

Minutes of August 13, 2024, Germantown Town Board meeting, held in the Germantown Town Hall, 50 Palatine Park Road, Germantown, NY and via Zoom, commencing at 6:48pm.

Present: Supervisor Helsley  
Councilman Kukon  
Councilmember Suarez  
  
Town Attorney, Corinne Smith

Present via Zoom: Councilman Christian

Absent: Councilman Sullivan

Recorded by: Town Clerk, Joyce Vale

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

Motion to approve the July 9, 2024 meeting minutes made by Councilman Kukon, seconded by Councilmember Suarez, with all in favor and none opposed.

Review of Financial Reports- Comments, Questions. Supervisor Helsley said he just received the reports today.

Motion to pay the audited bills for August 2024 made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

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

Town Clerk received History and Highway department reports.

History Advisory Committee  
July 27, 2024

Attendance: Tony Albino, Yvonne Crawford, Alvin Sheffer, Rich Coons, Tom Shannon

- The ground penetrating radar project at the First Reformed Cemetery is scheduled for August 28<sup>th</sup> through 31<sup>st</sup>. We need an average of 4 volunteers per day.
- Hover grant wrap up: Application asking for 20K will be submitted by Aug. 1<sup>st</sup>. A roofing contractor stopped by the Parsonage recently and suggested that applying a metal roof directly over the existing roof may be comparable in cost to tearing off and replacing with an asphalt shingle roof. Will ask the Town Board if there is any way to accommodate that possibility in a potential RFP. Will also submit grant applications to the Hudson River Bank and Trust Foundation and possibly J.M. Kaplan Fund.

- Hank received a verbal quote to fix the chimneys on the Parsonage. We are still trying to nail down a written quote to submit to the Town Board. We need to demonstrate efforts to secure quotes from at least three other contractors.
- New historic signs have been installed in the last few weeks at Ice House Landing and in the pocket park to commemorate the 1923 fire on Main St. Alvin suggested that we do an unveiling ceremony for one or both of them.
- Tom sent the previously discussed letter asking for guidance from the State Historic Preservation Office regarding the archaeology MOU with Bard College. The letter was sent Josalyn Ferguson on July 27<sup>th</sup>.
- PATH through History Weekend, Oct. 11-13. We'll do a campfire evening at the Parsonage on Friday, Oct. 11<sup>th</sup>, starting at 5PM. Will ask Matthew Mercier if he wants to do a reading from his recently published book.
- Hudson River Valley Ramble. Tom will lead a hike through the KEEP preserve focused on Rockefeller family history, Sept. 22<sup>nd</sup> at 2PM.
- Methodism history pamphlet: Tom and Rich are tracking down some post-1962 details to bring the previously written histories up to 2010 when the church closed. The text alone runs 12 single-spaced pages in Word at the moment, before adding photos.
- The ColumbiaNY250 Education Subcommittee is working on a book featuring writings about events in the various towns during the Revolutionary War. Tom is working on chapters about Germantown and Loyalist William Smith Jr's time at the Hermitage and subsequent memoirs. Submissions are due in February. Tom and Tom Moreland, Austerlitz

#### AUGUST REPORT

1-REPLACED FAN MOTOR IN BEACHHOUSE

2-PUT TOPSOIL DOWN IN DOG PARK

3-FIBER MATTED BROOMED AND SEALED MOUNTAINVIEW, UNDERHILL, AND VINYARD TERR.

4-WEED EATEN TOWN ROADS

5-FILLED IN POTHOLES AT ANCHORAGE PARKING LOT WITH SCREEN FILL

6-REPLACED 2 DRIVEWAY PIPES ON HILLTOP AND REPAIRED 2 PROBLEM SPOTS ON HILLTOP

7-REPLACED DRIVEWAY PIPE ON VIEWMOUNT

8-HAVE BEEN CHIPPING AND TAKING TOWN TREES

ANTHONY CIDRAS  
HIGHWAY SUPERINTENDENT

Town Clerk and Town Board also received an email (letter) to Amtrak from Martin Overington, WAC chair.

Town Clerk read the following:

Dear Amtrak,

Volunteers of the Waterfront Advisory Committee (WAC) for the Town of Germantown NY, have been working on developing parcel number 158.-1-87, often called Ice House Landing, as a future Town park. The property lies on the western side of the tracks and extends into the Hudson River. During the recent addition of a high-speed switch in this area near the 104-mile marker, it appears Amtrak surveyors placed a line of property stakes on the Ice House Landing parcel at approximately 87 feet from the center line of the track. Our understanding is that the outer line of the CSX right of way should be forty-nine and one-half foot (49'6") feet from the center line. Our assessment is based on several documents including the 1882 state grant for a potential dock at that property and associated maps, as well as the 1995 deed when CSX sold the parcel to private owners, who later lost the property in foreclosure. We have been researching this and can find no documentation changing the original metes and bounds. If you have any supporting documentation of this change to the western boundary of the CSX property could you please supply us with a copy? We attach copies of the deed and original grant map.

