Activity Building- Still awaiting pricing- there has been some communication regarding selection of finish plumbing fixtures. DPW has begun removal of some of the older cabinets in the kitchen area.
- STR Law- do we need further discussion? Are there any changes? Councilmember Suarez wanted an updated number of dwellings and Columbia County sent her new tax roll for 2023. Councilmember Suarez suggested keeping the 6% to cover existing STR's and any new ones. Councilmember Suarez would ask the STR committee for the good neighbor handbook and hasn't received a response yet and Councilmember Suarez suggested removing that out of the STR law. Councilmember Suarez was asking about how it ended up with applying for STR every 12 months? Supervisor Helsley commented that we are close to the limit now. Councilman Sullivan said that we are trying to avoid a developer coming in and buying up properties. Corinne said a new STR could not be grandfathered in. Corinne said you could change the time limit restriction or time frame. Councilman Christian asked what if you are owner of an LLC? Corinne said they are going to change the definition to if you are a member of an LLC that will count as your ownership to one STR. Town Board agreed on an owner applying for one STR permit in a 12-month period and to remove good neighbor. Councilman Christian would like to remove Section 4 F#10 septic inspection and F#6 garbage removal. Town Board agreed on removing Section 4 F#6 garbage removal and F#10 septic inspection. Town Board agreed to merge Section 6 A-D. Corinne asked in Section 8 who is in charge of enforcement? Town Board agreed it would be the ZBA. Corinne will make changes and the Town Board set date for the Public Hearing on February 13<sup>th</sup> at 6pm followed by the Town Board meeting.
- Tier 3 Solar Moratorium. Discussion on Solar law. Supervisor Helsley said he is not looking to change the law. Corinne said the biggest concern is projects located on agricultural land stated in Section 8A of the Local Law. Councilman Sullivan added if we changed and added open area to that section specifying just the open area. Corinne any changes made they would have to refer them to the Town Planning Board and the County Planning Board then do a public hearing. Councilman Sullivan asked who makes the interpretation determination? Corinne answered if the Planning Board didn't think the interpretation was unclear it wouldn't have to go to the ZBA. Councilman Christian would like some changes to the definition farmland. Councilman Kukon

commented when the law was drafted the board wasn't clear what that meant. Town Board discussed definition of open farmland. Corinne said she could work on the language. Councilman Christian is concerned about a property that doesn't have any farmland and is all open space. Councilman Kukon added the companies are looking for non-ag open land. Supervisor Helsley said the concern is protecting already open farm space. Town Board agreed to February 6, 2024 at 6pm the public hearing on proposed Local Law No. C of 2023 monthly Town Board meeting will directly follow the public hearing.

- Bard Property. All necessary paperwork has been submitted to DEC, preview contract has been received from DEC. We will need to develop a recreation plan. Councilman Christian said the financial aspects didn't add up he will work on it. Councilman Christian said there is a site visit on Saturday at 9am and he invited the Town Board.
- Resolve to re-appoint Kerrie Abela to the Planning Board for a 7-year term, 1/1/2024 through 12/31/2030. Motion to re-appoint Kerrie Abela to the Planning Board for a 7-year term 1/1/2024 through 12/31/2030 made by Councilman Sullivan, seconded by Councilmember Suarez, with all in favor and none opposed.
- Any suggestions for an appointee to the Hudson Valley Flood Resilience Network for 2024? Councilmember Suarez had sent out an email. Councilmember Suarez suggested Councilman Christian. Motion to appoint Councilman Christian to the Hudson Valley Flood Resilience Network made by Councilmember Suarez, seconded by Councilman Sullivan, with all in favor and none opposed.
- Town SPEDES permit- Proposal received from Delaware Engineering in the amount of \$3,500 for preparation of the necessary documentation. Can be covered by budgeted funds. Motion for the Supervisor to sign the proposal for Delaware Engineering for preparation of the necessary documentation for the Town SPEDES permit made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.
- Bard Archaeological MOU-suggested added language has been submitted to Bard- No response yet.

### **New Business**

- Sewer Extension for 4365 Route 9G. Jen Crawford spoke with the Town engineer. Jen said the next steps to prepare the map and plan report, which includes four different routes. Jen asked if the Town would be willing to take ownership of the sewer line that she paid for once it is completed. The route Jen would like to use would go along Route 9G. Jen said if the line is owned by a municipality then it would not require a use and occupancy. Supervisor Helsley suggested that Jen talk to Delaware Engineering. Councilman Sullivan asked if the sewer line crossed properties would that put them in the sewer district. Corinne said they would get an easement to maintain the sewer. Supervisor Helsley said the sewer district would only include Jen's property. Corinne said you would need appropriate easements. Corinne said the first step is to see the map which will be reviewed by the engineers. Corinne recommended that Jen set up an escrow account. Supervisor Helsley will reach out to Delaware Engineering and get an idea of a suggested escrow amount. Councilman Christian is wondering if they can get additional houses hooked up to the sewer. Corinne said that Delaware Engineering may be able to look into this.
- Appoint Ralph DelPozzo as Town Assessor for 2024. Motion to appoint Ralph DelPozzo as Town Assessor made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

### **Supervisor's Report**

- Looking forward to a productive 2024 and close out some Old Business items.

### **Comments from Councilmembers**

Councilmember Suarez and Councilman Sullivan interviewed for the open ZBA seat. Motion to appoint Billy Shannon as a ZBA member January 1, 2024 through December 31, 2029 made by Councilman Kukon, seconded by Supervisor Helsley, with all in favor and none opposed. Motion to appoint Stu Davidson Tribbs and Bill Rosado as ZBA alternate members to serve a one-year term made by Councilmember Suarez, seconded by Councilman Sullivan, with all in favor and none opposed.

#### **Comments and Questions from the public**

John Salerno had asked the Town Board if they had received his letter? John explained that decommission is a problem and that the panels are contaminated. Councilman Christian asked for more information.

Martin Overington asked if FloWeld and Dollar General are in the sewer district? Supervisor Helsley answered "yes". Martin said the town board is doing a great job. Martin thanked everyone in making the Christmas holiday a big success. Councilman Kukon and Supervisor Helsley thanked Martin for all he did for the event.

Tony Albino asked if the Board wanted a drone video of the Parsonage and that he could arrange it? Supervisor Helsley said "yes", that would be greatly appreciated.

Motion to adjourn at 8:40pm made by Councilman Sullivan, seconded by Councilman Kukon, with all in favor and none opposed.

Respectfully submitted,