Sincerely,

Martin Overington  
WAC Chair  
David Helsley  
Germantown Town Supervisor

Discussion after the letter. Martin said LWRP is needed to keep Amtrak in their area. Martin asked if we should get a survey on the parcel? Martin hopes Amtrak will respond to the letter. Supervisor Helsley suggested adding in the phrase "respond withing in 60 days". Councilman Christian said he would hand deliver the letter to their office in Hudson. Councilman Christian suggested sending the letter to the contact in Washington D.C. Northeast Regional Coordinator. Martin said the Ice House looks good since it's been cleaned up. Tom mentioned the old train rails that are on the property line will need to be removed.

### **Old Business**

- Kellner Activity Building- 1 Bid received in the amount of \$314,500.00.  
Town Hall roof- All bids were significantly over what was budgeted.  
Supervisor Helsley prepared a budget. Total awarded ARPA funds of \$187,003.08.  
Spent \$11,500 on Delaware Engineering. Approve expenditure for the generator for \$47,000.00. Total spent is \$58,672.00. Gained \$335.00 interest. Remaining funds is \$128,666.00. Supervisor Helsley said the Town Hall roof bids came in over the

budgeted amount so Supervisor Helsley suggested utilizing those funds towards this project and he will add the Town Hall roof to the 2025 budget. Councilmember Suarez will like to move on with this project. Supervisor Helsley mentioned that he will do the electrical work pro bono and the Town will pay for the materials. The proposed expenditure from fund balance is \$155,833.59.

Supervisor Helsley read the following Resolution:

TOWN BOARD  
TOWN OF GERMANTOWN  
COLUMBIA COUNTY, NEW YORK

**RESOLUTION AWARDING BID FOR KELLNER COMMUNITY YOUTH AND  
ACTIVITIES BUILDING RENOVATIONS AND AUTHORIZING USE OF SLFRF**

Dated: August 13, 2024

WHEREAS, the Town of Germantown issued an Invitation for Bids (“IFB”) for Kellner Community Youth and Activities Building Renovations for the Town of Germantown (the “Project”); and

WHEREAS, the Project involves improvements to the Town-owned Kellner Community and Youth Activities Building to permit it to operate as an Emergency Operations Center; and

WHEREAS, sealed bids for the Project were publicly opened and read at the Germantown Town Hall on July 12, 2024, with a bid being received from one party; and

WHEREAS, the Town has reviewed the bid(s) submitted, and the bid from JF Management Group Corp. was the lowest bid submitted by a responsible bidder; and

WHEREAS, the Project is to be partially funded from the remaining amount of Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) received by the Town of Germantown.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Germantown as follows:

1. That the Town Board declares itself lead agency for purposes of State Environmental Quality Review (“SEQR”) for the Project and hereby finds that the Project is a Type II action under NYCRR § 617.5(c)(2) as replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, not subject to further review under SEQR; and

2. That the bid from JF Management Group Corp. for \$314,500.00 for the Project, is hereby accepted, subject to the terms of the IFB; and

3. That the Supervisor be, and he hereby is, authorized to issue the Notice of Award to JF Management Group Corp. and execute a contract for such Project in substantially the form provided in the IFB, subject to approval by the attorney for the Town, and to do any and all necessary acts to carry out the intent of this resolution; and

4. That the Town Board authorizes the use of SLFRF in the amount of \$128,666.41 to fund this Project associated with the following SLFRF eligible use category, with the balance from fund balance and transferred from budget line item 1620.4 (Budget for Town Hall Roof):

Responding to the Public Health Emergency  
Public health response to those impacted by COVID 19  
COVID-19 mitigation and prevention  
Enumerated eligible use: Improvements to or construction of  
emergency operations centers

This use of funds meets the capital expenditure eligibility standard.

On a motion by Councilman Kukon and seconded by Councilmember Suarez and having been approved by a majority of the Board, this Resolution was declared duly adopted by the Town of Germantown Town Board.

Town Clerk, Joyce Vale

Councilman Christian is wondering if some costs of plumbing and heating can be reduced. Councilman Christian suggested three unisex bathrooms and make one of them ADA complaint. Supervisor Helsley said we could pay additional funds to the engineer but we committed to use the funds by the end of the year. Councilman Kukon wants to move on with this project.

Town Clerk read the roll call:

Supervisor Helsley:       Aye  
Councilmember Suarez:    Aye  
Councilman Kukon:        Aye  
Councilman Christian:     Aye

Corinne will prepare for the next steps.

- SPEDES permit- Still under DEC review. Latest inquiry by Delaware Engineering received this response from Kristen Peek at DEC. "Hello Tracy, this is currently in

process, but we can't provide an estimated timeline at this point. Please let me know if you have any questions."

- Salt Shed Roof Solar array- RFP is being reviewed by the accountant. Dates will need to be adjusted once everything is finalized. Matthew Mercier thanked the Town Board. Supervisor Helsley also thanked Matthew for all of his work on this. Councilman Christian is also available for consultation.
- Bard Parcel. The assessment provided needs revision that will need to be addressed prior to closing- Per Molly Hassett at DEC: "It is restrictive report and should be full narrative appraisal report. No contract number was included. DEC was not made an intended user. There was no support for the adjustments in the Sales Comparison Approach." Councilman Christian is following up with Concra Appraisals. Councilmember Christian is also preparing the progress report due September 1, 2024. Corinne is going to check with DEC in regards to the restricted covenant to make sure the forestry use will fit in the agricultural restriction.
- Local Law B- Designation of Fire Lanes. Has there been correspondence with the County Attorney? Public Hearing was set for 6:30pm on September 10, 2024 on proposed Local Law No. B of 2024 providing for a local law designating a fire lane in front of 220 Main Street (County Route 33).

Motion to authorize the Supervisor to sign Part I of the AIF and designating the Town Board as lead agency determining the action is an unlisted action made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

Motion to authorize the Supervisor to sign Part II of short EAF indication questions 1-11 all "no small impact may occur" completing Part III of the EAF will not result in any adverse impact also authorizing the Supervisor to sign Part III made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.  
Corinne said SEQR is completed.

### **New Business**

- Bid received to repair the chimneys at the Parsonage in the amount of \$10,800- \$10k was budgeted for building repairs in 2024.
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Corinne read the following Resolution:

TOWN BOARD  
TOWN OF GERMANTOWN  
COLUMBIA COUNTY, NEW YORK  
Dated: August 13, 2024

RESOLUTION AWARDED BID FOR REBUILDING OF PARSONAGE CHIMNEYS  
WHEREAS, in accordance with the Town's Procurement Policy, the Town of Germantown solicited quotes for the rebuilding the parsonage roof chimneys (the "Project"); and

WHEREAS, a quote was received from David Bathrick Masonry for \$10,800.00. NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Germantown:

1. That the Town Board declares itself lead agency for purposes of State Environmental Quality Review ("SEQR") for the Project and hereby finds that the Project is a Type II action under NYCRR § 617.5(c)(2) as replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, not subject to further review under SEQR; and
2. That the quote from David Bathrick Masonry of \$10,800.00 for the Project is hereby accepted.

On a motion by Councilmember Suarez 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.

Joyce Vale, Town Clerk

- Vandalism at Palatine Park- A report was filed with the Sheriff's office. Councilman Kukon would like to see cameras on the beach house. Supervisor Helsley will put cameras in the plans for the Kellner Building. Councilman Kukon suggested putting cameras on the beach house facing out. Supervisor Helsley will have a report for next month.
- Motion to re-appoint Thomas Shannon to the Assessment Review Board for a term of 5 years beginning 10/1/2024 through 9/30/2029.

Motion to re-appoint Tom Shannon to the Assessment Review Board for a term of 5 years beginning 10/1/2024 through 9/30/2024 made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed. Town Board thanked Tom for his service.

- Anti-harassment/lactation policy. This was tabled until September.
- Establishment of escrow requirements upon referral to Planning or Zoning boards. Supervisor Helsley recommended to establish a rate chart. Corinne recommended raising application fees. Supervisor Helsley will discuss on August 22<sup>nd</sup> meeting with Planning, Zoning & CEO.
- Amtrak activities at Cheviot Park. This topic was discussed at the beginning of the meeting. Tom mentioned the parking issue at Cheviot. Tom feels they should ask the Town first. Martin mentioned them working with the stone at night and blocking the road.

### **Supervisor's Report**

- Budget process is beginning- Department heads will be receiving documents for their input. A budget workshop will be scheduled for next month. Supervisor Helsley is having knee surgery on October 31, 2024. Increase operation budget for holiday celebration.

### **Comments from Councilmembers**

Councilmember Suarez said the Parks Commission is meeting August 19, 2024 at 7:00pm to discuss plans for Halloween event.

Councilman Christian said DEC is planning to do renovations at Lasher Park. Supervisor Helsley will follow up this week.

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

Matthew Mercier mentioned that for the town's energy audit grant they will need to photograph the areas that they are auditing. Supervisor Helsley said he could be available Friday afternoons. Councilmember Suarez suggested anytime during Town Clerk hours as well.

Tony Albino received an email from Kate Wood sending out a mailer for Friends of Historic Germantown. Tony said the mailer would introduce the residents of events that are going on. The quote for 1660 postcards is \$985.00. Supervisor Helsley thinks that can be added to the budget. Corinne said if they are not directly for a public purpose that town funds should not be used. Tom Shannon said the Parsonage set up a fund raiser through the 501C3. Corinne said the town is not allowed to fund raise.

Tom Shannon received a quote from David Bathrick masonry for Historic chimney rebuild in the amount \$10,800.00. Supervisor Helsley will follow up with the contractor. Supervisor Helsley will give Tom the form A.

Tom asked if there was any correspondence from NAGRA? Corinne said she is not receiving the emails from them but will follow up.

Supervisor Helsley said no executive session needed.

Motion to adjourn at 8:04pm made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

Respectfully submitted,